



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials Safety
Administration**

FFP

Mr. Robert J. Ten Eyck

Ref. No. 06-0030

Director, Technical Services

TEN-E Packaging Services, Inc.

1666 County Road 74

Newport, MN 55055

Dear Mr. Ten Eyck:

This is in response to your December 14, 2005 letter requesting clarification regarding the emergency response telephone number requirements for hazardous materials as specified under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). In your scenario, you are a third party test lab that performed a test on a packaging containing a hazardous material that was shipped to you by your client. Specifically, you ask if the HMR allow for you to ship the hazardous material back to your client using the client's emergency response telephone number.

In the scenario provided, you may use your client's emergency response telephone number by arrangement or agreement with the client. If the client uses a third party to provide emergency response telephone service, the third party provider must recognize that you are authorized to provide its telephone number on the shipping paper.

I hope this information is helpful.

Sincerely,

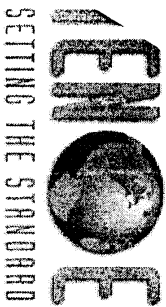
Hattie L. Mitchell, Chief

Regulatory Review and Reinvention
Office of Hazardous Materials Standards



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172-604 (6)
173-22



December 14, 2005

Susan Gorsky
U.S. DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Standards
PHH-10
400 7th Street S.W.
Washington, DC 20590-0001


Ref. No.: 04-0274

Dear Susan:

TEN-E Packaging Services, Inc. is an independent testing laboratory recognized by DOT as a third party testing agency for conducting UN certification testing on non-bulk and IBC packaging. On occasion the company performs certain tests that require the client to send actual dangerous goods for the certification work. For instance a client may contract with TEN-E to perform a DOT Appendix B compatibility test or a UN certification test on a combination packaging with inner aerosol cans that make it impractical to certify the packaging without working with the actual product. As a part of its contract with the client, TEN-E returns the product to the client for re-work or disposal. TEN-E has always sought client approval to employ the same emergency response telephone number for the return shipment as that employed by the client for its initial shipment of dangerous goods to TEN-E.

With reference to a recent letter of clarification, Ref. No.:04-0274, TEN-E believes that its use of the client's emergency response telephone number would be recognized by the agency as being in compliance with Title 49 CFR as outlined in Question and Answer #4 of the written interpretation. TEN-E would however appreciate having DOT comment on whether or not TEN-E's use of the client's emergency response telephone number meets the requirements of Title 49 CFR.

Sincerely,


Robert J. Ten Eyck
Director, Technical Services
TEN-E Packaging Services, Inc.

TEN-E Packaging Services, Inc.

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