



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 30 2004

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Guidance for Issuing Federal EPA Inspector Credentials to Authorize Employees of State/Tribal Governments to Conduct Inspections on Behalf of EPA

FROM: Michael M. Stahl, Director
Office of Compliance *for*

TO: Addressees (See attachment)

This memorandum provides the final "Guidance for Issuing Federal EPA Inspector Credentials to Authorize Employees of State/Tribal Governments to Conduct Inspections on Behalf of EPA". It addresses the criteria and process for EPA Regions to issue Federal EPA inspector credentials to state/tribal government employees to authorize them to conduct civil inspections on EPA's behalf under the authority of a specific environmental statute and subject to the conditions in the Guidance. Please share this document with states and Federally recognized tribes in your Region. We are also mailing copies to state/tribal associations.

Authorizing state/tribal government employees to conduct inspections on EPA's behalf can be done even if a statute does not provide for authorizing, approving, or delegating the federal regulatory program to the state or tribe, provided there is statutory authority for authorizing inspections by state or tribal employees. The Guidance lists the statutes/programs for which inspections can be authorized in Appendix 1. Credentials may also be provided to states/tribes with delegated programs to allow them: 1) to inspect for Federal provisions not covered by state law; 2) to conduct inspections at EPA's request when EPA plans to take the enforcement action, if one is appropriate; and 3) to allow them to inspect across state/tribal boundaries at EPA's request. By authorizing states/tribes to conduct inspections on EPA's behalf, the Agency can provide better inspection coverage and respond more quickly to emergencies, especially in remote areas. Under the Guidance, inspections may only be conducted at places authorized by, and in accordance with procedures in the specific statute. State and tribal inspectors using EPA credentials while conducting inspection on behalf of EPA must submit their completed inspection reports to the EPA Regional office for review of the report and appropriate enforcement follow-up by EPA personnel.

Key provisions of the Guidance provide for the Region to do the following prior to issuing an inspector credential to a state/tribal employee:

- C Determine that issuing an EPA credential is appropriate, including determining that doing so is in EPA's interest
- C Develop and sign an authorization agreement with the appropriate officials in the state/tribe that addresses the elements in the Guidance and ensures appropriate oversight and control and reliability of such inspections.
- C Establish a tracking system for authorization agreements, credentials, inspections reports and outcomes, and designate a contact that can provide this information on request.
- C Ensure that the inspector has completed the appropriate training as identified in the appendix of the Guidance and maintain and update the training records.
- C Communicate the conditions and limitations on the use of the credential.

Conditions and limitations include among other things that:

- C Inspections are conducted at EPA's request or in accordance with an agreed upon inspection plan.
- C An inspection report is submitted to EPA if a state/tribal government employee conducts an inspection using EPA's credentials. The Region will review the report and take enforcement action as appropriate.

The Guidance incorporates comments from EPA headquarters and regional offices and states/tribes. We really appreciate the time and effort that everyone took to provide comments and would like to give a special thanks to the Office of General Counsel for their help in completing the final Guidance. This document replaces the April 29, 2004 "Interim Guidance for Issuing Federal EPA Inspector Credentials to States/Tribes for FIFRA and TSCA" and finalizes the July 9 and September 20 drafts entitled "Guidance for Issuing Federal EPA Inspector Credentials to States/Tribes".

Regions are asked to contact Phyllis Flaherty, Chief, National Compliance Monitoring Policy Branch, at 202-564-4131 or at Flaherty.Phyllis@epa.gov, if they have questions about the Guidance. She is also the OC contact point referred to in the Guidance in a number of places. Julie Tankersley is an alternate contact; she can be reached at 202-564-7002 or Tankersley.Julie@epa.gov. States or tribes are asked to address their questions to their Regional contact.

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**GUIDANCE
FOR ISSUING FEDERAL EPA INSPECTOR CREDENTIALS
TO AUTHORIZE EMPLOYEES OF STATE/TRIBAL GOVERNMENTS
TO CONDUCT INSPECTIONS ON BEHALF OF EPA**

Issued by:

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September 30, 2004

**GUIDANCE
FOR ISSUING FEDERAL EPA INSPECTOR CREDENTIALS
TO AUTHORIZE EMPLOYEES OF STATE/TRIBAL GOVERNMENTS
TO CONDUCT INSPECTIONS ON BEHALF OF EPA**

INTRODUCTION

The “Guidance for Issuing Federal EPA Inspector Credentials to Authorize Employees of State/Tribal Governments to Conduct Inspections on Behalf of EPA,” (hereafter referred to as the Guidance) addresses the criteria and process for EPA Regions to issue federal EPA inspector credentials to state/tribal government employees. The credentials authorize them to conduct civil inspections on EPA’s behalf under the authority of a specific environmental statute and subject to the conditions in the Guidance.

Authorizing state/tribal government employees to conduct inspections on EPA’s behalf under an authorization agreement that meets the terms and conditions of this Guidance can be done even if a statute does not provide for authorizing, approving, or delegating the federal regulatory program to the state or tribe, provided there is statutory authority for authorizing inspections by state or tribal employees. Credentials may also be provided to states/tribes with delegated programs to allow them: 1) to inspect for federal provisions not covered by state law; 2) to conduct inspections at EPA’s request when EPA plans to take the enforcement action, if one is appropriate; and 3) to allow them to inspect across state/tribal boundaries at EPA’s request. By authorizing states/tribes to conduct inspections on EPA’s behalf, the Agency can provide better inspection coverage and respond more quickly to emergencies, especially in remote areas.

OVERVIEW

To authorize a state or tribal government employee to conduct inspections on EPA’s behalf, the particular federal environmental statute must provide EPA the authority to authorize such persons to conduct inspections. In addition, the EPA official authorizing the inspector must be delegated the authority to do so (per EPA’s Delegations Manual). To lawfully authorize inspections on behalf of EPA, inspections may only be conducted at places authorized by the specific statute and in accordance with procedures in the statute. A Region may authorize employees of state or tribal governments¹ to conduct inspections on behalf of EPA and issue EPA credentials to

¹ The authority in this Guidance to authorize employees of Indian tribal governments to conduct inspections on EPA’s behalf using EPA-issued credentials is limited to governments of federally-recognized Indian tribes.

such employees only after the Region has determined that doing so is in EPA's interest, such inspections meet an EPA need, and agreements are in place to ensure appropriate Regional oversight and control and the reliability of such inspections, consistent with the specific statute, and only if the Region is willing to commit the resources to carry out the program in accordance with this Guidance.

The effective date of this Guidance will be upon issuance although a number of specific provisions take effect later.

Listed below is an overview of what Regions need to do to authorize state or tribal government employees to conduct inspections on behalf of EPA:

- □ Prior to issuing EPA credentials to such employees, make a determination that doing so is appropriate and in EPA's interest. Determine if the statute allows authorization of such inspections and whether a cooperative enforcement agreement with the state or tribe is required (see Appendix 1).
- □ Work with the state/tribe to develop and sign an authorization agreement that addresses the elements in the Guidance and ensures appropriate Regional oversight and control and the reliability of such inspections, consistent with the specific statute under which the inspections are to be conducted.
- □ Establish an adequate tracking system for and oversight of authorization agreements, credentials, and inspection reports and outcomes. Designate a contact in the Region who is knowledgeable of the tracking process and can provide information on request and notify the designated contact in EPA's Office of Compliance.
- □ Prior to issuing EPA credentials to a state/tribal inspector, verify and document that the appropriate minimum training identified in this Guidance has been completed. These records need to be updated and maintained for as long as the person is authorized to inspect on EPA's behalf.
- □ Issue a physical credential that meets the criteria in this Guidance. Include an expiration date of three years on any new EPA credential being issued. Note: Consideration is being given to tracking and issuing the physical credential centrally at headquarters. This issue has not been resolved. In the interim, OC will design, print, and provide the credential forms to each Region for each statute. Regions should request from OC the number of credentials needed, then fill them in and laminate them in the Regional office.
- □ Communicate with the states/tribes whose employees have/will receive

EPA issued credentials about the limitations of their use of EPA credentials and the need to submit inspection reports resulting from inspections conducted with EPA credentials. Limitations need to be addressed in the authorization agreement, including how the state/tribe will communicate these to each inspector upon issuance of the credential.

- □ Report stolen or missing credentials to the contact in OARM (if centrally tracked) and the OC contact designated in the cover memo as soon as possible but within 72 hours.
- □ Verify stated qualifications of potential witnesses in court cases.
- □ Review inspection reports, take enforcement action if appropriate, and provide training/feedback to states/tribes regarding the inspection reports.
- □ Report to the OC contact semiannually on the authorization agreements (state/tribal agency, statute for which the authorization is granted, date of the agreement and time frame for the agreement), number of inspections conducted using EPA credentials by state and tribe and statute/program, number of reports received, and results (including actions taken by the Region). The frequency of reporting will be reviewed after the first two years.
- □ Note: The issue of suitability checks (often referred to as background checks) is under discussion within EPA and will be addressed at a later date.

SCOPE

This Guidance addresses the criteria and process for issuing credentials to state/tribal employees to conduct civil inspections on EPA's behalf, under the authority of a specific environmental statute and subject to the conditions in this document. Authorizing state/tribal employees to conduct inspections can be done even if a statute does not provide for authorizing, approving, or delegating the federal regulatory program to the state or tribe, provided there is statutory authority for authorizing inspections by state/tribal employees. This Guidance is not intended to address or affect states/tribes when they use state/tribal credentials issued under their own authority to conduct their own inspections.

STATUTORY AUTHORITY

Most statutes allow EPA to authorize inspections on behalf of EPA by non-EPA employees via language regarding inspections conducted by "duly designated representatives". Whether EPA can authorize state/tribal employees to access

confidential business information (CBI) during the inspection varies with the statute. See discussion on CBI under Limits During Inspections. See Appendix 1 to determine if a statute allows EPA to authorize inspections on its behalf. Please note that authorization of state/tribal employees under FIFRA and TSCA is only appropriate if there is also a cooperative enforcement agreement in place. The authorization agreement is required for all statutes but may be part of a cooperative enforcement agreement. Regions may refer to EPA's Project Officer Manual on EPA's intranet web site for a discussion of cooperative agreements at <http://intranet.epa.gov/ogd/pomanual>.

DETERMINATION THAT ISSUING AN EPA CREDENTIAL IS APPROPRIATE

EPA has the discretion to authorize designated state/tribal employees to conduct inspections on behalf of EPA when EPA deems it is appropriate to do so, consistent with the specific statute under which the inspections are to be conducted. A Region may issue credentials that authorize designated state/tribal employees to conduct inspections on behalf of EPA when the provisions in this Guidance are met and the Region has determined that:

- ☐ It is in EPA's interest for civil inspections to be conducted on EPA's behalf by employees of the state/tribe for a particular program; such inspections would meet an EPA need; and an agreement is in place to ensure appropriate Regional oversight and control over the issuance, use, and return of EPA credentials, the conduct of inspections on EPA's behalf using such credentials, and the reliability of the inspections, consistent with the specific statute under which the inspections are to be conducted. Examples of factors to consider include: geographical needs, history of noncompliance by facilities, or identified environmental problems.
- ☐ Regional resources are available to implement and oversee an inspection program based on the authorization of state/tribal inspectors under this Guidance, i.e., tracking credentials and inspection reports, preparing/reviewing cases, and taking enforcement actions. Discussion with the Regional office or division that conducts case review and the Office of Regional Counsel is important.
- ☐ The number of existing facilities and the number of inspections that will be conducted warrant the investment of EPA Regional resources for issuance and tracking of credentials, reviewing inspection reports, and taking enforcement action, if appropriate.
- ☐ Laboratory support is available if samples will be collected.
- ☐ A cooperative enforcement agreement between EPA and the state or EPA and the tribe is in place, if required. For FIFRA and TSCA, a cooperative

enforcement agreement is required.

- A written authorization agreement is in place between the Region and the state/tribe which includes appropriate provisions to ensure that the Region maintains oversight and control over the issuance, use, and return of EPA credentials, the conduct of inspections on EPA's behalf using such credentials, the training of inspectors, and the reliability of the inspections, and the agreement addresses each of the elements of this guidance and is consistent with the specific statute under which the inspections are to be conducted. This Guidance contains recommended elements for such agreements which help ensure that a Region will maintain control and oversight over the issuance, use, and return of EPA credentials, the conduct of inspections on EPA's behalf, the training of inspectors, and the reliability of the inspections, consistent with the specific statute under which the inspections are to be conducted. A Region may enter into an agreement which contains different elements provided the Region determines that the agreement will ensure that the Region maintains control and oversight over the issuance, use, and return of EPA credentials, the conduct of inspections on EPA's behalf, the training of inspectors, and the reliability of the inspections, consistent with the specific statute under which the inspections are to be conducted, and the Region consults with the Office of Compliance before entering into the agreement.

CONDITIONS/LIMITATIONS ON THE USE OF EPA CREDENTIALS

The conditions/limitations below and later in this Guidance are recommended for inclusion in the agreement between the Region and the state/tribe. These conditions/limitations will help ensure appropriate Regional oversight and control over the issuance, use, and return of EPA credentials, the conduct of inspections under the agreement on EPA's behalf, the training of inspectors, and the reliability of the inspections, consistent with the specific statute under which the inspections are to be conducted. As discussed above, a Region may enter into an agreement with different conditions/limitations than those below and later in this Guidance provided the Region determines that the agreement will ensure that the Region maintains oversight and control over the issuance, use, and return of EPA credentials, the conduct of inspections on EPA's behalf, the training of inspectors, and the reliability of the inspections, consistent with the specific statute under which the inspections are to be conducted, and the Region consults with the Office of Compliance before entering the agreement.

WHERE/WHEN CREDENTIALS MAY BE USED

- States/tribal inspectors will use EPA's inspection authority when carrying out inspections on EPA's behalf with EPA credentials. State/tribal inspectors will use EPA issued credentials if EPA specifically requests the inspection or in situations previously agreed upon between EPA and state/tribe in an inspection plan. When a state/tribal inspector uses EPA issued credentials, the inspector will prepare and submit an inspection report to EPA within the time frame specified in the authorization agreement.
- As a matter of policy, inspections by state inspectors on EPA's behalf generally will be authorized only within the state, excluding Indian country, and inspections by tribal inspectors on EPA's behalf generally will be authorized only within the boundaries of the tribe's Indian country. Exceptions can be made where written agreements are in place between state(s)/tribe(s) and submitted to EPA which authorize inspections in other locations or as discussed in 1) and 2) below. All inspections must be consistent with the statute under which the inspection is being conducted. Notice will be provided to the state/tribe where the inspection is being performed in advance of the inspection.

On occasion, EPA has authorized state inspectors to conduct inspections on EPA's behalf using EPA-issued credentials in other states at the request of the other state during an emergency. In addition, there have been instances where EPA has requested state inspectors with EPA-issued credentials to inspect in areas of Indian country to provide coverage on EPA's behalf and with the agreement of the tribe. Therefore, there are situations where cross-boundary inspections are needed even though written agreements between the state(s)/tribe(s) may not be in place.

In situations where EPA has identified a specific need for cross-boundary inspections, and there is no written agreement between the state(s)/tribe(s), cross-boundary inspections may be authorized using the EPA-issued credential provided one of the following occurs:

- 1) Prior to such inspections being conducted, the Region has notified the appropriate state/tribal official where inspections will be conducted that EPA has authorized an employee of another state/tribe to conduct inspections on EPA's behalf and the state/tribal official agrees to having inspections conducted by an inspector from a different state/tribe, and the Region memorializes in writing the agreement and provides copies to the state(s)/tribe(s) involved. The Regional summary of the agreement needs to include: the names of the officials who agreed, their titles, the time period of the agreement, and the terms of the agreement. In addition, the Region must ensure that the state or tribal official for the location at which the inspection will be conducted is notified in advance that the specific

inspection is scheduled and who will conduct the inspection.

- 2) The Region may request a state/tribal inspector to conduct a specific cross-boundary inspection by making a site-specific request in writing (fax or e-mail is acceptable) after consulting with and getting agreement from the appropriate state/tribe official where the inspection will be conducted. Both state(s)/tribe(s) should be copied by the Region. If there is disagreement by the state/tribal official where the inspection will be conducted over a state/tribal inspector conducting a cross-boundary inspection, the Region should conduct the inspection.

