



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

April 27, 2026

Mr. Zachary Zaykoski
Maryland Department of the Environment
Hazardous Materials Transportation Section
1800 Washington Boulevard Suite 105
Baltimore, MD 21230

Reference No. 26-0003

Dear Mr. Zaykoski:

This letter is in response to your January 7, 2026 email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to shipping paper requirements. Specifically, you seek clarification on the intent of § 172.201(a)(1) regarding the identification of hazardous materials on a shipping paper that contains a significant amount of non-hazardous information.

We have paraphrased and answered your questions as follows:

- Q1. Are the requirements in § 172.201(a)(1) to comply with having a hazardous material's basic description readily identifiable from any other non-hazardous descriptions on the shipping paper applicable to other than cargo related items?
- A1. No. The requirements in § 172.201(a)(1) are only applicable to a mixed load of hazardous materials with non-hazardous materials and ensuring those items are properly and readily identifiable. In addition, § 172.201(a)(4) states that the shipping paper may contain additional information concerning the material, provided the information is not inconsistent with the shipping description and does not interfere with the basic description required by § 172.202(a).
- Q2. Must the identification of hazardous materials in the scenario provided be accomplished by following one of the three methods prescribed in § 172.201(a)(1)?
- A2. No. See answer A1.

Q3. Would the shipping paper provided in the incoming request constitute a violation of the requirements in § 172.201(a)(1)?

A3. No. It is the opinion of this Office that the shipping paper provided in the incoming request for a letter of interpretation is not in violation of the requirements in § 172.201(a)(1).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dirk Der Kinderen', written in a cursive style.

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Baker, Yul \(PHMSA\)](#)
Cc: [Hazmat Interps](#)
Subject: FW: Request for Official Letter of Interpretation - 49 CFR 172.201(a)(1)
Date: Wednesday, January 7, 2026 16:44:19

Good afternoon,

Please see the following interpretation request. Let us know if you need anything.

Best,

Aminah

From: Zachary Zaykoski -MDE- <zachary.zaykoski1@maryland.gov>
Sent: Wednesday, January 7, 2026 11:01 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Request for Official Letter of Interpretation - 49 CFR 172.201(a)(1)

You don't often get email from zachary.zaykoski1@maryland.gov. [Learn why this is important](#)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I am seeking clarification and an official interpretation from PHMSA for the intent of 49 CFR 172.201(a)(1); (i),(ii), and (iii) as it pertains to hazardous materials shipping papers and having a readily identifiable basic description describing the presence of a hazardous materials.

A potential safety issue was discovered during a roadside inspection that could potentially affect the safety of the public and first responders for a carrier transporting regulated hazardous materials. During the initial phase of the roadside inspection, the driver was asked for the hazardous materials shipping paper. He handed over a document that was retrieved from his door pocket, and contained what appeared to be an entire page of non-hazardous information including generic numerical product codes, loading temperatures, weights, and signatures. Upon first receiving the document, the hazardous materials basic description was not obvious and the driver was asked where the hazardous material shipping paper was. He stated this is what he was given and did not know where the hazmat information was but stated this is a load of "asphalt cutback." After several minutes of slowly going line by line, the basic

description was eventually located almost at the bottom of the page and in print that was smaller than the rest of the document. The transport vehicle was placarded and marked appropriately.

1) Although 172.201(a) specifically mentions transporting a mixed load of hazardous materials with non-hazardous materials and ensuring those items are properly and readily identifiable, are shippers also required to comply with having a hazardous materials basic description that is readily identifiable from any other non-hazardous descriptions on the document, other than cargo related items?

2) Would this be accomplished by following the items prescribed in 172.201(a)(1)(i) entered first; (ii) Entering in a color that clearly contrasts with any description on a shipping paper not subject to the regulations; or (iii) placing an "X" in a "HM" column?

3) Would the shipping paper attached to this email constitute a violation under 172.201(a)(1)?

The only violation related to shipping papers cited during this roadside inspection was for a violation of 172.202(c), failing to have number and type of packages before or after the basic description was the only violation cited at time of stop. A "HOT" additional description violation was not recorded due to the product temperature being 152f as indicated by the gauge on the side of the cargo tank at the time of stop.

Thank you for your time and consideration in this matter,

Zachary Zaykoski

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