

## Accident/Incident Reporting

### **Description:**

Until December 31, 2004, U.S. DOT regulations require a telephone notice of certain specified incidents that occur during the course of transportation, including loading, unloading, and temporary storage. The telephone notice of a specified transportation incident must be given at the “earliest practicable moment” of a reportable incident, with a follow up written duplicate (2 copy) report filed on DOT Form F 5800.1 (Rev 6/89) submitted “within 30 days of the date of discovery” of the incident.

Beginning January 1, 2005, the telephone notice of a specified transportation incident must be given “as soon as practicable but no later than 12 hours after the occurrence” of a reportable incident, with a follow up written duplicate (2 copy) report filed on DOT Form F 5800.1 (revised 01/2004) submitted “within 30 days of the date of discovery” of the incident.

### **Regulatory Reference**

#### Motor Carrier Operations

49 CFR § 171.8	Definitions (new definitions of <i>unintentional release</i> and <i>undeclared hazardous material</i> added)
49 CFR § 171.15	Immediate notice of certain hazardous materials incidents
49 CFR § 171.16	Detailed hazardous materials incident reports
49 CFR § 390.15	Assistance in investigations and special studies

#### Pipeline Operations

##### Jurisdictional Pipelines (Vapor)

49 CFR § 191.5	Telephonic notice of certain incidents
49 CFR § 191.7	Addressee for written reports
49 CFR § 191.9	Distribution system: Incident reports
49 CFR § 191.19	Report forms

##### Hazardous Materials Pipelines (Liquid)

49 CFR § 195.50	Reporting accidents
49 CFR § 195.52	Telephonic notice of certain accidents
49 CFR § 195.54	Accident reports

### **Applies to:**

The incident reporting requirements apply to each carrier (or pipeline operator) who transports hazardous materials.

### **General Requirements:**

#### Motor Carrier Operations

Incident telephone reporting requirements are found in 49 CFR § 171.15. A telephone report must be made as soon as practicable after the occurrence of any incident described in (b) of § 171.15 to the National Response Center at 800-424-8802 for any incident that occurs during the course of transportation (including loading, unloading and temporary storage) in which, as a direct result of hazardous materials:

- (1) A person is killed; or

- (2) A person receives an injury requiring admittance to a hospital; or
- (3) The general public is evacuated for one hour or more; or
- (4) A major transportation artery or facility is closed or shut down for one hour or more; or
- (5) The operational flight pattern or routine of an aircraft is altered; or
- (6) Fire, breakage, spillage, or suspected radioactive contamination occurs involving a radioactive material;
- (7) A release of a marine pollutant occurs in a quantity exceeding 119 gallons liquid measure or 882 pounds solid measure
- (8) A situation exists of such a nature (e.g., a continuing danger to life exists at the scene of the incident) that, in the judgment of the carrier, it should be reported to the National Response Center even though it does not meet the other criteria listed.

The telephone report must include the following information:

- (1) Name of reporter (person giving the telephone notice)
- (2) Name and address of carrier represented by the reporter
- (3) Phone number where the reporter can be contacted
- (4) Date, time, and location of incident
- (5) The extent of injuries, if any
- (6) Class or division, proper shipping name, and quantity of hazardous materials involved, if such information is available
- (7) Type of incident and nature of hazardous material involvement and whether a continuing danger to life exists at the scene.

49 CFR § 171.16 requires within 30 days of the telephone report or within 30 days of the discovery of any incident described in 49 CFR § 171.15(b), or § 171.16(a) that each person in physical possession of a hazardous material at the time of the transportation incident (including loading, unloading, and temporary storage) must submit:

- For incidents occurring on or after January 1, 2005 a Hazardous Materials Incident Report on DOT Form F 5800.1 (01/2004)
- For incidents occurring on or before December 31, 2004 DOT Form F 5800.1 (Rev 6/89)

Additional hazardous materials incidents described in § 171.16(a) include:

- (1) An unintentional release of a hazardous material or the discharge of any quantity of hazardous waste;
- (2) A specification cargo tank with a capacity of 1,000 gallons or greater containing any hazardous material suffers structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system, even if there is no release of hazardous material; or
- (3) An undeclared hazardous material is discovered.

49 CFR § 171.16(b) also permits the Hazardous Materials Incident Report to be submitted electronically, as an alternative to the written report. The report can be submitted to the Information System Manager, DHM-63 fir RSPA at <http://hazmat.dot.gov>. The written or electronic copy of the report must be retained for a period of two years at the reporting person's principal place of business, or be made available to the principal place of business if maintained elsewhere within 24 hours of a request from an authorized DOT representative.