LIMITS DURING INSPECTIONS

- Inspections conducted by state/tribal inspectors on EPA's behalf are consensual. If entry is denied, the state/tribal inspector will contact the EPA Regional office (Project Officer for the cooperative agreement or a contact designated by the Region) to determine if EPA will either carry out the inspection (assuming the facility then provides consent) or seek a warrant.
- A state/tribal inspector conducting an inspection on behalf of EPA will not have access to Confidential Business Information (CBI) during the inspection unless authorized by EPA in accordance with the underlying statute and EPA regulations. If a facility claims information as CBI during an inspection, an inspector not authorized to access CBI will notify the facility of this limitation and determine if the inspection can continue without reviewing the CBI. If the inspector cannot continue the inspection without reviewing CBI, the inspector will stop the inspection and contact the Regional office. If the inspector has the authority to obtain CBI directly from the facility, the inspector will collect, maintain, and use the CBI in accordance with EPA regulations and any appropriate manuals, guidance documents, and agreements between EPA and the inspector.

Neither FIFRA nor TSCA provide the authority to authorize state/tribal employees to have access to CBI. For other statutes, the Region will need to refer to the statute and the applicable CBI regulations/policies to determine if a state/tribal inspector may be authorized to access CBI and under what conditions.

- Inspections will be conducted in accordance with an approved state/tribal quality assurance plan. The state/tribal inspector will follow the Regional Quality Management Plan if the state/tribe does not have an approved plan.

CREDENTIAL SECURITY MEASURES

- The state/tribal inspector conducting the inspection will not allow anyone to photocopy the EPA-issued credential. During inspections, the inspector will not

relinquish the credential. It is important that the inspector safeguard the credential. When not carrying the credential, the inspector will ensure that it is secure, e.g., locked in a secure location.

- If a credential is misplaced or stolen, the state/tribal inspector will report this immediately to his supervisor, and the state/tribe will report this to the EPA contact designated in the Authorization Agreement as soon as possible or within 72 hours.

PROVIDE COPY OF SBREFA FACT SHEET DURING INSPECTIONS OF SMALL BUSINESSES

- During inspections, the inspector will deliver a copy of the fact sheet developed pursuant to the Small Business Regulatory Enforcement Fairness Act (SBREFA) to small businesses.
- See Appendix 2 for a copy of the fact sheet and for the definition of small business.

WHAT'S REQUIRED PRIOR TO AN EPA CREDENTIAL BEING ISSUED

- REQUEST FROM STATE/TRIBE INDICATING INTEREST IN CONDUCTING INSPECTIONS ON EPA'S BEHALF

The state agency/tribal government entity that is designated as the lead agency for the environmental program under which inspections would be conducted on EPA's behalf may make a request to EPA indicating its interest in having its inspectors conduct inspections on EPA's behalf.

- DETERMINATION BY THE REGION THAT ISSUING CREDENTIALS IS APPROPRIATE (Discussed above.)
- WRITTEN AUTHORIZATION AGREEMENT BETWEEN EPA AND THE STATE/TRIBAL AGENCY

The agreement is signed by the delegated Regional official and appropriate official of the state/tribe who has the authority to enter into such agreements.

The agreement specifies the statute or statutes for which the agreement is being made.

The agreement includes the period of time which the agreement covers or indicates that it will continue unless written notice is given.

The agreement includes the appropriate conditions and limitations as set forth in

this Guidance including minimum training and refresher training of inspectors, issuance and control of credentials, an inspection plan, inspection procedures, and reporting procedures. The Region should discuss the conditions and limitations with the state/tribe before drafting the agreement.

- ESTABLISHMENT OF A TRACKING SYSTEM - The Region must track the issuance of authorizations, issuance/return of the credentials, the number of inspections conducted by employees of the state/tribe with the EPA-issued credentials, and the inspection reports/files submitted. The inspection reports are submitted to the Region to determine if there is a violation and for enforcement action, if appropriate, and must be tracked by the Region.

Basic information being tracked for the credential must include the state/tribe, the program, the name of the inspector, the identification number on the credential, when the credential was issued, when it is up for renewal (three years), and if the credential has been returned/lost/stolen.

If several persons will be responsible for issuing credentials, the Region must designate one contact person and a back-up for the Region. This person should be aware of the tracking system(s) being used and be able to provide information upon request regarding the issuance of credentials. The contact name(s) should be provided to the designated OC contact identified in the cover memorandum of the final Guidance.

- THE PHYSICAL CREDENTIAL

EPA credentials will have an expiration date three years from issuance, bear a photograph of the inspector, have the inspector's signature, be statute specific, have a unique identifying number, and state whether the credential authorizes the inspector to have access to confidential business information.

When a credential is issued for the first time or re-issued, the Region will use the new credential forms, which will be provided on request by the OC contact to the Region.

- MINIMUM TRAINING OF AUTHORIZED INSPECTORS - Authorization may be provided to those personnel that complete appropriate training as described in Appendix 3. This parallels training requirements for U.S. EPA employees conducting civil inspections found in EPA Order 3500.1. They include EPA's Basic Inspector Training course, health and safety training, and program specific training as well as training on the terms/conditions in the Authorization Agreement that impact the inspector.

No EPA credentials should be issued to an inspector for the first time until the inspector has completed and his/her supervisor has documented to the Region

that the inspector has completed appropriate training as described in Appendix 3, including:

- 1) the EPA Basic Inspector Training Course (available as a CD ROM or classroom training);
- 2) Health and Safety Training - the 24 hour EPA Health and Safety Training Course, available by CD ROM or classroom training, and additional training as determined by the supervisor and/or if a respiratory protection is used; and
- 3) the minimum program specific training, i.e, the required reading, training, and on-the-job training.

Note: The inspector's supervisor will either certify that the inspector has met each of the applicable training elements as specified in Appendix 3 or certify that the inspector has taken state/tribal or other training that covers the same material. On the job training (OJT) will be with an EPA or state/tribal senior inspector who has experience with conducting inspections on EPA's behalf.

Regions need to ensure that state/tribal employees that have already been authorized to conduct inspections on behalf of EPA and already have existing EPA-issued credentials complete the health and safety training described in Appendix 3 within one year of the date of the final Guidance, complete the Basic Inspector Training and program specific training described in Appendix 3 within three years of the date of the final Guidance or prior to re-issuance of their EPA credential, and take annual health and safety refresher training and program specific training as described in Appendix 3. Experienced inspectors may omit the on the job training if they have conducted inspections in the specific areas for which OJT is required, and the inspections were conducted using EPA issued credentials or EPA procedures.

- VERIFICATION OF STATED QUALIFICATIONS (WITNESS) - A state or tribal inspector may be called to testify in an enforcement proceeding, therefore requiring EPA to verify the inspector's academic/professional credentials (e.g., educational background/work experience). Prior to EPA calling that person to testify, the Region is required to verify the stated qualifications of that individual. Regions may refer to the memorandum titled "Reiterating Importance of Certifying Credentials of Witnesses" signed by Steve Herman on March 3, 2000, at <http://intranet.epa.gov/oeca/oc/campd/inspector/referenc/cred2000.html>
- SUITABILITY CHECKS (i.e., background checks) - This issue is being deferred at this time.

ISSUANCE OF CREDENTIAL

- New credential forms have been developed and printed by the Office of

Compliance. Regions will request the credentials and complete the information.

- □ Prior to issuing the credential, the Region must have two passport quality photographs and the information listed on the credential form for the state/tribal inspector.
- □ When sending the credential to the state/tribe, the Regions must include a receipt for the inspector to sign and send back to verify receipt of the credential.
- □ If the Region determines that the state/tribe has not received the credential(s), the Region should notify the contact in OC and track down the reason for non-delivery of the credential to the best of the Region's ability.

WHAT'S REQUIRED ONCE THE EPA CREDENTIAL IS ISSUED

- TRACKING/ISSUANCE OF CREDENTIALS

EPA credentials are valid for only three years, so they must be re-issued every three years.

- REPORTING OF LOST/STOLEN CREDENTIALS

If an EPA credential is missing or stolen, the inspector will report this immediately to his/her supervisor. The state/tribes will report this to the Regional office as soon as possible but no later than 72 hours.

- RETURN OF CREDENTIALS - The state or tribe will return an EPA credential at any time upon the request of EPA. In addition, the credential will be returned if: (1) an authorized state or tribal inspector is reassigned, transferred, or is otherwise no longer employed as an inspector; (2) the credential has expired; (3) the credential is no longer required; (4) authorization is suspended; (5) authorization is revoked; or (6) a previously issued lost or stolen credential is found.

- PROCEDURES - As an authorized representative of EPA, the conduct and procedures used by a state or tribal inspector during an inspection must be consistent with applicable federal environmental statutes, regulations, and policies. To ensure this is the case, the state/tribal inspector will use EPA forms and procedures or use forms and procedures that have been approved by EPA as part of the authorization agreement. It is important that adjustments be made to the Federal form if specific reference is made to "employee of EPA" to correct the form to reflect that the inspector is an employee of the specific state/tribe. The inspector should correct any inaccurate references, e.g, employee of EPA, with pen and ink.

- ANNUAL REFRESHER TRAINING - Each authorized state/tribal inspector will undergo annual health and safety and program specific refresher training.
- SUBMISSION OF INSPECTION REPORTS TO REGIONS - Each authorized state/tribal inspector conducting inspections on EPA's behalf will submit an inspection report for each inspection conducted with an EPA credential to the Regional office within the time frame agreed upon in the authorization agreement.
- REGIONAL REVIEW OF REPORTS/OVERSIGHT/ACTION

Regions will review each inspection report to determine whether there is a violation under the applicable law and what enforcement action is appropriate under the applicable enforcement response policy, and will track reports received and their disposition. Where the inspection was conducted in Indian country or may otherwise involve a tribal facility, the Region will follow the Agency's tribal policy as set forth in "EPA Policy for the Administration of Environmental Programs on Indian Reservations" (November 8, 1984), "Guidance on the Enforcement Principles Outlined in the 1984 Indian Policy" (January 17, 2001) and any other subsequent applicable policy/guidance.

The Region should determine the process for providing feedback to the state/tribe regarding submitted inspection reports. Feedback should address quality of the inspections/reports and the action taken by the Region, if any. As needed, the Region should provide oversight regarding the quality of the inspection and inspection report.

- SUSPENSION OR REVOCATION OF AUTHORIZATION - EPA may suspend or revoke its authorization of a state/tribal inspector at any time and require immediate return of the credential. Note: A state/tribe may revoke their employee's EPA credentials for their own reasons. If this occurs, the state/tribe will notify EPA and return the credential.
- REGIONAL REPORTING

Regions will report semiannually to the Office of Compliance contact for the first two years, after which the reporting frequency will be reevaluated.

Report on:

Agreements (between whom, date, statute)

Credentials Issued/Returned (numbers, state/tribe name, statute)

Number of Inspections Conducted with EPA Credentials (numbers, state/tribe name/statute)

Number of inspection reports reviewed, results, and further action taken, if any.

CONCLUSION

By authorizing states/tribes to conduct inspections on EPA's behalf, the Agency will be able to ensure better inspection coverage and responses to emergencies, especially in remote areas. As this program is implemented, EPA will evaluate the effectiveness of this approach and continue to seek ways to improve its partnership with states and tribes.

APPENDIX 1

STATUTORY AUTHORITY

APPENDIX 1

Statutes Which Allow Authorization of States/Tribes to
Conduct Inspections on EPA's Behalf Under This Guidance

CAA
CAA-Title II
CERCLA
CWA
FIFRA (See statute specific analysis in this appendix)
OPA-SPCC
RCRA
SDWA
TSCA-Asbestos (See statute specific analysis in this appendix)
TSCA-PCBs (See statute specific analysis in this appendix)

Note: Regions must review the statute and applicable CBI regulations and policies to determine if/when it is appropriate to authorize state/tribal inspectors to have access to CBI. Please note neither FIFRA nor TSCA provide authority to authorize states/tribal inspectors to access CBI. Authorization must be in accordance with all applicable requirements.

STATUTORY LANGUAGE ON INSPECTION AUTHORITY

Clean Air Act

42 U.S.C. § 7414(a)(2) - the Administrator *or* his authorized representative, upon presentation of his credentials

42 USC § 7414(c) - (SUMMARY) when authorized, Administrator's representative can access CBI

(FULL TEXT)

Any records, reports or information obtained under subsection (a) of this section shall be available to the public, except that upon a showing satisfactory to the Administrator by any person that records, reports, or information, or particular part thereof, (other than emission data) to which the Administrator has access under this section if made public, would divulge methods or processes entitled to protection as trade secrets of such person, the Administrator shall consider such record, report, or information or particular portion thereof confidential in accordance with the purposes of section 1905 of Title 18, except that such record, report, or information may be disclosed to other officers, employees, or authorized representatives of the United States concerned with carrying out this chapter or when relevant in any proceeding under this chapter. *42 U.S.C. § 7542(b)*- For the purposes of enforcement of this section, officers or employees duly designated by the Administrator upon presenting appropriate credentials are authorized...

Mobile Sources for the Clean Air Act (Title II)

42 U.S.C. § 7525(c) -*(Motor Vehicle and Motor Vehicle Engine Compliance Testing and Certification)* - For purposes of enforcement of this section, officers or employees duly designated by the Administrator, upon presenting appropriate credentials to the manufacturer or person in charge, are authorized (1) to enter, at reasonable times, any plant or other establishment of such manufacturer, for the purpose of conducting tests of vehicles or engines in the hands of the manufacturer, or (2) to inspect, at reasonable times, records, files, papers, processes, controls, and facilities used by such manufacturer in conducting tests under regulations of the Administrator. Each such inspection shall be commenced and completed with reasonable promptness.

Clean Water Act

33 U.S.C. § 1318(a) Whenever required to carry out the objective of this chapter, including but not limited to: ... (4) carrying out sections 1315,1321, 1342, 1344 (relating to State permit programs), 1345, and 1364 of this title--

(B) - the Administrator or his authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of his credentials.

CERCLA (Superfund)

42 U.S.C. § 9604(d)(1)(a) A State or political subdivision thereof or Indian tribe may apply to the President to carry out actions authorized in this section. If the President determines that the State or political subdivision or Indian tribe has the capability to carry out any or all of such actions in accordance with the criteria and priorities established pursuant to section 9605(a)(8) of this title and to carry out related enforcement actions, the President may enter into a contract or cooperative agreement with the State or political subdivision or Indian tribe to carry out such actions. The President shall make a determination regarding such an application within 90 days after the President receives the application.

42 U.S. C § 9604(e) (1) - Any officer, employee, or representative of the President, duly designated by the President, is authorized to take *action under* paragraph (2), (3), or (4) (or any *combination* thereof) at a vessel, facility, establishment, place, property, or location or, in the case of paragraph (3) or (4), at any vessel, facility, establishment, place, property, or location which is adjacent to the vessel, facility, establishment, place, property, or location referred to in such paragraph (3) or (4). Any duly designated officer, employee, or representative of a State or political subdivision under a contract or cooperative agreement under *subsection (d)(1)* of this section is also authorized to take such action. The authority of paragraphs (3) and (4) may be exercised only if there is a reasonable basis to believe there may be a release or threat of release of a hazardous substance or pollutant or contaminant. The authority of this subsection may be exercised only for the purposes of determining the need for response, or choosing or taking any response action under this subchapter, or otherwise enforcing the provisions of this subchapter.

42 U.S. C. § 9604(e)(2) - Any officer, employee, or representative described in paragraph (1) may require any person who has or may have information relevant to any of the following to furnish, upon reasonable notice, information or documents relating to such matter:

(A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of **at** a vessel or facility or transported to a vessel or facility.

(B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.

(C) Information relating to the ability of a person to pay for or to perform a cleanup.

In addition, upon reasonable notice, such person either (i) shall grant any such officer, employee, or representative accesss at all reasonable times to any vessel, facility, establishment, place, property, or location to inspect and copy all documents or records relating to such matters or (ii) shall copy and furnish to the officer, employee, or representative all such documents or records, at the option and expense of such person.

42 U.S. C § 9604(e)(4)(A) - Any officer, employee or representative described in paragraph (1) is authorized to inspect and obtain samples from any vessel, facility,

establishment, or other place or property referred to in paragraph (3) or from any location of any suspected hazardous substance or pollutant or contaminant.

Any such officer, employee, or representative is authorized to inspect and obtain samples of any containers or labeling for suspected hazardous substances or pollutants or contaminants. Each such inspection shall be completed with reasonable promptness.

