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BEFORE THE
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

DELETION OF 49 C.F.R. §172.203(a)

PETITION OF THE
ASSOCIATION OF AMERICAN RAILROADS
AND ITS MEMBER RAILROADS

On behalf of its member railroads, the Association of American Railroads (AAR)¹ petitions to delete 49 C.F.R. § 172.203(a). This subsection requires that the exemption number be placed on shipping papers for shipments made under an exemption.

Subsection 172.203(a) serves no purpose. In fact, on numerous occasions RSPA has waived subsection 172.203(a). As a result, for some shipments the exemption number must be placed on the shipping paper, while for others it does not. Unnecessary confusion among inspectors seeking to enforce the hazardous materials regulations has resulted.

¹A trade association whose membership includes freight railroads that operate 75 percent of the line-haul mileage, employ 91 percent of the workers, and account for 93 percent of the freight revenue of all railroads in the United States; and Amtrak, which operates almost all of the nation's inter-city passenger trains.

RSPA's occasional waiver of subsection 172.203(a) has been fully justified because indication of an exemption on shipping papers is not of value to anyone. Accordingly, RSPA should just delete the subsection.

Respectfully submitted,



Michael J. Rush
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**ASSOCIATION
OF AMERICAN
RAILROADS**

Michael J. Rush
Associate General Counsel

April 19, 1995

Dr. D. K. Sharma
Administrator
Research & Special Programs Administration
Department of Transportation
400 Seventh Street, SW - Room 8410
Washington, D.C. 20590

Re: Deletion of 49 C.F.R. §172.203(a);
Packing Group Entries in the Hazardous
Materials Table

Dear Dr. Sharma:

Enclosed are the original and four copies of two petitions of the Association of American Railroads and its member railroads. One petition seeks the deletion of 49 C.F.R. §172.203(a). The other petition requests the assignment of packing groups to eleven commodities listed in the Hazardous Materials Table.

Please date-stamp the extra copy of this cover letter and return in enclosed stamped, self-addressed envelope.

Respectfully submitted,

Michael J. Rush

Enclosures