49 CFR § 171.16(d) lists exceptions where the requirements for submittal of an incident report do not apply. These include the release of a minimum amount of material from the connection or disconnection of loading or unloading lines provided there is no property damage; the routine operation of a seal, pump, compressor or valve; or a vent, for materials for which venting is authorized.

49 CFR § 390.15 requires motor carriers to make all records and information pertaining to an accident available to an authorized representative of the Federal Highway Administration upon request, and to maintain for a period of three (3) years after an accident occurs, an accident register containing at least the following information:

- (1) Date of accident
- (2) City or town in which or most near where the accident occurred and the state in which the accident occurred
- (3) Driver name
- (4) Number of injuries
- (5) Number of fatalities
- (6) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicles involved in the accident, were released, and
- (7) Copies of all accident reports required by state or other governmental entities or insurers

### Pipeline Operations

Operators of jurisdictional pipelines<sup>1</sup> or hazardous material pipelines must report incidents or accidents as required in Part 191 or Part 195, respectively.

49 CFR § 191.3 states that "incident" means any of the following events:

- (1) An event that involves a release of gas from a pipeline and
- (2) A death, or personal injury necessitating in-patient hospitalization; or
- (3) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$50,000 or more.
- (4) An event that is significant, in the judgment of the operator, even though it did not meet the criteria of paragraphs (1) or (2).

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<sup>1</sup> The general definition of a jurisdictional pipeline is any gas installation that connects 10 or more gas services on a common gas pipe, or 3 or more gas services at public locations (such as a shopping center) on a common gas pipe, or connection of 2 or more gas services on a common pipe that crosses under a public roadway or right-of-way.

Telephone reports required under Part 191 must be made by telephone to 800-424-8802 by the pipeline operator at the earliest practicable moment following discovery. A written report using Department of Transportation Form RSPA F 7100.1 must be submitted as soon as practicable but not more than 30 days after detection of an incident required to be reported. Written reports are submitted to Information Resources Manager, Office of Pipeline Safety, Research and Special Programs Administration, U.S. Department of Transportation, Room 8417, 400 Seventh Street SW., Washington, DC 20590. However, incident and annual reports for intrastate pipeline transportation subject to the jurisdiction of a State agency pursuant to a certification under section 5(a) of the Natural Gas Pipeline Safety Act of 1968 may be submitted in duplicate to that State agency if the regulations of that agency require submission of these reports and provide for further transmittal of one copy within 10 days of receipt for incident reports and not later than March 15 for annual reports to the Information Resources Manager.

49 CFR §195.50 applies to liquid hazardous materials pipelines. An accident report is required for each failure in a pipeline system subject to this part in which there is a release of the hazardous liquid transported resulting in any of the following:

- (1) Explosion or fire not intentionally set by the operator
- (2) Loss of 50 or more barrels (8 or more cubic meters) of hazardous liquid
- (3) Escape to the atmosphere of more than 5 barrels (0.8 cubic meters) a day of highly volatile liquids
- (4) Death of any person
- (5) Bodily harm to any person resulting in one or more of the following:
  - (a) Loss of consciousness
  - (b) Necessity to carry the person from the scene.
  - (c) Necessity for medical treatment.
  - (d) Disability which prevents the discharge of normal duties or the pursuit of normal activities beyond the day of the accident.
- (6) Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding \$50,000.

Telephone reports of hazardous material pipeline accidents are made to 800-424-8802. Reports for written follow up reports are the same as for jurisdictional (vapor) pipelines.

### **Training Requirements:**

Because of the importance of accident and incident reporting, initial and refresher hazmat employee training should include reporting requirements and company-specific reporting procedures. Managers and supervisors should be fully aware of company standard operating procedures for accident and incident reporting including how reporting information is communicated within the company and who has DOT reporting responsibility.

### **Maintenance and Review**

Most propane operating companies have written policies and procedures that cover accident and incident reporting. SOPs should also address any state reporting requirements, and identify a person responsible for accident/incident reporting and record keeping.

### **Additional Information and Resources**

U.S. Department of Transportation pipeline accident reporting forms are available on the Internet at <http://ops.dot.gov> and use the forms link at left side of the page

Form F 5800.1 (Rev 6/89) Motor Carrier incident/accident reporting form is available on the Internet at <http://hazmat.dot.gov/files/hazmat/5800.pdf>

Form F 5800.1 (01/2004) See *Federal Register*, Vol. 69, No. 102 / Wednesday, May 26, 2004, pp 30121-30132

Additional information on incident reporting can be found at <http://hazmat.dot.gov/spills.htm> or <http://hazmat.dot.gov/ohmforms.htm#incidents>