Executive Order 12580, Section 2(j)(2) - Subject to subsection (b) of this Section and paragraph (1) of this subsection, the functions vested in the President by Section 104(e) are delegated to the heads of Executive departments and agencies in order to carry out their functions under this Order or the Act.

Federal Insecticide, Fungicide, and Rodenticide Act

FIFRA-Statute Specific Analysis

Under FIFRA, EPA has provided Federal EPA credentials to states and tribes to inspect:

- a. where the state/tribe lacks their own authority or where they lack authority to monitor and enforce Federal only requirements such as Child Resistant Packaging,
- b. at Federal facilities,
- c. at places selling or distributing suspended/cancelled products, and
- d. at producing establishments to collect antimicrobial products as part of EPA's disinfectant testing program.

States/tribes should use their own credentials when they have authority under their laws/codes to conduct the inspection unless the inspection is requested by EPA with the intent of EPA taking any resulting enforcement action, e.g., antimicrobial sampling. States with primacy should not use Federal EPA credentials for use/misuse inspections or investigations. The FIFRA does not provide the authority to authorize states/tribes to have access to CBI.

A pesticides enforcement cooperative agreement is required prior to authorizing a state/tribe to conduct inspections on EPA's behalf.

FIFRA Statutory Authority

7 US. C. § 136f(b) - For the purposes of enforcing the provisions of this subchapter, any producer, distributor, carrier, dealer, or any other person who sells or offers for sale, delivers or offers for delivery any pesticide or device subject to this subchapter, shall, upon request of any officer or employee of the Environmental Protection Agency or of any State or political subdivision, duly designated by the Administrator, furnish or permit such person at all reasonable times to have access to, and to copy:...

7 US. C. § 136g(a)(1) - For purposes of enforcing the provisions of this subchapter, officers or employees of the Environmental Protection Agency or of any State duly designated by the Administrator are authorized to enter at reasonable times (A) any establishment or other place where pesticides or devices are held for distribution or sale

for the purpose of inspecting and obtaining samples of any pesticides or devices, packaged, labeled, and released for shipment, and samples of any containers or labeling for such pesticides or devices, or (B) any place where there is being held any pesticide the registration of which has been suspended or canceled for the purpose of determining compliance with section 136q of this title.

7 U.S.C. § 136g(a)(2) - Before undertaking such inspection, the officers or employees must present to the owner, operator, or agent in charge of the establishment or other place where pesticides or devices are held for distribution or sale, appropriate credentials and a written statement as to the reason for the inspection, including a statement as to whether a violation of the law is suspected. If no violation is suspected, an alternate and sufficient reason shall be given in writing. Each such inspection shall be commenced and completed with reasonable promptness. If the officer or employee obtains any samples, prior to leaving the premises, the officer or employee shall give to the owner, operator, or agent in charge a receipt describing the samples obtained and, if requested, a portion of each such sample equal in volume or weight to the portion retained. If an analysis is made of such samples, a copy of the results of such analysis shall be furnished promptly to the owner, operator, or agent in charge.

7 U.S.C. § 136u(a) - The Administrator may enter into cooperative agreements with States and Indian tribes—

(1) to delegate to any State or Indian tribe the authority to cooperate in the enforcement of this subchapter through the use of its personnel or facilities, to train personnel of the State or Indian tribe to cooperate in the enforcement of this subchapter, and to assist States and Indian tribes in implementing cooperative enforcement programs through grants-in-aid; and

Resource Conservation and Recovery Act

42 USC 6908(a) - *On and after October 21, 1998*, the Administrator is authorized to enter into assistance agreements with Federally recognized Indian tribes on such terms and conditions as the Administrator deems appropriate for the development and implementation of programs to manage hazardous waste, and underground storage tanks.

42 USC 6912(c) - In carrying out the provisions of this chapter, the Administrator, and duly-designated agents and employees of the Environmental Protection Agency, are authorized to initiate and conduct investigations under the criminal provisions of this chapter, and to *refer* the results of these investigations to the Attorney General for prosecution in appropriate cases.

42 USC 6927(a) - For purposes of developing or assisting in the development of any regulation or enforcing the provisions of this chapter, any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental

Protection Agency, duly designated by the Administrator, or upon request of any duly designated officer, employee or representative of a State having an authorized hazardous waste program, furnish information relating to such wastes and permit such person at all reasonable times to have access to, and to copy all records relating to such wastes. For the purposes of developing or assisting in the development of any *regulation or enforcing the provisions* of this chapter, such officers, employees or representatives are authorized--

Safe Drinking Water Act

42 U.S.C. § 300j-4(b)(1) - Except as provided in paragraph (2), the Administrator, or representatives of the Administrator duly designated by him, upon presenting appropriate credentials and a written notice to any supplier of water or other person subject to (A) a national primary drinking water regulation prescribed under section 300g-1 of this title, (B) an applicable underground injection control program, or (C) any requirement to monitor an unregulated contaminant pursuant to subsection (a) of this section, or person in charge of any of the property of such supplier or other person referred to in clause (A), (B), or (C) is authorized to enter any establishment, facility, or other property of such supplier or other person in order to determine whether such supplier or other person has acted or is acting in compliance with this subchapter, including for this purpose, inspection, at reasonable times, of records, files, papers, processes, controls, and facilities, or in order to test any feature of a public water system, including its raw water source. The Administrator or Comptroller General (or any representative designated by either) shall have access for the purpose of audit and examination to any records, reports, or information of a grantee which are required to be maintained under subsection (a) of this section or which are pertinent to any financial assistance under this subchapter.

42 U.S.C. § 300j-4(b)(2) - No entry may be made under the first sentence of paragraph (1) in an establishment, facility, or other *property* of a supplier of water or other person subject to a national primary drinking water regulation if the establishment, facility, or other property is located in a State which has primary enforcement responsibility for public water systems unless, before written notice of such entry is made, the Administrator (or his representative) notifies the State agency charged with responsibility for safe drinking water of the reasons for such entry. The Administrator shall, upon a showing by the State agency that such an entry will be detrimental to the administration of the State's program of primary enforcement responsibility, take such showing into consideration in determining whether to make such entry. No State agency which receives notice under this . paragraph of an entry proposed to be made under paragraph (1) may use the information contained in the notice to inform the person whose property is proposed to be entered of the proposed entry; and if a State agency so uses such information, notice to the agency under this paragraph is not required until such time as the Administrator determines the agency has provided him satisfactory assurances that it will no longer so use information contained in a notice under this paragraph.

Toxic Substances Control Act (TSCA)

TSCA-Statute Specific Analysis

The EPA provides authorization to states/tribes to conduct inspections using EPA issued credentials under the TSCA Cooperative Enforcement Agreement Program for PCBs and asbestos, except for asbestos waiver states which have laws/regulations that provide inspection authority. States/tribes are not authorized to access confidential business information (CBI) during inspections under TSCA. EPA may authorize states/tribes to conduct PCB and asbestos inspections which generally do not require access to CBI. If CBI is claimed and the inspection cannot be conducted without access to the CBI, then the state/tribe should contact the Regional office before proceeding with the inspection.

A TSCA cooperative enforcement agreement is required prior to authorizing a state/tribe to conduct inspections on EPA's behalf.

The TSCA does not provide authority to authorize states/tribes to access CBI.

TSCA Statutory Authority

15 US. C § 2610(a) - For purposes of administering this chapter, the Administrator, and any duly designated representative of the Administrator, may inspect any establishment, facility, or other premises in which chemical substances, mixtures, or products subject to subchapter IV of this chapter are manufactured, processed, stored, or held before or after their distribution in commerce and any conveyance being used to transport chemical substances, mixtures, such products, or such articles in connection with distribution in commerce. Such an inspection may only be made upon the presentation of appropriate credentials and of a written notice to the owner, operator, or agent in charge of the premises or conveyance to be inspected. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness and shall be conducted at reasonable times, within reasonable limits, and in a reasonable manner.

APPENDIX 2

SBREFA FACT SHEET



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements.

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers:
www.epa.gov/clearinghouse

Pollution Prevention Clearinghouse
www.epa.gov/opptintr/library/ppcindex.htm

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(800) 368-5888

Emergency Planning and Community Right-To-Know Act
(800) 424-9346

National Response Center (to report oil and hazardous substance spills)
(800) 424-8802

Toxics Substances and Asbestos Information
(202) 554-1404

Safe Drinking Water
(800) 426-4791

Stratospheric Ozone Refrigerants Information
(800) 296-1996

Clean Air Technology Center
(919) 541-0800

Wetlands Helpline
(800) 832-7828

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page
www.epa.gov

Small Business Assistance Program
www.epa.gov/ttn/sbap

Compliance Assistance Home Page
www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance
www.epa.gov/compliance

Small Business Ombudsman
www.epa.gov/sbo

Innovative Programs for Environmental Performance
www.epa.gov/partners



Compliance Assistance Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers (Centers) that provide information targeted to industries with many small businesses. All Centers can be accessed at:
<http://www.assistancecenters.net>

Metal Finishing

(1-800-AT-NMFRC or www.nmfrc.org)

Printing

(1-888-USPNEAC or www.pneac.org)

Automotive Service and Repair

(1-888-GRN-LINK or www.ccar-greenlink.org)

Agriculture

(1-888-663-2155 or www.epa.gov/agriculture)

Printed Wiring Board Manufacturing

(1-734-995-4911 or www.pwbrc.org)

Chemical Industry

(1-800-672-6048 or www.chemalliance.org)

Transportation Industry

(1-888-459-0656 or www.transource.org)

Paints and Coatings

(1-800-286-6372 or www.paintcenter.org)

Construction Industry

(www.cicacenter.org)

Automotive Recycling Industry

(www.ecarcenter.org)

US / Mexico Border Environmental Issues

(www.bordercenter.org)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org>.

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Small Business Policy ([\[www.epa.gov/compliance/incentives/smallbusiness\]\(http://www.epa.gov/compliance/incentives/smallbusiness\)\) and Audit Policy \(<http://www.epa.gov/compliance/incentives/auditing>\).](http://</p></div><div data-bbox=)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community because the regulated community previously commented on its activities.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.

APPENDIX 3

STATE/TRIBAL INSPECTOR TRAINING GUIDANCE DOCUMENT

**State/Tribal Inspector
Training Guidance Document**

September 2004

National Compliance Monitoring Policy Branch
Compliance Assessment and Media Programs Division
Office of Compliance
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
Washington, D.C. 20460

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1) SUMMARY OF MINIMUM TRAINING

A) EPA'S BASIC INSPECTOR TRAINING

Available on CD ROM or by classroom; state/tribal/private vendor courses that cover the curriculum may meet this requirement. Please see the attached Basic Inspector Training Course curriculum (2, B - Page 2).

B) HEALTH AND SAFETY TRAINING

Minimum is 24 hours with 8 hour refresher annually. The minimum training can be completed in a formal classroom setting as long as the training meets the specified curriculum or is available on CD ROM if minimum required and elective modules are successfully completed. The supervisor will determine if additional training is needed based on potential exposure. If a respirator is required, inspectors should be placed in a respiratory protection program which includes use, care, maintenance, and training on respirators as well as fit testing and medical monitoring. Please see the attached Health and Safety training curriculum (Page 3).

C) TRAINING ON THE TERMS AND CONDITIONS OF AUTHORIZATION

A supervisor, either state/tribal/regional, should review with the inspector the terms/conditions of the authorization as described in the guidance that impact the inspectors prior to/at the time of issuance of a credential to the inspector.

D) PROGRAM-SPECIFIC INSPECTOR TRAINING

The Program-Specific Curriculum for each environmental program prepares inspectors/investigators to conduct specific types of inspections/investigations and to obtain information and evidence in a technically and legally sound manner. Please see the attached program-specific training (Page 8).

Note that each program requires on-the-job training with a lead inspector. It is up to the Region to determine if this will be a Regional inspector or a State/Tribal inspector experienced in conducting inspections on EPA's behalf.

2) **BASIC INSPECTOR TRAINING**

A) BASIC INSPECTOR TRAINING COURSE

This introductory course is designed for federal, state, local, and tribal environmental inspectors. It provides an overview of all aspects of inspection preparation, conduct, and follow-up. This course provides an overview of the knowledge and skills needed for compliance inspections/field investigations under EPA's statutes.

The course is available in a classroom setting and on CD ROM. To find out when classes are offered, go to www.netionline.com. This course can be taught by contractor/state/tribal employees. However, it is best taught by experienced inspectors knowledgeable of EPA inspection procedures.

B) BASIC INSPECTOR TRAINING CURRICULUM

The Basic Inspector Training Course covers the fundamentals of environmental compliance monitoring inspections and integrates key concepts and procedures from the following four subject areas:

Legal Authorities/Requirements: Includes overview of EPA's major environmental statutes and enforcement authorities, the administrative and judicial enforcement process, collecting and documenting evidence for enforcement proceedings, authority and requirements for lawful entry.

Technical Skills and Procedures: Includes types of inspectors, inspection site selection, and pre-inspection planning and preparation, recognizing and documenting violations, sample collection and handling, and an overview of protocol and procedures for oversight inspections.

Communications: Includes gaining entry, inspector as educator, interviewing techniques, negotiations, and preparation of inspection reports.

Administrative Procedures: Includes Federal pay administration, timekeeping, leave, travel, and procurement. (Not applicable to States/Tribes)

3) HEALTH AND SAFETY TRAINING

Health and safety training is important to ensure that inspectors know how to avoid/address hazards/exposures they may encounter when conducting inspections on EPA's behalf. Please note: at a minimum, the inspector must complete the **Basic Level of health and safety training.**

This training can be completed in a formal classroom setting or by the EPA Basic Level Health and Safety CD ROM.

In addition to the 24 hours of instruction in the topic areas above, the inspector should accompany an inspector experienced in field activities and perform actual field activities for minimum of three (3) days within a period of three months after instruction to gain experience in recognizing hazards in the field.

If using the CD ROM to complete the training, the inspector must successfully complete the 18 required one-hour modules and 6 modules from the remaining elective one-hour modules. Required and elective CD ROM modules are listed in Table 1 below.

*** Note:** The EPA Basic Level Health and Safety CD ROM is available from Dr. Gerald W. Oakley at 202-564-2082 or oakley.jerry@epa.gov. Please see the table below for a list of training modules in the CD ROM (see page 5).

If they complete the training in a classroom setting, the course must present 24 hours of instruction in the following topic areas:

- (1) employee rights and responsibilities;
- (2) nature of anticipated hazards;
- (3) emergency help and self-rescue;
- (4) vehicles – mandatory rules and regulations;
- (5) safe use of field equipment;
- (6) use, handling, storage, and transportation of hazardous materials;
- (7) personal protective equipment and clothing, use and care; and
- (8) safe sampling techniques.

In addition to the initial 24 hour training, inspectors shall complete a minimum of 8 hours of refresher classroom instruction annually consisting of a review of all topic areas. Please note, if an inspector has let his/her health and safety refresher training lapse for more than 2 years they need to repeat the initial basic level 24 hour course.

Additional health and safety training may be necessary. The state or tribe must evaluate the types of activities and exposure for each inspector and determine if additional levels

training are needed. If a respirator is required, inspectors should be placed in a respiratory protection program which includes use, care, maintenance, and training on respirators as well as fit testing and medical monitoring.

If Occupational Safety & Health Administration (OSHA) requirements apply, the state/tribe is responsible for compliance with applicable OSHA regulations. Please note, the Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) course required by OSHA §1910.120 does not meet the requirements of EPA's Basic Level Health and Safety training.

Please see EPA Safety, Health and Environmental Management Guidelines for more information regarding respirator and personal protective equipment. These can be found on EPA's intranet web site at <http://dcwww.wic.epa.gov:9876/oa/multimed/guides.htm>. State and Tribes are encouraged to use these guidelines as they make decisions on what health and safety training is needed. Approximately 55 guidelines have been developed to date to help EPA manage its safety, health and environmental management responsibilities. The guidelines developed to date covering a wide range of topics including management systems, environmental statutes, transferring real property, office building compliance, fire protection and life safety, chemical handling and safety, laboratory procedures, forklift operations, electrical safety, radiation, lockout/tagout, occupational noise, workplace hazards, hazard communication, and handling of PCB's and asbestos.

If inspectors are shipping hazardous materials within commerce they must complete training as required by the Department of Transportation (DOT). The DOT training requirements can be found at 49 CFR 172, Subpart H.

