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U.S. Department of Transportation Announces New Rule To Make Shipping of Hazardous Materials Safer

WASHINGTON – The U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) today announced that Department inspectors will now have greater authority when it comes to ensuring the safety of hazardous materials in the stream of transportation. The new rule, which implements authority granted by Congress, allows inspectors to investigate shipments of hazardous materials during transport and take tougher enforcement action against companies shipping in an unsafe manner.

“Safety is the Department’s number one priority, and this rulemaking will give our inspectors the tools they need to ensure hazardous materials are packaged correctly and reach their destination safely,” said U.S. Transportation Secretary Ray LaHood.

The new authority allows Department inspectors to close down shipping companies with poor safety records. It also specifically authorizes inspectors to take immediate action when there is a significant safety problem with a package in transit. This includes ordering restrictions, bans, or immediate recalls of faulty packages. With these new provisions, inspectors will be able to temporarily detain and inspect packages that may pose a serious threat to life, property or the environment.

Department inspectors will also be able to immediately open packages even if the request to open them is refused. However, if a particular package is detained, the rest of the shipment may continue in transit.

“This rulemaking is another step in ensuring the safe transportation of hazardous materials by providing our inspectors the authority to conduct thorough investigations, to remove non-compliant packages from transportation, and to recall packages that could pose a significant threat to the public and the environment,” said PHMSA Administrator Cynthia Quarterman.

The rule applies to U.S. Department of Transportation inspectors in PHMSA, as well as the Federal Aviation Administration, Federal Motor Carrier Safety Administration, and Federal Railroad Administration. The final rule becomes effective 60 calendar days after the date of publication in the *Federal Register*. The final rule is scheduled for publication on March 2, 2011. The final rule, and the related internal operations manual, is also available on the PHMSA website at www.phmsa.dot.gov. # # #