

Hazardous Materials Transportation

Our team is intimately familiar with the complex hazardous materials transportation regulations that govern domestic and international shipments of hazardous materials and dangerous goods. We defend enforcement actions and participate actively in the regulatory and legislative arenas.

Our team includes George A. Kerchner, who counsels individual companies on compliance issues, serves as Executive Director of PRBA-The Rechargeable Battery Association, and is recognized world-wide for his knowledge of regulatory schemes governing the transportation of batteries, portable electronic devices, and electric vehicle components.

We regularly deal with the U.S. Department of Transportation (DOT), the UN Committee of Experts that establishes international dangerous goods regulations, the International Air Transport Association (IATA), the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), and other regulatory bodies. We are also adept at obtaining permits and approvals that provide relief from onerous regulatory requirements imposed by DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) and foreign transportation agencies and, where necessary, defending enforcement actions brought by the FAA and PHMSA.

As a result of our unique expertise, Wiley is able to offer training programs and tutorials to its clients on hazardous materials regulations. Our personnel have conducted these sessions virtually and in-person for many companies during the last year.

Representative Recent Experience

- Leading a multi-industry coalition in successfully opposing elements of lithium/lithium ion battery regulations jointly proposed by PHMSA and the FAA. Wiley's efforts, including preparation of rule-making comments and supportive analyses and contacts with the Administration and Congress, resulted in a legislative provision directing the DOT to adopt regulations favorable to the industry coalition and, ultimately, the adoption of regulatory solutions preferred by our clients.
- Defending enforcement cases brought against medical device, bicycle, electric vehicle, battery, and fireworks manufacturers and marketers.
- Drafting and advocating adoption of rule-making petition to revise DOT's "single shipper rule" governing battery recycling.

Contact Us

David B. Weinberg
202.719.7102 | dweinberg@wiley.law

Tracy Heinzman
202.719.7106 | theinzman@wiley.law