Table - 1

EPA Basic Level Health and Safety Training – 24 Hour CD ROM Course

This is a self-paced computer-based training (CBT) course administered via CD-ROM and may be taken at the students convenience. This course requires successful completion of twenty-four, one-hour modules. Eighteen of the available 34 modules are required and must be completed. Six additional modules must be selected from the sixteen elective modules.

Module Topic	Required	Elective
I. Rights and Responsibilities	X	
1. EPA's Occupational Health & Safety Program	X	
2. Planning and Preparation for Field Activities	X	
3. Occupational Medical Surveillance	X	
4. Hazard Communication	X	
II. Chemical Hazards		
Chemical Hazards and Reactions	X	
Basic Toxicology	X	
Air Monitoring		X
Pesticide		X
III. Physical Hazards		
Occupational Noise	X	
Heat and Cold Stress	X	
Human Factors/Ergonomics	X	
Radiation Safety		X
IV. Biological Hazards		
Biological Safety	X	
Bloodborne Pathogens	X	
Natural Hazards.		X
V. General Safety		
Personal Protective Clothing and Equipment	X	

Respiratory Protection		X
Decontamination		X
VI. General Safety		
Ladders and Climbing	X	
Hazardous Energy Sources and Mechanical Hazards	X	
Confined Space Entry	X	
Portable Fire Extinguishers	X	
Vehicle Safety	X	
Emergency Preparedness and First Aid	X	
Watercraft Safety		X
Aircraft Safety		X
VII. Field Operations and Support Activities		
Field Sampling Hazards		X
Stack Sampling		X
Laboratory Safety		X
Mine Safety		X
Subsurface Investigations		X
Industrial Plants		X
Hazardous Waste Operations and Emergency Response		X
Transportation of Hazardous Materials		X

NOTE: For this course you must complete 18 required + 6 elective modules = Total of 24 modules.

4) TRAINING ON THE TERMS AND CONDITIONS OF AUTHORIZATION

The inspector's supervisor should review the terms and conditions in the guidance with inspector prior to providing credentials to the inspector.

5) PROGRAM-SPECIFIC TRAINING

The program-specific curriculum provides a comprehensive overview of the knowledge and skills needed for conducting inspections under any of EPA's statutes. The curriculum also establishes the mandatory and recommended training in legal, programmatic, and technical subjects for each major media program or specific program inspection activity, as well as mandatory on-the-job and refresher training.

The minimum program-specific training is contained the following pages as listed below:

- 5-A Clean Air Act (CAA) - Stationary Sources
- 5-B Clean Air Act (CAA) - Mobile Sources
- 5-C Clean Air Act (CAA) - NESHAP Asbestos
- 5-D Clean Air Act (CAA) - Stratospheric Ozone Program
- 5-E Clean Air Act (CAA) - Woodheater Program
- 5-F Clean Air Act (CAA) - 112(r) Risk Management Program
- 5-G Clean Water Act (CWA) - National Pollutant Discharge and Elimination System (NPDES)
- 5-H Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- 5-I Oil Pollution Act (OPA)/Spill Prevention Control and Countermeasures (SPCC)
- 5-J Resources Conservation and Recovery Act (RCRA) - Hazardous Waste
- 5-K Resources Conservation and Recovery Act (RCRA) - UST
- 5-L Safe Drinking Water Act (SDWA) - Public Water System Supervision
- 5-M Safe Drinking Water Act (SDWA) - Underground Injection Control
- 5-N Toxic Substances Control Act (TSCA)
- 5-O Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

5-A Clean Air Act - Stationary Sources

3500.1 MEDIA SPECIFIC TRAINING REQUIREMENTS

Clean Air Act (CAA) Stationary Sources - Training Requirements for all State and Tribal CAA Stationary Source Compliance Inspectors/Field Investigators

Please note that this document only provides a summary of the training requirements for all CAA Stationary Source Compliance Inspectors/Field Investigators. Refer to Attachment A: Minimum Training Requirements for EPA Air Compliance Inspectors/Field Investigators for the complete training requirements.

Please note that these training requirements and the training requirements in Attachment A are in addition to the Basic Inspector Training Course and the Health and Safety Training Course as required by EO 3500.1 for all federal EPA Compliance Inspectors/Field Investigators.

Mandatory and Recommended Training:

Mandatory Training (Visible Emissions)

- Visible Emissions (VE) Training (8-hour course). Required for inspectors conducting opacity readings (EPA Method 9 and Method 22). Re-certification required every 6 months.

Mandatory Self-Study/Review (Air Regulation)

Statutes/Regulations

- 40 CFR § 50.1-12: National Primary and Secondary Ambient Air Quality Standards
- 40 CFR § 51.100-232: Requirements for Preparation, Adoption, and Submittal of Implementation Plans.
- 40 CFR § 52.1-34: Approval and Promulgation of Implementation Plans-Gen. Provisions
- 40 CFR § 60.1-19: Standards of Performance for New Stationary Sources-Gen. Provisions
- 40 CFR § 63.1-15: National Emission Standards for Hazardous Air Pollutants for Source Categories- General Provisions
- 40 CFR § 51.166 and 52.21: Prevention of Significant Deterioration of Air Quality
- 40 CFR § 51.165: Permit Requirements

Guidance/Reference Materials

- CAA Compliance Monitoring Strategy, 2001*
- CAA Confidential Business Information, Information Security Manual (EPA 450/B-03-001)*
- National Stack Testing Guidance (2/04)*
- Air Pollution Control Technology (CD-Rom)*
- Review of a minimum of two completed inspection reports for each type of CAA stationary source inspection to be conducted.

(*Source: Greg Fried, 202-564-7016)

Recommended Training (Air Regulations)

Since many of the recommended training courses are not readily available, inspectors may opt to obtain copies of the student manuals from OAQPS for self-study.

- Introduction to Hazardous Air Pollutants (APTI 400)*
- Principles and Practices of Air Pollution Control (APTI 452)*
- Air Pollution Field Enforcement (APTI 444)*
- Advanced PSD/NSR (WESTAR)*
- Effective Permitting (APTI 454)*
- Intermediate Permitting (APTI 461)*
- Analytical Methods for Air Quality Standards (APTI 464)*
- MACT Training (LADCO)*

(*Source: Greg Fried, 202-564-7016)

Recommended Training (Volatile Organics-VOC's)

- Sources and Control of Volatile Organics (APTI 482)*
- Baseline Source Inspection (APTI 445)*
- Source Sampling for Pollutants (APTI 450)*
- Atmospheric Sampling (APTI 435)*
- Preparation of Emission Inventories (APTI 419)*
- Quality Assurance for Pollution Measurement (APTI 470)*
- Compliance Assurance Monitoring (WESTAR/CENSARA)*
- Inspection Procedures and Safety (APTI 446)*

(*Source: Greg Fried, 202-564-7016)

Recommended Training (Particulate Emissions)

- Control of Particulate Emissions (APTI 413)*
- Gaseous and Particulate Matter Monitoring (WESTAR)*
- Inspection of Particulate Control Devices (CENSARA)*
- Continuous Emissions Monitoring (APTI 474)*

(*Source: Greg Fried, 202-564-7016)

Recommended Training (Combustion Sources)

- Combustion Evaluation (APTI 427)*
- Combustion Source Inspection (RUTGERS)*
- Control of Gaseous Emissions (APTI 415)*
- Control of Nitrogen Oxide Emissions (UTA)*
- Advanced Nitrogen Oxides Emissions Control (WESTAR)*

(*Source: Greg Fried, 202-564-7016)

Recommended Self-Study/Review (Air Regulations)

- Introduction to Air Pollution Control, <http://www.epa.gov/air/oagps/eog/control/splash.html>
- Standards of Performance for New Stationary Sources (40 CFR Section 60.20-to end) - Individual Subparts, as needed.
- National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR Section 63.40-to end) - Individual Subparts, as needed.
- The Plain English Guide to the Clean Air Act (4/93) (EPA 400-K-93-001)*
- The New Clean Air Act: What it Means to You (Jan/Feb 1991)*
- Taking Toxics Out of the Air: Progress in Setting "Maximum Achievable Control Technology" Standards Under the Clean Air Act (August 2000)*
- Clean Air Act Civil Penalty Policy*
- How to Review and Issue Clean Air Act Applicability Determinations and Alternative Monitoring: NSPS, NESHAP (EPA 305-B-99-004, 2/99)*
- Guidelines for MACT Determinations Under Section 112(J) Requirements (EPA 453-R-02-001, 2/00)*
- Inspection Protocol and Model Reporting Requirements for Stationary Sources (EPA/340-1-91-007, 1991)*
- Handbook for the Review of Excess Emission Reports (EPA 340-1-86-011, 5/86)*
- Potential to Emit for MACT Standards - Guidance on Timing Issues (5/16/95)*
- Policy on Timely and Appropriate Enforcement Response to HPV (12/98)*
- Unified Air Toxics Website, www.epa.gov/ttn/atw

(*Source: Greg Fried, 202-564-7016)

Recommended Self-Study/Review (Volatile Organics-VOC's)

- Handbook: Control Techniques for Fugitive VOC Emissions from Chemical Process Facilities (EPA/625/R-93/005, 3/94)*
- Handbook: Control Techniques for Hazardous Air Pollutants (EPA/625/6-91-014, 6/91)*
- Environmental Regulations and Technology; Fugitive VOC Emissions in the Synthetic Organic Chemicals Manufacturing Industry (EPA-625/10-84-004, 12/84)*
- Hazardous Organics NESHAP (HON) Inspection Tool (Volumes 1 & 2)*
- Process-Based Self-Assessment Tool for the Organic Chemical Industry (EPA 305/B-97-002, 4/97)*
- Inspection Manual: Federal Equipment Leak Regulations for the Chemical Manufacturing Industry: (3 Volume Set) (EPA 305-B-98-011, 12/98)*
- Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources.*

(*Source: Greg Fried, 202-564-7016)

Recommended Self-Study/Review (Particulate Emissions)

- Control Techniques for Particulate Emissions from Stationary Sources: Volumes 1 & 2, September, 1982 (EPA-450/3-81-005). (Source: Greg Fried, 202-564-7016)

Recommended Self-Study/Review (Combustion Sources)

- Combustion Emissions Technical Resource Document (CETRED) (EPA 530-R-94-014, 5/94) (Source: Greg Fried, 202-564-7016)
- Combustion Related Rules, www.epa.gov/ttn/atw/combust/list.htm

Recommended Self-Study/Review (Environmental Information/Data)

- Applicability Determination Index (ADI), <http://cfpub2.epa.gov/adi/>
- MACT Implementation Tool, <http://www.epa.gov/idea/mact/>
- AIRS Facility Subsystem (AFS), <http://www.epa.gov/Compliance/planning/data/air/afssystem.html>

Mandatory On-the-Job Training (OJT) and Mentoring with Senior Lead Inspector:

- EPA stationary source air compliance inspectors/field investigators must participate in a minimum of two compliance evaluations with a lead inspector prior to leading compliance inspection. Note this includes inspection preparation procedures with a senior inspector.

Mandatory Refresher Training:

- Inspectors that are conducting visible emissions (VE) inspections as part of their job must be certified every six months. However, the 8-hour VE classroom course is only required upon initial certification and is recommended if certification lapses for a significant amount of time.
- EPA stationary source air compliance inspectors/field investigators must participate in program specific refresher training as determined by his/her supervisor.

ATTACHMENT A : Minimum Training Requirements for EPA Air Compliance Inspectors/Field Investigators¹

Focus Area (A)	Training Goals (B)	Mandatory Self Study/Review (C)	Recommended Self-Study/Review (D)	Recommended Courses (E) ²
Air Regulation	<p>Upon completion of this focus area, the inspector will:</p> <ul style="list-style-type: none"> • Understand the goals and objectives of the Clean Air Act. Be familiar with the six titles of the Clean Air Act including the 1990 Clean Air Act Amendments • Be able to identify sources of air pollution and understand the impact of industrial development and advances in technology on the problem of air pollution • Be knowledgeable of the different stationary source regulatory programs (NSPS, NESHAP, MACT) including the general provisions for notifications, testing, reporting, monitoring and recordkeeping as well as the following concepts: <ul style="list-style-type: none"> - risk-based vs. technology-based standards - area source vs. major source - new vs. existing sources - modification/reconstruction • Be familiar with the PSD/NSR program including the following concepts: <ul style="list-style-type: none"> - potential vs. actual emissions - attainment vs. non-attainment - new vs. modified sources - significant net emissions increase - significance thresholds - BACT & LAER case-by-case - routine maintenance • Be familiar with the Title V permit program including the following concepts: <ul style="list-style-type: none"> - major source thresholds - synthetic minor permit concept - potential vs. actual emissions • Understand the relationship between Federal and State regulatory authorities including a general understanding of the SIP program • Be familiar with EPA's Acid Rain Program including NOx and SOx monitoring and reporting requirements • Be familiar with Title VI of the Clean Air Act including the specific regulatory programs under section 608 of the Clean Air Act governing refrigerants (CFCs) used at stationary sources 	<p>Clean Air Act Regulations:</p> <p>National Primary and Secondary Ambient Air Quality Standards (40 CFR Section 50.1-50.12)</p> <p>Requirements for Preparation, Adoption, and Submittal of Implementation Plans (40 CFR Section 51.100-232)</p> <p>Approval and Promulgation of Implementation Plans - General Provisions (40 CFR Section 52.01-52.34)</p> <p>Standards of Performance for New Stationary Sources - General Provisions (40 CFR Section 60.1-60.19)</p> <p>National Emission Standards for Hazardous Air Pollutants for Source Categories - General Provisions (40 CFR Section 63.1-63.15)</p> <p>Prevention of Significant Deterioration of Air Quality (40 CFR Sections 51.166 and 52.21)</p> <p>Permit Requirements (40 CFR Section 51.165)</p> <p>Guidance/Reference materials:</p> <p>CAA QA/QC Regional Plan (available in your Regional Office)</p> <p>CAA Compliance Monitoring Strategy, 2001</p> <p>CAA Confidential Business Information (CBI) Information Security Manual (EPA 450/B-03-001)</p> <p>National Stack Testing Guidance (2/04)</p>	<p>On-line Self-Study</p> <p>Introduction to Air Pollution Control http://www.epa.gov/air/oaqps/eog/control/index.html</p> <p>Clean Air Act Regulations:</p> <p>Standards of Performance for New Stationary Sources (40 CFR Section 60.20-to end) - Individual Subparts, as needed.</p> <p>National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR Section 63.40-to end)- Individual Subparts as needed)</p> <p>Guidance/Reference materials:</p> <p>The Plain English Guide to the Clean Air Act (4/93) (EPA 400-K-93-001)</p> <p>The New Clean Air Act: What it Means to You (Jan/Feb 1991)</p> <p>Taking Toxics Out of the Air: Progress in Setting "Maximum Achievable Control Technology" Standards Under the Clean Air Act (August 2000)</p> <p>Clean Air Act Civil Penalty Policy</p> <p>How to Review and Issue Clean Air Act Applicability Determinations and Alternative Monitoring: NSPS, NESHAP (EPA 305-B-99-004, 2/99)</p> <p>Guidelines for MACT Determinations Under Section 112(J) Requirements (EPA 453-R-02-001, 2/00)</p> <p>Inspection Protocol and Model Reporting Requirements for Stationary Sources (EPA/340-1-91-007, 1991)</p> <p>Handbook for the Review of Excess Emission Reports (EPA 340-1-86-011, 5/86)</p> <p>Potential to Emit for MACT Standards - Guidance on Timing Issues (5/16/95)</p> <p>National Policy on the Role of the Inspector in Providing Compliance Assistance (6/03)</p> <p>Policy on Timely and Appropriate Enforcement Response to HPV (12/98)</p> <p>Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations (http://www.epa.gov/compliance/incentives/auditing/auditpolicy/index.html)</p> <p>Small Business Compliance Policy http://www.epa.gov/compliance/incentives/smallbusiness/index.html</p> <p>Websites:</p> <p>Unified Air Toxics Website www.epa.gov/ttn/atw</p>	<p>Introduction to Hazardous Air Pollutants (APTI 400)</p> <p>Principles and Practices of Air Pollution Control (APTI 452)</p> <hr/> <p>Air Pollution Field Enforcement (APTI 444)</p> <p>Advanced Inspector Training (CST 309 (NETI))</p> <p>Advanced PSD/NSR (WESTAR)</p> <p>Effective Permitting (APTI 454)</p> <p>Intermediate Permitting (APTI 461)</p> <p>Analytical Methods for Air Quality Standards (APTI 464)</p> <p>MACT Training (LADCO)</p>

