



Think Safety!

A Publication Of The West Virginia Propane Gas Association

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DOT Incident Reporting

Sometimes it seems as if the propane industry is swimming in regulations. Given that analogy, no area holds more water than the pool of US Department of Transportation (DOT) rules faced on a daily basis.

These rules regulate everything from the way certain tanks are filled and maintained to the way our vehicles are operated and used to do their job.

In this newsletter, we will begin what likely will be a refresher series on some of the common regulations we encounter on a regular basis. We may even bring to the surface some things you did not know.

Remember that federal regulations trump state and local

regulations when it comes to enforcement of regulations of the intrastate transportation of propane. However, you should also consult your state and local regulatory authorities concerning local issues.

Enforcement of DOT regulations are carried out by the following agencies:

Federal Aviation Administration (FAA)

Federal Highway Administration (FHWA)

Federal Motor Carrier Safety Administration (FMCSA)

Federal Railroad Administration (FRA)

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Certain transportation security areas were transferred to



the Department of Homeland Security (DHS) with its creation. Two agencies charged with those security actions are the United States Coast Guard (USCG) and the Transportation Security Administration (TSA).

This first issue we will discuss Accident/Incident Reporting including what constitutes a reportable incident and how the incident is to be

reported.

Incident reporting should be included in a propane employee's training program and any company that works with propane should have a written policy concerning their procedures for reporting these types of accidents. State and local accident reporting should be included in that procedural process.

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Reportable Incidents:

Any time there is an unintentional release of a hazardous material it constitutes a reportable event.

According to Pamphlet 49 CFR, section 171.8, an unintentional release would include

any unplanned release of propane or any other hazardous material.

This includes releases that resulted from collision, tank

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Reportable Incidents:

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failures, human error, criminal activity, negligence, and improper filling. It also includes incidents caused by relief valve activation due to overfilling or fire exposure.

According to Section 171.16, an incident must also be reported if the following occurs during transportation of propane or other hazardous materials and it occurs as a direct result of the propane or another hazardous material being transported. It must be reported if:

A person is killed.

A person receives an injury requiring admittance to a hospital.

The general public is evacuated for one hour or more.

A major transportation artery or facility is closed or shut down for one hour or more.

The operational flight pattern or routine of an aircraft



is altered.

Even if none of the above occur, the incident should be reported if it is believed that it creates an ongoing dangerous situation.

A propane cargo tank with capacity of 1,000 gallons or more suffers damage to any

of the valves to the extent that repair is required, even if there is no release of propane.

Of course, the routine release of minimal amounts of propane (a pint or less) during loading or unloading, operation of a compressor or valve, or authorized and controlled

venting does not have to be reported.

Also, a report is not required if release is from a single cylinder of less than 20 liters (5.2 gallons) or if the total aggregate release is less than 20 liters (5.2 gallons).

How To File A Report:

Since January 1, 2005, Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) required all specified accidents to be reported by telephone to the Pipeline and Hazardous Safety Administration (PHMSA) as soon as practical and within 12 hours of occurrence. Reports can be lodged by dialing 1-800-424-8802 (toll free) or 202-267-2675 (toll call).

Each report must include the following information:

Name of the person filing the report.

Name and address of the company for which the person filing the report works.

Phone number where the person filing the report may be reached.

Date, time and location of the incident.

Extent of injury, if any.

Class, division, proper shipping name and quantity of hazardous material or materials involved.

Type of incident and nature of hazardous material involved and whether a continuing danger to life exists at the scene.

In addition, a written report must be written and filed on DOT Form F 5800.1 within 30 days of the accident. The form may be filed electronically at www.phmsa.dot.gov/hazmat/incident-report. Either the electronic or written report must be retained for two years at the principal business location or be available at the principal place of business within 24 hours.

You are required to file a follow up F 5800.1 for up to one year following the incident if you receive additional information or there is a change in circumstances. Some of the changes that could spark the need for a follow-up report include:

A later death results from injuries received during the incident.

The original person who filed the report learns that he or she misidentified information in the report.

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How To File A Report:

Continued from page two

Damage resulting from the incident, but not previously identified, is discovered.

Damage estimates are re-

vised and result in a change of \$25,000 or more, or more than 10 percent of the original cost estimates. The latter applies even if the original estimate

was under \$500.

The government uses information gleaned from these reports to develop risk analysis and risk management for the

industry. It is also used to measure trends in the industry and the effectiveness of current regulations and changes that may need to be formulated.

Important Definitions For Your Report

Cargo Tank is defined as bulk packaging that is:

1. a tank intended primarily for the carriage of liquids or gases and includes appurtenances, reinforcements, fittings, and closures.
2. Is permanently attached to a motor vehicle or be reason of its size is loaded or unloaded without being removed from the motor vehicle.
3. Is not fabricated under a specification for cylinders, intermediate bulk containers, multi-unit tank car tanks, portable tanks or tank cars.

Loading incidental to movement –

Loading by carrier personnel or in the presence of carrier personnel on to a transport vehicle for the purpose of transporting it.

Movement –

The physical transfer of a hazardous material from one geographic location to another, typically by rail car or motor vehicle in the propane industry but applies to other transport methods as well.

Transloading –

Transfer of a hazardous material from one bulk tank to another bulk tank or from a bulk tank to a non-bulk packing container for the purpose of continuing the movement of the hazardous material in commerce.

Unintentional release –

An unplanned or unanticipated release of a hazardous material. This includes releases resulting from collision, tank failures, human error, criminal activity, negligence, or unusual conditions such as the operation of pressure relief valves as the result of overfilling or fire exposure. It does not include intentional venting.

