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Submitted via www.regulations.gov

Pipeline and Hazardous Materials Safety Administration
Dockets Management System
U.S. Department of Transportation
Dockets Operations, M-30
Ground Floor, Room W12-140
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

RE: PHMSA—2013—0225 (HM—218H)

To whom it may concern:

Founded in 1940, Air Products and Chemicals has built a reputation for its innovative culture, operational excellence and commitment to safety and the environment. With approximately 20,000 employees and operations in more than 40 countries, we serve customers across a wide range of industries from food and beverage, health and personal care to energy, transportation and semiconductors. We supply a unique portfolio of atmospheric gases, process and specialty gases, performance materials, equipment and services.

Air Products is providing commentary in response to the Pipeline and Hazardous Materials Safety Administration (PHMSA), U.S. Department of Transportation (DOT), Notice of Proposed Rulemaking (NPRM) HM-218H, *Hazardous Materials; Miscellaneous Amendments (RRR)*, published in the Federal Register on January 23, 2015. This NPRM is proposing to make miscellaneous amendments to the HMR to update and clarify certain regulatory requirements.

This NPRM addresses Petition for Rulemaking (P-1591) submitted by Air Products and Chemicals, Inc. to amend the marking requirements for PIH shipments transported in accordance with IMDG code or Transport Canada's TDG regulations. Air Products supports the proposed amendments to 49 CFR 171.23(b)(10)(iv)(A) and 171.23(b)(10)(iv)(B) by removing the phrase "regardless of the total contained in the transport vehicle or freight container" from each subparagraph.

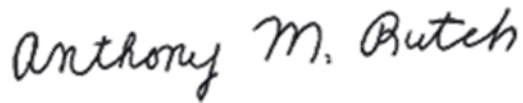
Air Products has had numerous shipments of PIH materials frustrated because of this confusing regulation. The additional marking requirement causes transit delays and economic hardship because of the additional labor to apply (and sometimes remove at the port) the extra UN ID numbers.

In addition, as stated previously in our petition, the safety of transporting PIH materials will actually be improved with this proposed regulation change. The effectiveness of hazard communication will not be reduced as the current UN marking requirement (for all quantities) provides no additional benefit from a hazard

communication or emergency response perspective. What we do see is elimination of confusion and a requirement that would be much more consistent with the IMDG and TDG regulations, as well. We understand the importance of consistency between the regulations. Consistency goes a long way in eliminating confusion, especially in an emergency response situation when effective accurate communication is extremely important. The display of UN ID numbers on a transport vehicle for small individual quantities falsely gives the impression that there are large amounts of the hazardous material. In an Emergency Response situation, it is not wise to cause reactions that are based on a representation of a large quantity, when in fact, there is no large quantity. Effective emergency response is based both on knowledge of the hazards and knowledge of the quantity. The more consistency we have for hazard communication processes, the better.

Air Products appreciates PHMSA's ongoing initiative to continuously improve the HMR and for their consideration of our petition and comments to HM-218H. Please feel free to contact us with any questions you might have.

Sincerely,

Handwritten signature of Anthony M. Rutch in black ink.

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