Focus Area (A)	Training Goals (B)	Mandatory Self Study/Review (C)	Recommended Self-Study/Review (D)	Recommended Courses (E)
Volatile Organics (VOCs)	<p>Upon completion of this focus area, the inspector will be able to:</p> <ul style="list-style-type: none"> Recognize the health and environmental risks associated with VOC emissions including their influence on ozone formation Identify and be knowledgeable of control systems for VOCs Conduct evaluations of VOC control equipment and monitoring systems including problem diagnosis and compliance evaluation Understand how EPA test methods are conducted to determine compliance with VOC emission standards Evaluate compliance with EPA regulations involving source LDAR programs designed to minimize fugitive VOC and VHAP emissions from specific process equipment Collect samples required to ensure compliance with the VOC emission standards Recognize hazards associated with the evaluation of VOC emission sources 	Air Pollution Control Technolgy (CD-Rom)	<p>Guidance/Reference materials:</p> <p>Handbook: Control Techniques for Fugitive VOC Emissions from Chemical Process Facilities (EPA/625/R-93/005, 3/94)</p> <p>Handbook: Control Technologies for Hazardous Air Pollutants (EPA/625/6-91-014, 6/91)</p> <p>Environmental Regulations and Technology; Fugitive VOC Emissions in the Synthetic Organic Chemicals Manufacturing Industry (EPA-625/10-84-004, 12/84)</p> <p>Hazardous Organics NESHAP (HON) Inspection Tool (Volumes 1 &2)</p> <p>Process-Based Self-Assessment Tool for the Organic Chemical Industry (EPA 305/B-97-002, 4/97)</p> <p>Inspection Manual: Federal Equipment Leak Regulations for the Chemical Manufacturing Industry: (3 Volume Set) (EPA 305-B-98-011, 12/98)</p> <p>Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources (http://www.epa.gov/ttn/chief/ap42/index.html)</p> <p>Websites:</p> <p>Unified Air Toxics Website (www.epa.gov/ttn/atw)</p>	Sources and Control of Volatile Organics (APTI 482) <hr/> Baseline Source Inspection (APTI 445) Priniciples and Practices of Air Pollution Control (APTI 452) Source Sampling for Pollutants (APTI 450) Atmospheric Sampling (APTI 435) Preparation of Emission Inventories (APTI 419) Quality Assurance for Pollution Measurement (APTI 470) Compliance Assurance Monitoring (WESTAR/CENSARA) Inspection Procedures and Safety (APTI 446)
Particulate Emissions	<p>Upon completion of this focus area, the inspector will be able to:</p> <ul style="list-style-type: none"> Recognize the health and environmental risks associated with particulate emissions Identify and be knowledgeable of particulate emission control systems Conduct evaluations of particulate emission control equipment and monitoring systems including problem diagnosis and compliance evaluation Understand how EPA test methods are conducted to determine compliance with particulate emission standards Recognize hazards associated with the evaluation of particulate emission sources 	Air Pollution Control Technolgy (CD-Rom)	<p>Guidance/Reference materials:</p> <p>Control Techniques for Particulate Emissions from Stationary Sources: Volumes 1 & 2, September, 1982 (EPA-450/3-81-005)</p> <p>Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources (http://www.epa.gov/ttn/chief/ap42/index.html)</p> <p>Websites:</p> <p>Unified Air Toxics Website (www.epa.gov/ttn/atw)</p>	Control of Particulate Emissions (APTI 413) <hr/> Baseline Source Inspection (APTI 445) Gaseous and Particulate Matter Monitoring (WESTAR) Priniciples and Practices of Air Pollution Control (APTI 452) Inspection of Particulate Control Devices (CENSARA) Source Sampling for Pollutants (APTI 450) Preparation of Emission Inventories (APTI 419) Quality Assurance for Pollution Measurement (APTI 470) Continuous Emissions Monitoring (APTI 474) Inspection Procedures and Safety (APTI 446)

Focus Area (A)	Training Goals (B)	Mandatory Self Study/Review (C)	Recommended Self-Study/Review (D)	Recommended Courses (E)
Combustion Sources	<p>Upon completion of this focus area, the inspector will be able to:</p> <ul style="list-style-type: none"> Recognize the health and environmental risks associated with combustion sources Understand how pollutants are formed through combustion processes Identify and understanding air pollution control systems at combustion sources Conduct evaluations of pollution control equipment and monitoring systems at combustion sources, including problem diagnosis and compliance evaluation Understand how EPA test methods are conducted to determine compliance at combustion sources Collect samples required to ensure compliance with the combustion emission standards Recognize hazards associated with the evaluation of particulate emission sources 	Air Pollution Control Technolgy (CD-Rom)	Combustion Emissions Technical Resource Document (CETRED) (EPA 530-R-94-014, 5/94) Handbook: Control Technologies for Hazardous Air Pollutants (EPA/625/6-91-014, 6/91) Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources (http://www.epa.gov/ttn/chief/ap42/index.html) Websites: Combustion Related Rules (www.epa.gov/ttn/atw/combust/list.html) Unified Air Toxics Website (www.epa.gov/ttn/atw)	Combustion Evaluation (APTI 427) Combustion Source Inspection (RUTGERS) Control of Gaseous Emissions (APTI 415) <hr/> Baseline Source Inspection (APTI 445) Control of Nitrogen Oxide Emissions (UTA) Advanced Nitrogen Oxides Emissions Control (WESTAR) Gaseous and Particulate Matter Monitoring (WESTAR) Principles and Pract. of Air Pollution Control (APTI 452) Source Sampling for Pollutants (APTI 450) Preparation of Emission Inventories (APTI 419)
Environmental Information/ Data	<p>Upon completion of this focus area, the inspector will be able to:</p> <ul style="list-style-type: none"> Use the various federal information data systems including the On-line Targeting Information System (OTIS) and the Applicability Determination Index (ADI) Locate on-line technical assistance resources on EPA websites including the Compliance Assistance Clearinghouse and EPA Inspector Website Report data captured during a field investigation to the appropriate EPA data system (e.g., AFS, ICDS) 		On-line Data Systems: On-Line Targeting information System (OTIS) (http://intranet.epa.gov/oecagrph/oc/eptdd/teb/otis/index.html) Enforcement and Compliance History Online (ECHO) (http://www.epa.gov/echo/) Applicability Determination Index (ADI) (http://cfpub2.epa.gov/adi/) Compliance Assistance Clearinghouse & Compliance Assistance Centers (http://cfpub.epa.gov/clearinghouse/) (http://www.assistancecenters.net/) MACT Implementation Tool (http://www.epa.gov/idea/mact/) Office of Compliance Inspector Website (http://intranet.epa.gov/oeca/oc/campd/inspector/index.html) AIRS Facility Subsystem (AFS) (http://www.epa.gov/Compliance/planning/data/air/afssystem.html) Websites: Unified Air Toxic Website (http://www.epa.gov/ttn/atw/) Inspector Website (http://intranet.epa.gov/oeca/oc/campd/inspector/index.html)	Courses/training on EPA data information systems are offered on occasion or may be provided if requested by the regional office

Focus Area (A)	Training Goals (B)	Mandatory Self Study/Review (C)	Recommended Self-Study/Review (D)	Recommended Courses (E)
Visible Emissions	<p>Upon completion of this segment, the inspector will be:</p> <ul style="list-style-type: none"> • Understand the importance of VE evaluation • Understand Method 9/Method 22 procedure • Be certified to conduct VE evaluations 			Visible Emissions Training ³

1. Note that these training requirements are in addition to the Basic Inspector Training Course and the Health and Safety Training Course as required for all federal inspectors.
2. Since many of the recommended courses are not readily available, inspectors may opt to obtain copies of the student manuals from OAQPS for self-study.
3. Inspectors that are conducting visible emissions (VE) evaluations as part of their job must be certified every six months. However, the 8-hour VE classroom course is only required upon initial certification and is recommended if certification lapses for a significant amount of time.

Training Providers:

APTI - Air Pollution Control Institute
 CENSARA - Central States Air Resources Association
 LADCO - Lake Michigan Air Directors Consortium
 NETI - National Environmental Training Institute
 RUTGERS - Rutgers University
 WESTAR - Western States Air Resources Council

5-B Clean Air Act - Mobile Sources

Clean Air Act (CAA) - Title II - Mobile Sources Specific Training for State and Tribal CAA Title II Mobile Sources Inspectors

Mandatory and Recommended Training:

Mandatory Training

- Yearly refresher for fuels field inspections (40-hours), delivered by EPA or the EPA field inspection contract's Program Manager.
- Non-road engine inspection training provided by the EPA Non-road engine team leader.

Mandatory Self-Study/Review

Statutes/Regulations

- Sections 203 and 205 of the Clean Air Act, prohibited acts and civil penalties for moving sources.
- 40 CFR §80, Regulation of fuels and fuel additives
- RFG, Volatility, and Diesel Inspector's Manual (Contact: Ross Ruske, Air Enforcement Division/OECA at 202-564-1033)
- 40 CFR §86, Control of emissions from new and in-use highway vehicles and engines
- Mobile Source Enforcement Memorandum No. 1A:
<http://www.epa.gov/Compliance/resources/policies/civil/caa/mobile/tamper-memo1a.pdf>
- Tampering policy documents:
<http://www.epa.gov/Compliance/resources/policies/civil/caa/mobileguid.html>
- Non-road Inspector's Manual (Contact: Mark Siegler, Air Enforcement Division/OECA at 202-564-8673)

Guidance/Reference Materials

- 40 CFR §85, Control of air pollution from mobile sources
- 40 CFR §89, Control of emissions from new and in-use nonroad compression-ignition engines
- 40 CFR §90, Control of emissions from nonroad spark ignition engines
- 40 CFR §91, Control of emissions from marine spark ignition engines
- 40 CFR §92, Control of air pollution from locomotives and locomotive engines
- RFG Questions and Answers: http://www.epa.gov/otaq/rfg_qa.htm
- 1993 Volatility Question and Answer Document:
<http://www.epa.gov/otaq/regs/fuels/f93006.pdf>
- 1993 Diesel Desulfurization Question and Answer Document:
<http://www.epa.gov/Compliance/resources/policies/civil/caa/mobile/dieselqa.pdf>
- Other program policy and guidance materials as they are developed.
- Review of a minimum of two completed inspection reports for each type of inspection to be conducted.

Recommended Training

- Emissions From Combustion Engines (Contact: Ross Ruske, Air Enforcement Division/OECA at 202-564-1033).

Recommended Self-Study/Review

- Transportation and Air Quality Website: <http://www.epa.gov/otaq/>
- EPA Safety, Health, and Environmental Management Training for Laboratory Activities Course (Safety, Health and Environmental Management Division, 202-564-1640).

Mandatory On-the-Job Training (OJT) and mentoring with senior lead Mobile Source Inspector:

- Inspectors must complete 20 compliance inspection/field investigations with senior lead inspector(s). OJT should include inspection preparation procedures with a senior inspector.
- OJT inspections must be at the specific type of facilities that will be encountered by the trainee. The OJT should be constructed so that over time there is a progression of various types of fuels and engine inspections, and increasing responsibility for the new inspector.
- The first-line supervisor must maintain documentation of compliance with OJT requirements and should include a description of the types of facilities inspected as well as the name of the senior inspector(s) leading the inspection activity.

Notes:

- First-line supervisors are encouraged to achieve efficient use of new inspectors by encouraging OJT for specific types of inspections (e.g., petroleum marketing/bulk storage facility) that would expedite the approval to lead inspections.
- To the extent possible, first-line supervisors should assign new inspectors to the least complex types of inspections.

Mandatory Refresher Training:

Mandatory Training

- Annual refresher for fuels field inspections and non-road engine inspections (24 hours total), delivered by EPA or the EPA field inspection contract's Program Manager. This will only be mandatory when changes in the enforcement program occur.

Guidance on Refresher Training

- The first-line EPA supervisor will determine the scope of additional refresher training required for both EPA and contract inspectors.

5-C Clean Air Act - NESHAP Asbestos

Clean Air Act (CAA) - 40 CFR 61, Air Pollution and Control, Subpart M - Asbestos NESHAP Specific Training for State and Tribal NESHAP Inspectors

Mandatory and Recommended Training:

Mandatory Training

- Asbestos NESHAP Inspection and Safety Procedures Workshop, APTI Course 350 or Three day satellite classroom of APTI Course 350

Mandatory Self-Study/Review

Statutes/Regulations

- Standards of performance for new stationary sources CAA §111
- Hazardous air pollutants CAA §112
- Federal enforcement CAA §113
- Record keeping, inspections, monitoring and entry CAA §114
- 40 CFR Part 61 - National Emission Standards for Hazardous Air Pollutants
 - Subpart A - General Provisions
 - Subpart M - National Emission Standard for Asbestos

Guidance/Reference Materials

- Asbestos NESHAP Milling, Manufacturing, and Fabricating Operations - Field Inspection Checklist (3/92)
- Guidelines for Asbestos NESHAP Landfill Recordkeeping Inspections (3/92)
- A Guide to Normal Demolition Practices Under the Asbestos NESHAP (9/92)
- Guidelines for Asbestos NESHAP Demolition and Renovation Inspection Procedures (11/90)
- Applicability Determination Index (cfpub.epa.gov/adi)

Recommended Training

- None

Recommended Self-Study/Review

- CAA Stationary Source Civil Penalty Policy - Appendix III and V (7/95)
- Test Method - Method for the Determination of Asbestos in Bulk Building Materials (7/93)
- Implementation Strategy for Revised Asbestos NESHAP (2/91)
- AHERA Training Workshop for NESHAP Inspectors (12/90)
- Documenting an Asbestos CERCLA Violation (1993)
- Asbestos in Buildings: Simplified Sampling Scheme for Friable Surfacing Materials (10/85)
- Guidelines for Catastrophic Emergency Situations Involving Asbestos (2/92- update in 2004)
- OSHA Asbestos Regulations
 - www.osha.gov/SLTC/asbestos/index.html (Safety and Health Tips)
 - www.osha.gov/SLTC/asbestos/training/asp_ocis.html (Training Materials)
 - www.osha.gov/dts/osta/oshasoft/index.html (Compliance Assistance Tools)

Mandatory On-the-Job Training (OJT) and mentoring with senior lead inspector:

- Inspectors are required to conduct a minimum of five inspections or equivalent to 40 hours with a senior inspector before leading an inspection. The actual number of inspections required before the new inspector is approved to lead inspections will be determined by the inspector's first-line supervisor.

Notes:

- It is **recommended** that inspectors evaluate a variety of renovation and demolition projects. This may include various types of buildings (e.g., malls, apartment buildings, homes converted to business, fire damaged buildings, etc.), and asbestos-containing materials (e.g., removal of floor tile, wall board, piping, etc.). Also, active and inactive waste disposal sites, and milling and manufacturing facilities should be included.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-D Clean Air Act - Stratospheric Ozone Program

**Clean Air Act (CAA) - 40 CFR Part 82, Air Pollution and Control,
Stratospheric Ozone Protection Specific Training for
State and Tribal CAA Inspectors**

Mandatory and Recommended Training:

Mandatory Training

- None

Mandatory Self-Study/Review

Statutes/Regulations

- Federal Enforcement CAA §113
- Record keeping, inspections, monitoring and entry CAA §114
- Title VI - Stratospheric Ozone Protection; specifically, CAA §§604, 608, 609, 610, 611, and 612.
- 40 CFR Part 82 - Protection of Stratospheric Ozone
 - Subpart A - Production and Consumption Controls
 - Subpart B - Servicing of Motor Vehicle Air Conditioners
 - Subpart C - Ban on Nonessential Products Containing Class I Substances and Ban on Nonessential Products Containing or Manufactured with Class II Substances
 - Subpart D - Federal Procurement
 - Subpart E - The Labeling of Products Using Ozone-Depleting Substances
 - Subpart F - Recycling and Emissions Reduction
 - Subpart G - Significant New Alternative Policy Program
 - Subpart H - Halon Emissions Reduction

Guidance/Reference Materials

- Section 608/609 Inspectors Manual (10/98)
- CMA/EPA Industrial Leak Repair Guidance (2/96)

Recommended Training

- None

Recommended Self-Study/Review

- CAA Stationary Source Civil Penalty Policy - Appendix V, VIII, IX and X (7/95)
- CAA Confidential Business Information Training (EPA 450/B-03-001, March 2003)
- Federal Register Notices (Preamble Only)
 - Subpart A - Production and Consumption Controls
 - Phaseout of Production of Class I and Class II Substances Final Rule (July 30, 1992; 57 FR 33754)
 - Subpart B - Servicing of Motor Vehicle Air Conditioners
 - Handling of HFC-134a and Other Substitutes for CFC-12 Final Rule (December 30, 1997; 62 FR 68026)
 - Subpart C - Ban on Nonessential Products Containing Class I Substances and Ban on Nonessential Products Containing or Manufactured with Class II Substances
 - Class I Nonessential Products Ban Final Rule (January 15, 1993; 58 FR 4768)
 - Class II Nonessential Products Ban Final Rule (December 30, 1993; 58 FR 69638)
 - Subpart E - The Labeling of Products Using Ozone-Depleting Substances
 - Labeling Regulation Final Rule (February 11, 1993; 58 FR 8136)
 - Amendment with Exemptions Final Rule (January 19, 1995; 60 FR 4010)

Recommended Self-Study/Review, cont.

