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TITLE 49--TRANSPORTATION

CHAPTER I--RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION, DEPARTMENT OF  
TRANSPORTATION

PART 171\_GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS--Table of Contents

Sec. 171.15 Immediate notice of certain hazardous materials incidents.

(a) At the earliest practicable moment, each carrier who transports hazardous materials (including hazardous wastes) shall give notice in accordance with paragraph (b) of this section after each incident that occurs during the course of transportation (including loading, unloading and temporary storage) in which--

(1) As a direct result of hazardous materials--

(i) A person is killed; or

(ii) A person receives injuries requiring his or her hospitalization; or

(iii) Estimated carrier or other property damage exceeds \$50,000; or

(iv) An evacuation of the general public occurs lasting one or more hours; or

(v) One or more major transportation arteries or facilities are closed or shut down for one hour or more; or

(vi) The operational flight pattern or routine of an aircraft is altered; or

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(2) Fire, breakage, spillage, or suspected radioactive contamination occurs involving shipment of radioactive material; or

(3) Fire, breakage, spillage, or suspected contamination occurs involving shipment of infectious substances; or

(4) There has been a release of a marine pollutant in a quantity exceeding 450 L (119 gallons) for liquids or 400 kg (882 pounds) for solids; or

(5) A situation exists of such a nature (e.g., a continuing danger to life exists at the scene of the incident) that, in the judgment of the carrier, it should be reported to the National Response Center even though it does not meet the criteria of paragraph (a) (1), (2) or (3) of this section.

(b) Except for transportation by aircraft, each notice required by paragraph (a) of this section shall be given to the National Response Center by telephone (toll-free) on 800-424-8802. Notice involving shipments transported by aircraft must be given to the nearest FAA Civil Aviation Security Office by telephone at the earliest practical moment after each incident in place of the notice to the National Response Center. Notice involving infectious substances may be given to the Director, Centers for Disease Control, U.S. Public Health Service, Atlanta, Ga. (800) 232-0124, in place of the notice to the National Response Center or (toll call) on 202-267-2675; however, a written report is still required as stated in paragraph (c) of this section.

Each notice must include the following information:

- (1) Name of reporter.
  - (2) Name and address of carrier represented by reporter.
  - (3) Phone number where reporter can be contacted.
  - (4) Date, time, and location of incident.
  - (5) The extent of injuries, if any.
  - (6) Classification, name, and quantity of hazardous materials involved, if such information is available.
  - (7) Type of incident and nature of hazardous material involvement and whether a continuing danger to life exists at the scene.
- (c) Each carrier making a report under this section shall also make the report required by Sec. 171.16.

Note: Under 40 CFR 302.6 EPA requires persons in charge of facilities (including transport vehicles, vessels and aircraft) to report any release of a hazardous substance in a quantity equal to or greater than its reportable quantity, as soon as that person has knowledge of the release, to the U.S. Coast Guard National Response Center at (toll free) 800-424-8802 or (toll) 202-267-2675.

[Amdt. 171-7, 35 FR 16837, Oct. 3, 1970]

Editorial Note: For Federal Register citations affecting Sec. 171.15, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.