



# INTERNATIONAL ASSOCIATION OF FIRE CHIEFS

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January 16, 2013

Mr. Michael Burkhardt  
Operations Coordinator  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Administration  
1200 New Jersey Avenue, SE  
East Building  
Washington, DC 20590-0001

Re: Application for Special Permit- Electronic Shipping Paper Records submitted  
In accordance with 49 CFR 107, Subpart B, UPS hereby applies for a Special Permit.  
Under §§107.105(b) and 105.30(a)

Dear Mr. Burkhardt:

On behalf of the nearly 13,000 members of the International Association of Fire Chiefs (IAFC), I submit the following comments in reference to UPS Application for Special permit # 5747-N. The United Parcel Service (UPS) recently applied for a special permit to allow use of electronic shipping papers in their feeder truck operations. UPS requested exemption from the requirement to have the shipping papers located in the vehicle and instead provide a contact number on the cab door where those who need it can request to receive it by email, fax, or voice transmission.

The IAFC, through our Hazardous Materials Committee, believes that the use of electronic shipping papers is inevitable. The electronic system must be properly developed and managed so that it can actually improve emergency response.

The IAFC respectfully offers the following list of concerns and recommendations in regards to the application:

- The new designs must not negatively impact or delay the recognition and identification (R&I) process, nor should they compromise the safety of first responders.

- The UPS application does not address either of the concerns related to R&I. Without addressing these processes, it is difficult to support the use of electronic records as requested by UPS.
- The UPS application is thoughtfully written from the aspect of “business based processes.” However, the primary focus must be on “responder safety” which is one of the primary reasons for many of the DOT regulations.
- A number of tests of the system are cited in the application - some of which took as long as eight (8) minutes to provide the necessary information. These tests appear to require a long wait time to acquire R&I information. Two incidents in particular were cited :
  - 1) A fire occurred during a loading scenario on their own dock - this incident happened in a controlled environment and cargo data was readily accessible;
  - 2) The second incident was a motor vehicle accident (MVA) during transportation. The trailer number (a requirement for the system to operate) was readily available and was used to gain cargo information from the “800” phone number during the R&I process.
- The application states that a toll free number will be stenciled on the vehicle’s cab, similar to the CHEMTREC model for railcars. This approach is overly dependent on the number being visible to responders during post fire/MVA situations.
  - The IAFC recommends that the toll free number be stenciled on all sides and on both ends of the transport vehicle (similar to reporting marks on railcars).
- The second step of the process requires the first responder to provide the tractor number to the operator answering the toll free number.
  - Vehicle identification should include redundant layers such as;
    - Vehicle Identification number,
    - License plate number,
    - Trailer number (if applicable).
- The application says that the electronic shipping paper information will be sent to the first responder by voice or electronically by e-mail, fax, text, or Telefax.

- The primary means of transmission must be via phone as there many areas of the country that still do not have cell phone service or internet access.
- The 24-hour toll free number referenced in the application must be staffed to allow human contact, similar to an E-911 center or CHEMTREC. While not mentioned, the operator should have a minimum level of hazardous materials training to assist the first responders.

Any program replacing printed (hard copy) shipping papers must be designed to address the lowest common denominator and technologically-void emergency response. The lowest communications common denominator should include, at a minimum, a land-line or cell phone.

Additionally, UPS, or any other transporter wanting to use electronic shipping papers, should be required to have redundant systems in case of complete electronic or primary system failure during natural or manmade disasters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hank Clemmensen', written in a cursive style.

Chief Hank Clemmensen,  
President and Chairman of the Board