- Subpart F - Recycling and Emissions Reduction;
 - Industrial Process Refrigeration Leak Repair Regulations Final Rule (August 8, 1995; 60 FR 40420)
 - Technician Certification Amendment; Final Rule (November 9, 1994; 59 FR 55912)
 - Technical Amendments for Technician Certification Direct Final Rule (August 19, 1994; 59 FR 42950)
 - Recycling of Ozone-Depleting Refrigerants Final Rule (May 14, 1993; 58 FR 28660)
- Subpart G - Significant New Alternative Policy Program
 - Original SNAP listing (March 18, 1994; 59 FR 13044),
- Subpart H - Halon Emissions Reduction
 - Handling and disposal of Halon 1211, Halon 1301, and Halon 2402 equipment (March 5, 1998; 63 FR 11084).
 - EPCRA/TRI Chemical List www.epa.gov/tri/chemical/chemlist2001.pdf
 - RCRA regulations applicable to the disposal of used CFCs (40 CFR 260 & 261).
- Other Federal Agency Regulations
 - U.S. Customs Seizure Regulations - 19 CFR 12
 - IRS Excise Tax Regulations - www.irs.gov, search for Form 6627 and 26 CFR 52.

Mandatory On-the-Job Training (OJT) and mentoring with senior lead inspector:

- Inspectors are required to conduct a minimum of five inspections or equivalent to 40 hours with a senior inspector before leading an inspection. The actual number of inspections required before the new inspector is approved to lead inspections will be determined by the inspector's first-line supervisor.

Notes:

- It is **recommended** that inspectors be exposed to a wide variety of facilities subject to the ozone depleting substances program as part of the on-the-job training requirement. Facilities appropriate for on-the-job training include leak repair of industrial process and commercial refrigeration, comfort cooling appliances, refrigerant reclaimers, automotive repair shops, refrigerant supply houses, technician certifying programs, manufacturers of refrigerant recovery/recycling equipment, and illegal imports.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-E Clean Air Act - Woodheater Program

Clean Air Act (CAA) - New Source Performance Standard (NSPS) for Residential Wood Heaters at 40 C.F.R. Part 60 Subpart AAA Specific Training for State and Tribal Wood Heater Inspectors

Mandatory and Recommended Training:

Mandatory Training

- None

Mandatory Self-Study/Review

Statutes/Regulations

- NSPS for Residential Wood Heaters at 40 CFR Part 60 Subpart AAA.

Guidance/Reference Materials

- Field Inspectors Manual for Senior Environmental Employees, Wood Heater NSPS Program (Contact: John Dupree, 202-564-5950)
- Manual for Wood Heater Laboratory Managers (Contact: John Dupree, 202-564-5950)
- Wood Heater Program Confidential Business Information (CBI) Security Manual
- Clean Air Act Stationary Source Penalty Policy, Appendix XI, Section VII: Residential Wood Heaters Penalty Policy,
<http://www.epa.gov/Compliance/resources/policies/civil/caa/stationary/penpol.pdf>
- Review of a minimum of two completed inspection reports.

Recommended Training

- None

Recommended Self-study/Review

- Residential Wood Heaters - Background Information for Promulgated Standards
- Guidance Document for Residential Wood Combustion Emission Control Measures

Mandatory On-the-Job Training (OJT) and mentoring with senior lead inspector:

- Inspectors must participate in two compliance evaluations with a senior lead inspector prior to leading a compliance evaluation at a wood stove manufacturing facility or retail outlet. Note this includes inspection preparation procedures with a senior inspector.
- Inspectors must review and process at least one wood stove certification application submitted by an affected source prior to participation in a compliance evaluation.
- Inspectors must observe one wood stove test prior to conducting a compliance evaluation at any of the laboratories accredited by the USEPA to perform wood stove testing.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-F Clean Air Act - 112(r) Risk Management Program

Clean Air Act (CAA) 112(r) Specific Training for State and Tribal CAA 112(r) Inspectors

Mandatory and Recommended Training:

Mandatory Training

- CAA Confidential Business Information (CBI) training
- Risk Management Plan Basics (165.19) 1-day course
- Risk Management Plan Techniques (165.19) 3-day course
- OSHA 3305 Safety and Health in the Chemical Processing Industries Short Version (Note: OSHA delivers this course).

Mandatory Self-Study/Review

Statutes/Regulations

- 40 CFR Part 68 - Risk Management Program Rule
- 29 CFR Part 1910.119 - Occupational Safety and Health Administration Process Safety Management

Guidance/Reference Manuals

- General Guidance for Risk Management Programs (EPA 550-B-00-008)
- Guidance for Auditing Risk Management Plans/Programs (EPA 550-B-99-008)
- RMP Submit User's Manual (EPA 550-B-99-011)
- RMP Review User Manual (SDC-0002-008-DT-2018)
- Industry Specific Documents (sector, process, and general), www.epa.gov/tri
- Review of a minimum of two completed inspection reports.

Recommended Training

- OSHA 3300 Safety and Health in the Chemical Processing Industries - Long Version

Mandatory On-the-Job Training (OJT) and mentoring with senior lead CAA 112(r) inspector:

- Inspectors are required to conduct three RMP inspections or audits with a Senior inspector before leading an inspection. These inspections or audits may vary based on the size of the facility and the number of covered processes. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor. Note this includes inspection preparation procedures with a senior inspector.
- The inspections or audits should involve at least two full program evaluations covering all aspects of the Risk Management Program since partial program reviews are routinely conducted by regional personnel due to lack of resources.
- Inspections at complex facilities involving a large number of covered processes are not recommended for new inspectors within the first six months.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-G Clean Water Act - National Pollutant Discharge and Elimination System

CLEAN WATER ACT (CWA) Specific Training for State and Tribal CWA Inspectors

Clean Water Act - Mandatory and Recommended Training for all CWA Inspectors:

(Please note that additional requirements apply depending on what type of inspection will be conducted: Industrial, Municipal, or Storm Water Inspections, CAFO Inspections, or Wetlands Inspections.)

Mandatory Training

- None

Mandatory Self-Study/Review

Statutes/Regulations

- Section 308 Records, Reports, and Inspections (33 USC 1318) (www.law.cornell.edu/uscode)
- Section 101 -(33 USC 466) Declaration of Goals and Policy
- 40 CFR Part 2, Confidentiality of Business Information, (www.gpoaccess.gov/cfr/index.html)

Guidance/Reference Materials

- NPDES Compliance Inspection Manual (Contact: Peter Bahor, 202-564-7029)

Recommended Training

- None

Recommended Self-Study/Review

- None

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

Industrial/Municipal/Storm Water Inspections:

(Industrial/Municipal/Storm Water Inspectors must complete the following training requirements in addition to the training requirements listed above for all CWA Inspectors)

Mandatory Training

- Clean Water Act/ NPDES Computer-based Inspector Training (CD - ROM)
EPA 305-X-03-001 or (CST 909- NETI) (www.netionline.com)
- Wastewater Sampling at Wastewater Treatment Plants, - CBT - # CWA901(www.netionline.com)

Mandatory Self Study/Review

Statutes/Regulations

- Clean Water Act, Section 402, National Pollutant Discharge Elimination System, (33 USC 1342) (www.law.cornell.edu/uscode)
- Clean Water Act, Section 405, Disposal of Sewage Sludge, (33 USC 1345)
- 40 CFR Part 122, National Pollutant Discharge Elimination System (www.gpoaccess.gov/cfr/index.html)
- 40 CFR 403 General Pretreatment Regulations for Existing and New Sources of Pollution (www.gpoaccess.gov/cfr/index.html)
- 40 CFR 501, State Sludge Management Program Regulation
- 40 CFR 503, Standards for the Use or Disposal of Sewage Sludge

Guidance/Reference Materials

- Introduction to National Pretreatment Program, February 1999, EPA 33B98002 (<http://yosemite.epa.gov/water/owrccatalog.nsf/0/35a662d395f1a3ec85256d83004fd87f?OpenDocument>)
- Guidance for Nine Minimum Controls, EPA 832-B-95-003, May 1995 (http://cfpub1.epa.gov/npdes/cso/ninecontrols.cfm?program_id=5)
- CSO Long Term Control Plan (LTCP) Review Training, EPA, (http://cfpub.epa.gov/npdes/cso/ltplan.cfm?program_id=5)
- Final NPDES Storm Water Multi Sector General Permit for Industrial Activities (65 FR 64746; October 30, 2000) (www.gpoaccess.gov) or appropriate State General Permit in Approved States
- Final NPDES Water General Permit for Storm Water Discharges from Construction Activities (Federal Register, Vol. 68, No.126, July 1, 2003)Register, Vol. 68, No 126, July 1, 2003) (www.gpoaccess.gov) Or appropriate State General Permit in Approved States

Recommended Training

- Basic Inspector CWA/NPDES Training (Train-The-Trainer) (planned to be available with (www.netionline.com), Spring 2004)
- NPDES Permit Writers= Training Course, 1998, EPA 833-B-96-003
<http://www.epa.gov/owow/watershed/wacademy/training/npdeswrit.html>
- Advanced Inspector Training, #CST 309, NETI, (www.netionline.com)

Recommended Self Study/Review

- Clean Water Act, Section 307, Toxic and Pretreatment Standards (33 USC 1317) (www.law.cornell.edu/uscode)
- NPDES Compliance Flow Measurement Manual, September 1981, EPA 832B81102
- Plain English Guide to Biosolids Rule/Biosolids Regulation (www.epa.gov/owm/mtb/biosolids/503pe)
- 2003 Report to Congress on Impacts and Control of Combined Sewer Overflows (CSO) and Sanitary Sewer Overflows (SSO) (published December 2003)
- Report to Congress: Implementation and Enforcement of the Combined Sewer Overflow Control Policy - EPA - December 2001(http://cfpub1.epa.gov/npdes/cso/cpolicy_report.cfm?program_id=5)
- EPA Storm Water Monthly Outreach Materials and Reference Documents (<http://cfpub.epa.gov/npdes/stormwatermonth.cfm>)

On-the-Job (OJT) and Mentoring with Senior Lead Inspector:

- Inspectors are required to conduct a minimum of two (2) inspections with a senior inspector monitoring before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor.

CAFO Inspectors:

(CAFO Inspectors must complete the following training requirements in addition to the training requirements listed above for all CWA Inspectors)

Mandatory Training

- CAFO Technical Fundamentals for Permit Writers and Inspectors (Final due out in Summer 2004 Agriculture Division, Office of Compliance)

Mandatory Self-Study/Review*Statutes/Regulations*

- Clean Water Act Section 402 - National Pollutant Discharge Elimination System (33 USC 1342) (www.law.cornell.edu/uscode)
- Clean Water Act, Sections 301, Effluent Limitations (33 USC 1311)
- Clean Water Act, Section 304, Information and Guidelines (33 USC 1314)
- Clean Water Act, Section 306, National Standards of Performance (33 USC 1316)
- Clean Water Act, Section 307, Toxic and Pretreatment Standards (33 USC 1317)
- 40 CFR Part 122 (www.gpoaccess.gov/cfr/index.html)
- 40 CFR Part 412, CAFO Permit and Effluent Guideline Regulations.
- Final CAFO Regulation Federal Register Notice, FR 7176, February 12, 2003.

Guidance/Reference Materials

- NPDES Permit Writers Guidance and Sample Permit for CAFOs, December 31, 2003. Office of Water
- Producers' Compliance Guide for CAFOs, EPA- 821-R-03-010, November 2003
<http://cfpub2.epa.gov/npdes/afo/compliance.cfm#copy>
- EPA's Clean Water Act Enforcement Strategy Update for Concentrated Animal Feeding Operations, August 2003, OECA, Office of Regulatory Enforcement

Recommended Training

- State Nutrient Management Courses
- Nutrient Management, version 1.1, February 2001, USDA/NRCS (Self-Study CD-ROM course on nutrient management)

Recommended Self Study/Review

- Livestock and Poultry Environmental Stewardship Curriculum, and CAFO Fact Sheets/ Educational Materials. http://www.lpes.org/les_plans.html
- Unified National Strategy for Animal Feeding Operations, EPA & USDA, March 1999. http://cfpub1.epa.gov/npdes/afo/ustrategy.cfm?program_id=7
- Agricultural Waste Management Field Handbook- Part 651, USDA/NRCS
- Field Office Technical Guide, USDA/NRCS (state specific)

On-the-Job Training (OJT) and Mentoring with Senior Lead Inspector:

- Inspectors are required to conduct a minimum of four (4) inspections with a senior inspector monitoring before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor. It is not recommended that new inspectors lead inspections at large CAFO's or those with complex nutrient plans.

Wetlands:

(Wetland inspectors must complete the following training requirements in addition to the training requirements listed above for all CWA Inspectors)

Mandatory Training

- None

Mandatory Self-Study/Review*Statutes/Regulations*

- Clean Water Act, Section 309, Enforcement (33 USC 1319) (www.law.cornell.edu/uscode)
- Clean Water Act, Section 404, Permits for Dredge or Fill Material(33 USC 1344)
- Rivers & Harbors Appropriation Act of 1899 including Chapter 9, Section 10 (33 USC 403)
- 40 CFR Parts 230-233 , Guidelines for Disposal Sites for Dredged and Fill Material; Sect. 404 procedures; Definitions and Exempt Activities; and State Program Regulations. (www.gpoaccess.gov/cfr/index.html)

Guidance/Reference Materials

- Corps of Engineers Wetlands Delineation Manual, January 1987
<http://www.wetlands.com/regs/tlpge03e.htm>
- MOA Between the Department of the Army and EPA Concerning Federal Enforcement for the Section 404 Program of the CWA, January 1989
EPA 843B89101. National Service Center for Environmental Publications (1-800-490-9198.

Recommended Training

- Clean Water Act Section 404 Regulatory Training Course
(<http://www.epa.gov/owow/watershed/wacademy/training/mali.html>)
- Corps of Engineers Regulation # 1 Course
- Corps of Engineers Regulation # 2 Course
- Wetland Delineator Certification Program <http://www.epa.gov/owow/wetlands/plan/delin.pdf>

Recommended Self Study/Review

- Appendix A, Advanced Notice of Proposed Rule Making (ANPRM) on the CWA Definition of "Waters of the United States," January 2003
(http://www.epa.gov/owow/wetlands/Joint_Memo.pdf)
- 2002 Revisions to the CWA Regulatory Definitions of "Fill Material" and "Discharge of Fill Material"(<http://www.usace.army.mil/inet/functions/cw/cecwo/reg/definfil.pdf>)
- Report to Congress on the Status and Trends of Wetlands in the Conterminous United States 1986 to 1997 (<http://wetlands.fws.gov/bha/SandT/SandTReport.html>)
- U.S. Army Corps of Engineers Regulations: 33 CFR Parts 320-330
(www.gpoaccess.gov/cfr/index.html)

On-the-Job Training (OJT) and Mentoring with Senior Lead Inspector:

- Inspectors are required to conduct a minimum of two (2) inspections with a senior inspector monitoring before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor.

