

HAZARDOUS MATERIALS GUIDANCE

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Summary:

This Hazardous Materials Guidance clarifies the blocking and bracing requirements of Title 49 Code of Federal Regulations (CFR) § 174.55).

Discussion:

Question: Do shippers have the option to use their judgment in blocking and bracing a hazardous materials load, since the regulations state that the methods in Pamphlet Nos. 6 and 6C are only recommended methods?

Answer: Yes, shippers may use their judgement in deciding how to block and brace a shipment and may use the recommended practices in Pamphlets No. 6 and 6C. However, regardless of how a person chooses to block and brace a shipment, the person loading the car, trailer, or container is ultimately responsible for ensuring compliance with 49 CFR § 174.55 (i.e., making sure the packages are loaded, blocked, and braced to prevent them from changing position).

Question: If the FRA inspected a hazardous material load consisting of mixed freight containing some portion of hazardous materials, would a violation exist if the hazardous material packages were blocked or braced with the other freight in the container, or with the back door when moving via rail?

Answer: In response to the first part of the question, FRA would not take exception to hazardous materials being blocked or braced with other freight in a container, as long as the packages of hazardous materials are loaded and securely blocked and braced to prevent the packages from changing position, falling to the floor, or sliding into each other. In response to the second part of the question, unless a container or vehicle's door is specifically designed for lading restraint and meets the requirements of the AAR specifications identified in 49 CFR § 174.55(c) (and the load is also within the limits of the design strength requirements for the doors), the doors of a freight container or transport vehicle may not be used to secure a load that includes a package containing hazardous materials. Typical loads of hazardous materials (and mixed loads of hazardous materials and nonhazardous materials) in boxes, drums, and bags will compress under the movements normal to transportation such that a void space appears at the

head, tail, or sides of the trailer or container. Only adequate blocking and bracing, properly applied, will hold this to an acceptable minimum. FRA inspectors will take exceptions or recommend violations, as appropriate, when they inspect hazardous materials and discover conditions that do not meet the regulatory standard.

Question: Are Less Than Truck Load (LTL) shippers or freight consolidators required to comply with Pamphlet Nos. 6 and 6C when shipping hazardous materials via rail?

Answer: LTL shippers and freight consolidators are required to comply with 49 CFR § 174.55, if the original loading, blocking, and bracing is disturbed and the shipment is subsequently reoffered for transportation. Since Pamphlets Nos. 6 and 6C are recommended practices and not required, an LTL shipper or freight consolidator would not be required to follow the exact procedures prescribed by the pamphlets, but would need to comply with the performance standard of 49 CFR § 174.55.

Question: Could FRA identify some of the "loading methods designed to permit limited movement of the load and that are approved by the Department?"

Answer: The Pipeline and Hazardous Materials Safety Administration's (PHMSA) Programs Administration's Office of Hazardous Materials Approvals and Permits has issued special approval (SA-961102), authorizing the use of Drumgard, Palla-Gard, and Ty-Gard restraint systems.

If a shipper inquires about other authorized systems, refer the individual to PHMSA's Director of the Approvals and Permits Division at (202) 366-4511. Industry sources of relevant information include the Bureau of Explosives, Association of American Railroads, 425 Third Street SW, Suite 1000, Washington, DC, 20024, (202) 639-2100, and the freight damage prevention department of the railroad serving the shipper.