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PHMSA Final Rule Streamlines and Clarifies HazMat Special Permits and Approvals Application Process

New procedures to improve application quality and shortens application processing times

WASHINGTON – As part of its regulatory review initiative, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) today announced a final rule that streamlines the hazmat special permits and approvals application process by incorporating new procedures for evaluating applications into the Hazardous Materials Regulations. In taking this action, PHMSA also fulfills requirements of the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141) by making the application review process more transparent to our stakeholders.

“Hazmat special permits keep commerce moving while ensuring compliance with critical transportation safety requirements,” said U.S. Transportation Secretary Anthony Foxx. “This rule makes the process for reviewing and approving these special permits easier and more efficient.”

This rulemaking provides clarity on the application requirements for obtaining a hazardous material special permit, includes an online application process, and helps ensure completeness of the applications submitted. The HMR amendments include: standard operating procedures to support the administration of the special permit and approval programs; and criteria to support the evaluation of special permit and approval applications.

“These changes are consistent with PHMSA’s agency-wide initiative to identify opportunities to modernize, clarify and reduce burdens associated with our regulations while continuing to raise the bar on safety,” said PHMSA Administrator Marie Therese Dominguez.

Special permits set forth alternative requirements—or a variance—to the requirements in the HMR in a way that achieves a safety level at least equal to that required under the regulations. Special permits also provide a mechanism for testing new technologies, promoting increased transportation efficiency and productivity, and improving global competitiveness.

This rulemaking supports the Department's Retrospective Regulatory Review plan and the President's ongoing efforts to make government regulations easy to understand, thereby avoiding critical misunderstandings that may lead to hazardous materials incidents that could result in injuries, deaths, and harm to the environment. The final rule can be viewed at the Federal Register link here: <https://www.federalregister.gov/articles/2015/09/10/2015-22617/hazardous-materials-special-permit-and-approvals-standard-operating-procedures-and-evaluation>.

The Pipeline and Hazardous Materials Safety Administration develops and enforces regulations for the safe, reliable, and environmentally sound operation of the nation's 2.6 million mile pipeline transportation system and the nearly 1 million daily shipments of hazardous materials by land, sea, and air. Please visit <http://phmsa.dot.gov> for more information.

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