5-H Federal Insecticide, Fungicide, and Rodenticide Act

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Specific Training for State and Tribal FIFRA Inspectors

Mandatory and Recommended Training:

Mandatory Training

- Basic FIFRA Inspection Course "FIF901 Inspector Training" [Source: www.netionline.com "FIF901"]

Mandatory Self-Study/Review

Statute/Regulations

- FIFRA §2 - Definitions
- FIFRA §3 (a), (b) & (d) - Registration of Pesticides
- FIFRA §5 - Experimental Use Permits
- FIFRA §7 - Registration of Establishments
- FIFRA §8 - Books and Records
- FIFRA §9 - Inspection of Establishments, Etc.
- FIFRA §11 - Use of Restricted Use Pesticides; Applicators
- FIFRA §12 - Unlawful Acts
- FIFRA §13 - Stop Sale, Use, Removal, and Seizure
- FIFRA §14 - Penalties
- FIFRA §17 - Imports and Exports
- FIFRA §18 - Exemption of Federal and State Agencies
- FIFRA §23 - State Cooperation, Aid, and Training
- FIFRA §24 - Authority of States
- FIFRA §25 (b) & (c) - Authority of Administrator
- FIFRA §26 - State Primary Enforcement Responsibility
- FIFRA §27 - Failure by the State to Assure Enforcement of State Pesticide Use Regulations
- FIFRA §28 - Identification of Pests; Cooperation with Department of Agriculture's Program
- FIFRA §30 - Minimum Requirements For Training of Maintenance Applicators and Service Technicians
- 40 CFR Parts: 152.1 - 152.30, 156, 162, 166, 168.22, 169, and 170 [Source: www.gpo.gov/ecfr/]

Mandatory Self-Study/Review Continued:**Guidance/Reference Materials**

- FIFRA Inspection Manual (2002) [Sources: CD version and hard copy - Regional Program Office, or OECA/OC/Agriculture Division, 202-564-4157]
- Label Review Manual 3rd Edition (2003) [Sources: Office of Pesticide Programs/Labeling Team (703-308-9068); www.epa.gov/oppfead1/labeling/lrm ; National Technical Information Services 800-553-6841]
- Antimicrobial Inspection Protocol [Sources: Regional Program Office; OECA/OC/Agriculture Division 202-564-4161]
- Worker Protection Inspection Guidance (2004); and the WPS How-To-Comply Manual [Sources: Regional Program Offices; OECA/OC/Agriculture Division 202-564-4161]
- Routine Biosecurity Procedures for EPA Personnel Visiting Farms, Ranches, Slaughterhouses and other Facilities with Livestock & Poultry. – Memorandum dated 12/10/01, signed Director, Office of Compliance [Sources: Agriculture Compliance Assistance Center 888-663-2155, and at: <http://epa.gov/agriculture/biosecurity.pdf>; Regional Administrators; Regional Program Offices]
- The FIFRA Program is based on compliance with pesticide product labels. The inspector shall review a variety of registered pesticide labels to be familiar with various pesticide products. An example of these products are: insecticides, herbicides, rodenticides, antimicrobials, restricted use products, and products which contain WPS label language. A minimum of five product labels, including an RUP and a WPS product label shall be reviewed. EPA Registered pesticide labels can be found at: www.epa.gov/pesticides/pestlabels and <http://www.cdms.net/pfa/LUpdateMsg.asp> and another source is: <http://pested.unl.edu/pat/>
- Review a minimum of four completed inspection reports/files for each type of FIFRA inspection activity for which inspections will be conducted.

Recommended Training

- Core FIFRA workshops [as sponsored and offered by Office of Enforcement and Compliance Assurance (OECA) or the Regional FIFRA Program Offices]
- Pesticide Inspectors Residential Training Courses (PIRT) (as sponsored by OECA/OC/AD, and/or the Region and States) [Courses include: Worker Protection Standards (WPS), Pesticide Use/Misuse Inspections, Pesticide Product Inspections and Sampling Procedures]
- Pesticide Regulatory Education Program Courses (PREP) are primarily for Program Managers and/or Senior Program Staff (as sponsored by OPP/OECA - John Ward OPPTS/OPP/FEAD 312-315-9510) [Source: www.prep-gov.net]

Recommended Self Study/Review

- 40 CFR Parts: 152, 153, 157, 159, 167, 168, 171, 172, 173, and 174 (U.S. Environmental Protection Agency) [Source: www.gpo.gov/ecfr/]
- 19 CFR Parts: 12, 18, 19, and 146 (Department of the Treasury, U.S. Customs Service) [Source: www.gpo.gov/ecfr/]
- 49 CFR Parts: 171 - 180 (U.S. Department of Transportation) [Source: www.gpo.gov/ecfr/]
- Compliance/Enforcement Guidance Manuals, Vol. 1 - 5 [Sources: Regional Program Offices; OECA/OC/Agriculture Division]
- Pesticide Registration Notices (PR Notices) [Source: http://www.epa.gov/PR_Notices/]

Mandatory On-the-Job Training (OJT) and mentoring with senior lead FIFRA inspector:

- Inspectors are required to conduct a minimum of three inspections for each type of applicable inspection activity with a lead inspector, prior to leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor. [Note: this includes inspection preparation procedures with a senior inspector.]
- Inspectors shall review such items as: Case Files, Previous Inspection Reports, Producing Establishment Reports, types of Pesticide/Device product labels for familiarity with each type of inspection activity. Inspections include but are not limited to: Pesticide/Device Producer Establishment Inspections (PEI); Retail/Wholesale/Dealer/Distributor type firms that sell/distribute pesticide/devices (Market Place (MKT), Restricted Use Pesticide (RUP) Dealer; Worker Protection Standards Inspections (WPS); Import Inspections; Use/Misuse of Pesticides Inspections; and other inspections described in the FIFRA Inspection Manual (2002).

Mandatory Refresher Training:

- Federal and/or State -Tribal program specific refresher training as identified by the supervisor; the EPA Region or Headquarters.

5-I Oil Pollution Act/Spill Prevention Control and Countermeasures

**Federal Water Pollution Control Act (FWPCA) as amended by the Clean Water Act (CWA) and the Oil Pollution Act (OPA) - Spill Prevention Control and Countermeasures (SPCC) & Facility Response Plans (FRP)
Specific Training for State and Tribal SPCC Inspectors**

Mandatory and Recommended Training:

Mandatory Training

- SPCC/FRP Inspector Course (40-hours) delivered by EPA's National Oil Program Center (OPC) staff (currently being revised). This course is available upon request to OPC.

Mandatory Self-Study/Review

Statutes/Regulations

- Relevant sections of the FWPCA/CWA (33 U.S.C. 1321(a) to 1321(r)) and OPA (33 U.S.C. 2701 to 2753) statutes
- 40 CFR §110 Discharge of oil.
- 40 CFR §112 Oil pollution prevention and appendices.
 - Appendix A-MOU between the Secretary of Transportation and the Administrator of the EPA dated November 24, 1971.
 - Appendix B-MOU among the Secretary of the Interior, Secretary of Transportation and Administrator of the EPA dated July 1, 1994.
 - Appendix C-Substantial Harm Criteria.
 - Appendix D-Determination of a Worst Case Discharge Planning Volume.
 - Appendix E-Determination and Evaluation of Required Response Resources for Facility Response Plans.
 - Appendix F-Facility-Specific Response Plan.

Guidance/Reference Materials

- SPCC/FRP Inspector training slides and handouts.
- SPCC National Inspection and Plan Review Checklists.
- SPCC Sample Plan.
- Other program policy and guidance materials as they are developed.

Recommended Training

- Relevant industry standards training as needed-determination made by first-line supervisor.

Recommended Self-Study/Review

- Oil Program website: <http://www.epa.gov/oilspill/index.htm>
- Industry SPCC Guides (as developed by national oil program staff)
- Industry Standards (see 67 FR 47058 for a list of organizations which publish industry standards pertinent to the oil program.)
- Review Self-Study materials as needed

Mandatory On-the-Job Training (OJT) and mentoring with senior lead Inspector:

- Inspectors must complete a minimum of four 8-hour days of OJT, or 4 compliance inspection/field investigations with senior lead inspector(s).
- If no senior lead inspectors are available within the region to provide mentoring then arrangements may be made with personnel from another region to complete OJT.
- Depending on the experience level of the inspector and the need in the region, conduct OJT at facilities such as petroleum exploration and production facilities, electric utilities, petroleum refineries, petroleum marketing/bulk storage facilities, construction sites, airports, marinas, fish canneries, farms, and other regulated industry sectors.
- The first-line supervisor should determine the type of facility to be inspected to meet the OJT requirements and may require additional OJT inspections as he/she deems appropriate. The OJT should be constructed so that over time there is a progression of increasing responsibility for the inspector.
- The first-line supervisor must maintain documentation of compliance with OJT requirements and should include a description of the types of facilities inspected as well as the name of the senior inspector(s) leading the inspection activity.

Notes:

- It is **not recommended** that inspectors lead inspections at FRP regulated facilities within the first 6 months.
- It is **not recommended** that inspectors lead inspections at large, more complex facilities such as electric utilities or petroleum refineries within the first 6 months.
- First-line supervisors are encouraged achieve efficient use of inspectors by encouraging OJT for specific types of inspections (e.g., petroleum marketing/bulk storage facility) that would expedite the approval to lead inspections.
- First-line supervisors may want to assign new inspectors to the most common type(s) of regulated facilities found in that region.

Mandatory Refresher Training:

- Annual OPC Refresher Training course (4-hours), or its equivalent. This course is available upon request to OPC.

Guidance on Refresher Training

- A variety of methods may be used to meet Refresher training requirements including classroom training (attendance at OSC Readiness OPC training course (4-hours) or OPC Refresher Training course (4-hours)), self-study or a combination of these methods.
- The Oil Program and the Office of Compliance will work with the regional offices to develop refresher training materials which may be used to instruct inspectors on laws, regulations and policies related to the program.
- The first-line supervisor will determine the scope of the refresher training.

5-J Resource Conservation and Recovery Act - Hazardous Waste

Resource Conservation and Recovery Act (RCRA) - Specific Training for all State and Tribal RCRA Inspectors

(*Please note that additional requirements apply depending on what type of inspection will be conducted: **Level 1** or **Level 2**)

Mandatory and Recommended Training:

Mandatory Training

- RCRA Inspector Training (CD-Rom Computer-Based Training - NETI RCR 902, www.netionline.com)
- Regional RCRA Confidential Business Information (CBI) Training (Contact Regional RCRA CBI Officer for materials and information on regional process)

Mandatory Self-Study/Review

Guidance/ Reference Manuals

- RCRA Inspection Manual (1998), www.epa.gov/compliance/resources/policies/civil/rcra/rcrarevinspman-rpt.pdf
- RCRA On-Line, www.epa.gov/rcraonline Inspector must be competent in using online system.
- Review a minimum of two completed inspection reports for each type of RCRA inspection conducted. The inspector's first line supervisor can require more than two inspection reports for each type of RCRA inspection.

Recommended Training

- The Office of Solid Waste and Emergency Response (OSWER) Sampling for Hazardous Materials Course (165.9) or equivalent commercially available RCRA courses/seminars. (Source: NETI Online, www.netionline.com)

Recommended Self-Study/Review

- RCRA Enforcement Response Policy (1996), www.epa.gov/Compliance/resources/policies/civil/rcra/041800.pdf
- RCRA Civil Penalty Policy, www.epa.gov/compliance/resources/policies/civil/rcra/rcpp2003-fnl.pdf
- RCRA Orientation Manual (2002), www.epa.gov/epaoswer/general/orientat/rom1.pdf
- Managing Your Hazardous Waste: A Guide for Small Businesses, www.epa.gov/epaoswer/hazwaste/sqg/sqghand.html
- State Hazardous Waste Regulations (as applicable)

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.
- New Regulations & Policies: As new regulations and policies are issued, RCRA inspectors are expected to obtain the additional training necessary to ensure that they are sufficiently qualified to lead inspections. It is the responsibility of the first-line supervisor to make RCRA inspectors aware of new regulations or policies that may require additional training.

Resource Conservation and Recovery Act (RCRA) - Level 1

(RCRA Level 1 - Inspectors who conduct inspections at Conditionally Exempt Small Quantity Generators, Small Quantity Generators, Generators, Transporters, and Used Oil Collection and or Storage Facilities must complete the following training requirements in addition to the requirements listed above for ALL RCRA Inspectors.)

Mandatory and Recommended Training:

Mandatory Training

- None

Mandatory Self-Study/Review

Statutes/Regulations

- The Resource Conservation and Recovery Act (RCRA), <http://www4.law.cornell.edu/uscode/42/ch82sch1.html>
- RCRA Hazardous Waste, Universal Waste, Used Oil Regulations - Hazardous Waste Management System: General; Identification and Listing of Hazardous Waste; Standards Applicable to Generators of Hazardous Waste (40 CFR Parts 260 - 262)
- Standards Applicable to Transporters of Hazardous Waste (40 CFR Part 263)
- Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities (40 CFR Part 266)
- Land Disposal Restrictions (40 CFR Part 268)
- Standards for Universal Waste Management (40 CFR Part 273)
- Standards for the Management of Used Oil (40 CFR Part 279)

Guidance/Reference Materials

- Selected RCRA Training Modules (Definition of Solid Waste and Hazardous Waste Recycling; Generators; Hazardous Waste Identification; RCRA Solid Waste Programs; Used Oil; Land Disposal Restrictions; RCRA State Programs; Solid and Hazardous Waste Exclusions; Transporters; and Universal Waste), www.epa.gov/epaoswer/hotline/rmods.htm

Recommended Training

- None

Recommended Self-Study/Review

- None

Mandatory On-the-Job Training (OJT) and mentoring with senior lead RCRA-Level 1 Inspector:

- All RCRA Level 1 inspectors/field investigators are required to participate in OJT by accompanying an experienced and fully qualified EPA or State RCRA inspector on at least two complete RCRA inspections. Each new RCRA inspector/field investigator also will be required to lead at least two complete RCRA inspections while being observed by an experienced and fully qualified EPA or State RCRA inspector. Note this includes inspection preparation procedures with a senior inspector.

<p>Resource Conservation and Recovery Act (RCRA) - Level 2 (RCRA Level 2 - Inspectors who conduct inspections at Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDs) must complete the following training requirements in addition to the requirements listed above for ALL RCRA Inspectors and the requirements listed above for Level 1 Inspectors.)</p>
<p>Mandatory and Recommended Training:</p>
<p>Mandatory Training</p> <ul style="list-style-type: none"> • None
<p>Mandatory Self-Study/Review <i>Statutes/Regulations</i></p> <ul style="list-style-type: none"> • RCRA Hazardous Waste, Universal Waste, Used Oil Regulations - Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (40 CFR Part 264) • Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (40 CFR Part 265) <p><i>Guidance/Reference Materials</i></p> <ul style="list-style-type: none"> • Selected RCRA Training Modules (Air Emission Standards; Containers; Land Disposal Units; Municipal Solid Waste Disposal Facility Criteria; RCRA Corrective Action; RCRA Treatment, Storage, and Disposal Facility Criteria; Tanks; Closure/Post-Closure; Containment Buildings; Drip Pads; Groundwater Monitoring; and Miscellaneous and Other Units), www.epa.gov/epaoswer/hotline/rmods.htm
<p>Recommended Training</p> <ul style="list-style-type: none"> • None
<p>Recommended Self-Study/Review</p> <ul style="list-style-type: none"> • None
<p>Mandatory On-the-Job Training (OJT) and mentoring with senior lead RCRA-Level 2 inspector:</p> <ul style="list-style-type: none"> • Prior to leading inspections/investigations at TSDs, RCRA Level 2 inspectors/field investigators are required to complete all OJT training associated with Level 1 inspections and participate in additional OJT by accompanying an experienced and fully qualified Level 2 EPA or State RCRA inspector on at least two complete RCRA inspections at TSD facilities. Additionally, new Level 2 RCRA inspectors/field investigators are required to lead at least two complete RCRA inspections at TSD facilities while being observed by an experienced and fully qualified EPA or State RCRA Level 2 inspector. Note this includes inspection preparation procedures with a senior inspector.