Loading retention system –

Consists of the cargo tank shell, associated piping and valves. Dents or damage to a tank requiring repair are examples of incidents that must be reported.

Major transportation artery –

A highway, main road or a secondary road but not a side street or gravel road. Any rail line except a spur would be included in this definition.

Who Files Report:

The person in possession of a hazardous material when an incident occurs should make the incident report by phone. The entity that possesses the hazardous material at the time of incident is responsible for filing the DOT Form F 5800.1.

Incidents that occur outside of transportation in commerce are not required to be reported. Such incidents would include those that occur during the loading process before the carrier is present. Once the carrier is onsite

and observes the loading or participates in the loading, the carrier is deemed in possession of the propane and therefore if an incident occurs the carrier would have to file a report.

The same principals apply to unloading propane. Incidents that occur after the delivery is complete are not considered part of transportation commerce and the carrier would not file a report. However, if the incident occurs during the unloading process, then the carrier must file a report.

		Hazardous Materials Incident Report		Form Approval OMB No. 2137-0039
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.				
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at http://hazmat.dot.gov . If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at http://hazmat.dot.gov .				
PART I - REPORT TYPE				
1. This is to report:		<input type="checkbox"/> A) A hazardous material incident		<input type="checkbox"/> B) An undeclared shipment with no release
		<input type="checkbox"/> C) A specification cargo tank, 1,000 gallons or greater containing any hazardous materials that (1) received structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system and (2) did not have a release.		
2. Indicate whether this is:		<input type="checkbox"/> An initial report		<input type="checkbox"/> A supplemental (follow-up) report
<input type="checkbox"/> Additional Pages				
PART II - GENERAL INCIDENT INFORMATION				
3. Date of Incident: _____		4. Time of Incident (use 24-hour time): _____		
5. Enter National Response Center Report Number (if applicable): _____				
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: _____				
7. Location of Incident: City: _____ County: _____ State: _____ ZIP Code (if known): _____				
Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile _____				
8. Mode of Transportation				
<input type="checkbox"/> Air		<input type="checkbox"/> Highway		<input type="checkbox"/> Rail
<input type="checkbox"/> In Transit		<input type="checkbox"/> Loading		<input type="checkbox"/> Unloading
<input type="checkbox"/> In Transit Storage				
9. Transportation Phase				
10. Carrier/Reporter				
Name _____				
Street _____				
City _____ State _____ ZIP Code _____				
Federal DOT ID Number _____ Hazmat Registration Number _____				
11. Shipper/Officer				
Name _____				
Street _____				
City _____ State _____ ZIP Code _____				
Waybill/Shipping Paper _____ Hazmat Registration Number _____				
12. Origin (if different from shipper address)				
City _____ State _____ ZIP Code _____				
13. Destination				
Street _____				
City _____ State _____ ZIP Code _____				
14. Proper Shipping Name of Hazardous Material: _____				
15. Technical/Trade Name: _____				
16. Hazardous Class/Division: _____		17. Identification Number: _____ (E.g. UN2764, NA 2020)		18. Packing Group: _____ (if applicable)
				19. Quantity Released: _____ (Include Measurement Units)
20. Was the material shipped as a hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the EPA Manifest Number: _____				
21. Is this a Toxic by Inhalation (TIH) material? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the Hazard Zone: _____				
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the Exemption, Approval, or CA number: _____				
23. Was this an undeclared hazardous materials shipment? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Form DOT F 5800.1 (01-2004)		Page 1		Reproduction of this form is permitted

Articles in this publication are for information only. Nothing in this publication is to be construed as setting standards or requirements. Please consult with appropriate regulatory and rulemaking bodies for all legal requirements.



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Training Quiz

Name _____ Social Security Number _____

1. Any time there is an unintentional release of a hazardous material it constitutes a reportable event.
A. True B. False
2. An unintentional release of propane would include releases as a result of _____.
A. a collision B. tank failures C. human error D. A, B, and C
3. An unintentional release of propane also includes incidents caused by relief valve activation due to overfilling or fire exposure.
A. True B. False
4. Any incident involving propane must also be reported if which of these occur?
A. someone killed B. someone injured C. major artery closed D. A, B, and C
5. An incident must be reported if it is believed that it creates an ongoing dangerous situation.
A. True B. False
6. If a propane cargo tank with capacity of _____ gallons or more suffers damage to any of the valves to the extent that repair is required, the incident must be reported even if there is no release of propane.
A. 500 B. 1,000 C. 325 D. 3,000
7. A report is not required if release is from a single cylinder of less than _____ gallons or if the total aggregate release is less than _____ gallons.
A. 5.2 B. 10 C. 3 D. 15
8. All specified accidents are to be reported by telephone to the Pipeline and Hazardous Safety Administration (PHMSA) as soon as practical and within ___ hours of occurrence.
A. 10 B. 24 C. 12 D. 36
9. A written report must be written and filed on DOT Form F 5800.1 within ___ days of the accident.
A. 10 B. 12 C. 24 D. 30
10. Either the electronic or written report must be retained for ___ years at the principal business location or be available at the principal place of business within ___ hours.
A. 2, 24 B. 5, 36 C. 7, 48 D. 1, 12
11. You are required to file a follow-up F 5800.1 for up to ___ year (s) following the incident if you receive additional information or there is a change in circumstances.
A. 3 B. 5 C. 1 D. 7
12. You are required to file a follow-up F 5800.1 if damage estimates are revised and result in a change of _____ or more, or more than ___ percent of the original cost estimates.
A. \$25,000, 10 B. \$10,000, 25 C. \$100,000, 50 D. \$1,000, 5

Training Quiz Answers

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