5-K Resource Conservation and Recovery Act - Underground Storage Tanks

Underground Storage Tank (UST), Solid Waste Disposal Act, 40 CFR Part 280, Technical Standards for Owners and Operators of UST's Specific Training for State and Tribal UST Inspectors

Mandatory and Recommended Training:

Mandatory Training

- UST Basic Inspector Course CD Rom and Web-based Training – Currently under development by the Office of Underground Storage Tanks (OUST)
- UST Live Classroom Training Course offered by the regions or by states
- Live classroom training on inspections on tribal lands, if offered by regions

Mandatory Self-Study/Review

Statutes/Regulations

- Relevant sections of the Solid Waste Disposal Act (SWDA), including Subtitle I Sections 9001-9009
- 40 CFR Part 280, Technical Standards for Owners and Operators of USTs
 - Subpart A – Program Scope and Interim Prohibition
 - Subpart B – UST Systems: Design, Construction, Installation and Notification
 - Subpart C – General Operating Requirements
 - Subpart D – Release Detection
 - Subpart E – Release Reporting, Investigation, and Confirmation
 - Subpart F – Release Response and Corrective Action for UST Systems (only if applicable)
 - Subpart G – Out of Service UST Systems and Closure
 - Subpart H – Financial Responsibility
 - Subpart I – Lender Liability
- Review of appropriate and applicable State UST/LUST regulations

Guidance/Reference Manuals

- Operating and Maintaining Underground Storage Tank Systems: Practical Help and Checklists (EPA 510-B-00-008). August 2000.
- UST/LUST Enforcement Procedures Guidance Manual (Directive 9610.11, May 1990)
- Musts for USTs: A Summary of the Federal Regulations for Underground Storage Tank Systems (EPA 510-K-95-002)
- UST Field Citation Manual (only if the region authorizes inspectors to issue field citations)
- Regional QA/QC Plan
- RCRA Confidential Business Information (CBI) Manual
- Review of a minimum of two completed inspection reports.

Recommended Training

- Modular Classroom UST Training (3-5 days) provided by various training centers including Georgia Technology Research Institute, University of Wisconsin, Colorado School of Mines, and NACE/ASTM Technical Institute.

Recommended Self-Study/Review

UST Policy Compendium, www.epa.gov/directiv/index.htm

- U.S. EPA Penalty Guidance for Violations of UST Regulations (Directive 9610.12, November 14, 1990)
- Guidance for Federal Field Citation Enforcement (Directive 9610.14, April 9, 1992) (only if the region authorizes inspectors to issue field citations)
- Guidance for Federal Field Citation Enforcement (Directive 9610.16, October 6, 1993) (only if the region authorizes inspectors to issue field citations)

Publications relating to UST Program, www.epa.gov/oust/pubs/index.htm

- Straight Talk on Tanks: Leak Detection Methods for Petroleum USTs and Piping (EPA 510-B-97-007). September, 1997
- USTS: Requirements and Options (EPA 510-F-97-005), June 1997.
- Automatic Tank Gauging Systems for Release Detection: Reference Manual for UST Inspectors (EPA 510-B-00-009), August 2000.
- Doing Inventory Control Right for USTs (EPA 510-B-93-004). November 1993
- Getting the Most out of your Automatic Tank Gauging System (EPA 510-F-98-011), March 1998.
- UST Technical Compendium, www.epa.gov/oust
- UST/LUST National Native American Lands Policy Statement (Directive 9610.15, July 7, 1993) (does not apply to Region III – only applicable to regions with tribal lands)
- Catalog of EPA Materials on Underground Storage Tanks (EPA 510-F-96-004), January 2000.
- Closing Underground Storage Tanks: Brief Facts. (EPA 510-F-96-004). July 1996
- Dollars & Sense (EPA 510-K-95-004), July 1995.
- Expedited Site Assessment Tools For Underground Storage Tank Sites: A Guide for Regulators. (EPA 510-B-97-001). March 1997.
- Financial Responsibility for Underground Storage Tanks: A Reference Manual (EPA 510-B-00-003). January 2000.
- How to Effectively Recover Free Product At Leaking Underground Storage Tanks: A Guide for State Regulators. (EPA 510-R-96-001). September 1996.
- Introduction to Statistical Inventory Reconciliation For Underground Storage Tanks (EPA 510-B-95-009), September 1995.
- Manual Tank Gauging for Small Underground Storage Tanks (EPA 510-B-93-005). November 1993.
- State Program Approval regulations and documents

Mandatory On-the-Job Training (OJT) and mentoring with senior lead UST Inspector:

- Inspectors are required to conduct five inspections or equivalent of 40 hours of inspections with a senior inspector before leading an inspection. The actual number of inspections required could be more depending upon the experience level of the inspector, the regional need, and the evaluation of the individual inspector by the first-line supervisor.

*Note this includes inspection preparation procedures with a senior inspector.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-L Safe Drinking Water Act - Public Water System Supervision

Safe Drinking Water Act (SDWA) - Public Water System Supervision (PWSS) Program Specific Training for State and Tribal PWSS Inspectors

Mandatory and Recommended Training:

Mandatory Training

- Sanitary Surveys - Sanitary Survey Training available from the Drinking Water Academy (DWA) <http://www.epa.gov/safewater/dwa/course-sanitary.html>
- Any rule specific inspections, the appropriate corresponding rule specific training available from DWA <http://www.epa.gov/safewater/dwa/course-npdwr.html>

Mandatory Self-Study/Review

Statutes/Regulations

- Safe Drinking Water Act Sections 1401, 1412-1417, 1431, 1445, 1450 and, 1451.
- National Primary Drinking Water Regulations 40 CFR Part 141 and 142.

Guidance/Reference Materials

- Review at least two completed Sanitary Survey reports. The inspector's first-line supervisor can determine that more than two inspection reports is necessary.

Recommended Training

- Introduction to the Safe Drinking Water Act available from DWA <http://www.epa.gov/safewater/dwa/course-sdwaovrvw.html>
- SDWA, the Public Water System Supervision program, and the National Primary Drinking Water Regulations <http://www.epa.gov/safewater/dwa/course-sdwaovrvw.html>
- For sanitary surveys, Security Considerations When Conducting a Sanitary Survey <http://www.epa.gov/safewater/dwa/sanitarysurvey.html>

Recommended Self-study/Review

- Drinking Water web page <http://www.epa.gov/safewater/>

Mandatory On-the-Job Training (OJT) and mentoring with senior lead inspector:

- Inspectors are required to conduct at least 24 hours of sanitary surveys* with a senior inspector before leading a sanitary survey. The actual number of sanitary surveys required before the inspector is approved to lead sanitary surveys will be determined by the first-line supervisor.
- For compliance monitoring inspections, inspectors are required to conduct at least 8 hours of inspections* with a senior inspector before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the first-line supervisor.

*Note this includes inspection preparation procedures with a senior inspector.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-M Safe Drinking Water Act - Underground Injection Control

Safe Drinking Water Act (SDWA) - Underground Injection Control (UIC) Program Specific Training for State and Tribal UIC Inspectors

Mandatory and Recommended Training:

Mandatory Training

- UIC Inspector Training Certification Classroom Course
- Introduction to the UIC Program (Drinking Water Academy (DWA) Computer Based Training at <http://www.epa.gov/safewater/dwa.html>)

Mandatory Self-Study/Review

Statutes/Regulations

- Safe Drinking Water Act Sections 1421, 1422, 1423, 1425 and 1431.
- UIC Regulations 40 CFR Part 124, 144-148.

Guidance/Reference Materials

- UIC Inspection Manual (1988/OW) - available in hardcopy or at <http://www.epa.gov/OGWDW/uic/pdfs/19360.pdf>
- Preamble to UIC Regulations: Consolidated Permit Regulations 45 FR 33290, Consolidated Permit Regulations and Technical Criteria and Standards 45 FR 42472, and, State Underground Injection Control Programs 46 FR 27333
- UIC Regulatory Statement of Basis <http://www.epa.gov/safewater/uic/history.html>
- Review at least two completed UIC inspection reports. The inspector's first-line supervisor can determine if more than two inspection reports are necessary.

Recommended Training

- DWA Class V Rule Training
- DWA Introduction to Underground Injection Control Permitting
- OECA UIC Training Course at http://www.knowledge-media.com/epa_nav_template (Go to button #4)

Note: It is the supervisor's discretion to determine whether the inspector will receive deep injection well or shallow injection well training or both.

Recommended Self-study/Review

- Introduction to the Technology of Subsurface Wastewater Injection (EPA 600-2-77-240)
- Class V Study chapters for Storm Water, Large Capacity Septic Systems, Other Industrial), and fact sheets <http://www.epa.gov/OGWDW/uic/cl5study.html#volumes>
- RCRA Hazardous Waste Regulations 40 CFR Parts 260, 261 and 268
- Injection Well Construction Practices and Technologies http://www.epa.gov/OGWDW/uic/qry_smallAllUIC_Files.html
- UIC Program Guidance at <http://www.epa.gov/safewater/uic/uicguid.html> : Guidance 19 - Interim Final Guidance for Section 1425, Guidance 30 - Interim Guidance for Overview of the UIC Program, Guidance 34 - Review and Approval of State UIC Programs and Revisions to Approved State Programs

Mandatory On-the-Job Training (OJT) and mentoring with senior lead Inspector:

- Inspectors are required to conduct at least 16 hours of on-site facility inspections* with a senior inspector before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the first-line supervisor. Depending on the experience level of the inspector and the need in the Region conduct OJT at facilities such as: **Deep Well:** Class I Hazardous Waste Disposal, Class I Industrial Waste Disposal, Class II Facilities and Class III Facilities. **Shallow Well:** Class V Facilities (such as motor vehicle, industrial, and facilities with large capacity septic systems and storm water drainage wells).

*Note this includes inspection preparation procedures with a senior inspector.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.

5-N Toxic Substances Control Act (TSCA)

Toxic Substances Control Act (TSCA) Specific Training for State and Tribal TSCA Inspectors

Toxic Substances Control Act - Training for all State and Tribal TSCA Inspectors
(Additional requirements apply depending on what type of inspection will be conducted:
PCBs or Asbestos inspections.)

Mandatory and Recommended Training:

Mandatory Training

- See training under PCBs and Asbestos

Mandatory Self-Study/Review

Statutes/Regulations

- TSCA §3 - Definitions
- TSCA §7 - Imminent hazards
- TSCA §8 - Reporting and retention of information
- TSCA §9 - Relationship to other Federal laws
- TSCA §11 - Inspections and subpoenas
- TSCA §14 - Disclosure of data
- TSCA §15 - Prohibited acts
- TSCA §16 - Penalties
- TSCA §17 - Specific enforcement and seizure
- TSCA §18 - Preemption
- TSCA §23 - Employee Protection

Guidance/ Reference Manuals

- A minimum of two completed inspection reports for each type of TSCA inspection conducted. The inspector's first-line supervisor can that determine if more than two inspection reports is necessary.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor. Note this includes inspection preparation procedures with a senior inspector.

Toxic Substances Control Act - Polychlorinated Biphenyls (PCB) (TSCA Section 6)

(PCB Inspectors must complete the following training in addition to the training listed above for ALL State and Tribal TSCA Inspectors.)

Mandatory and Recommended Training:

Mandatory Training

- PCB Training For Inspectors

Mandatory Self-Study/Review

Statutes/Regulations

- TSCA § 6 Regulations of hazardous chemical substances and mixtures
- 40 CFR part 761 Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions
- <http://www.epa.gov/pcb/laws.html>

Guidance/Reference Materials

- PCB Inspection Manual (updated manual will be completed Summer, 2004)
- PCB Q & A Manual (September 2001), <http://www.epa.gov/pcb/qacombed.pdf>

Recommended Training

- Hazardous Waste Sampling Training (Offered in different Regions [Region 6, 8, and 10])
- PCB workshops
- Electrical Distribution Systems: (Region 10)
- A number of private companies offer training on the following subjects:
 - PCB Management
 - Advanced PCB Inspection Training

Recommended Self-Study/Review

- PCB Enforcement Response Policy
<http://www.epa.gov/compliance/resources/policies/civil/tsca/pcbpen.pdf>
- Protocol for Conducting Environmental Compliance Audits of Facilities with PCBs, Asbestos, and Lead-based Paint Regulated under TSCA (03/00)
- 1998 Response to Comments Document
<http://www.epa.gov/pcb/response.pdf>

Mandatory On-The-Job Training (OJT) and mentoring with a senior lead TSCA PCB inspector:

- Inspectors are required to conduct a minimum of five inspections with a senior inspector before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor.

Note:

This includes inspection preparation procedures with a senior inspector.

Toxic Substances Control Act - Asbestos

(Asbestos Inspectors must complete the following training in addition to the training listed above for ALL State and Tribal TSCA Inspectors.)

Mandatory and Recommended Training:

Mandatory Training

- Inspector Training under the Model Accreditation Program (Existing and available course offered by most States with approved model accreditation plan)

Mandatory Self-Study/Review

Statutes/Regulations

- TSCA §§200 - 299 - Asbestos Hazard Emergency Response Act
- 40 CFR Part 763 - Asbestos

Guidance/Reference Materials

- AHERA Inspector Guidance Manual and Checklist (8/92)
- 100 Commonly Asked Questions About the AHERA Asbestos-in-Schools Rule
- How to Manage Asbestos in School Buildings (January 1996)

Recommended Training (Suggested, Not Required)

- Contractor/Supervisor Training under the Model Accreditation Program (Existing and available course offered by most States with approved model accreditation plan)
- Management Planner Training under the Model Accreditation Program (Existing and available course offered by most States with approved model accreditation plan)
- Guide to Performing Reinspections under the Asbestos Hazard Emergency Response Act (2/92)
- Current Best Practices for Vermiculite Attic Insulation Guidance (5/03)

Recommended Self-Study/Review

- OSHA Self-Evaluation Checklist www.osha.gov/SLTC/asbestos/checklist.html
- OSHA Asbestos in the Construction Industry (PowerPoint Presentation) www.osha.gov/SLTC/pptpresentations/asbestos_1094/index.html
- Asbestos Safety and Health <http://www.osha.gov/SLTC/asbestos/index.html>
- OSHA state-approved plans (worker protection applicability) www.osha.gov/fso/osp/index.html
- Asbestos Standard for General Industry - 29 CFR 1910.1001 http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9995
- OSHA Asbestos Standard for Construction - 29 CFR 1926.1101, http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10862
- Protocol for Conducting Environmental Compliance Audits of Facilities with PCBs, Asbestos, and Lead-based Paint Regulated under TSCA (03/00)
- Amended AHERA Enforcement Response Policy - (7/98)
- Asbestos in Buildings: Simplified Sampling Scheme for Friable Surfacing Material (10/85)
- Catastrophic Guide (available Spring 2004)
- Guidance for Controlling Asbestos-Containing Materials in Buildings, the Purple Book. (Check: www.epa.gov/asbestos/buildings.html for the latest version.)
- Managing Asbestos in Place - A Building Owners's Guide to Operations and Maintenance Programs for Asbestos-Containing Materials, the Green Book. (Check: www.epa.gov/asbestos/buildings.html for the latest version.)
- The ABCs of Asbestos in Schools (8/03)

Mandatory On the-job-training (OJT) and mentoring with a senior lead TSCA Asbestos inspector:

- Inspectors are required to conduct a minimum of five inspections with a senior inspector before leading an inspection. The actual number of inspections required before the inspector is approved to lead inspections will be determined by the inspector's first-line supervisor. Note this includes inspection preparation procedures with a senior inspector.

5-O Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

3500.1 MEDIA SPECIFIC TRAINING REQUIREMENTS

CERCLA-Specific Curriculum.

Please note that these training requirements are in addition to the Basic Inspector Training Course and the Health and Safety Training Course as required by EO 3500.1 for all federal EPA Compliance Inspectors/Field Investigators.

Mandatory and Recommended Training Requirements:

Mandatory Training

All CERCLA inspectors must take the following courses:

- Fundamentals of Superfund available from the CERCLA Education Center (CEC)
<http://www.trainex.org>
- Enforcement Process Overview available from the CERCLA Education Center (CEC)
<http://www.trainex.org>
- Negotiations Training(Various)

Remedial Project Managers (RPMs) and other inspectors who deal with remedial sites must take:

- Remedial Process available from the CERCLA Education Center (CEC)
<http://www.trainex.org>

On-Scene Coordinators (OSCs) and other inspectors who deal with removal sites must take:

- Removal Process available from the CERCLA Education Center (CEC)
<http://www.trainex.org>

Mandatory Self-Study/Review

Statutes/Regulations

- CERCLA Act of 1980 "Superfund" [As Amended Through Public Law 107-142, February 12, 2002]
- National Oil and Hazardous Substances Pollution Contingency Plan July 1, 2001 Edition

Recommended Training

- None

Recommended Self-study/Review

- Superfund web page <http://www.epa.gov/superfund>

Mandatory On-the-Job Training (OJT) and mentoring with senior lead inspector:

Not Applicable.

Mandatory Refresher Training:

- Program specific refresher training as identified by supervisor.