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Polychlorinated Biphenyl Inspection Manual

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Office of Compliance
Office of Enforcement and Compliance Assurance
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: *Updated Fact Sheet:* Department of Transportation Hazardous Materials Training

FROM: Michael S. Alushin, Director *M. S. Alushin*
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TO: Addressees

Environmental Protection Agency inspectors are potentially subject to the Department of Transportation's (DOT) hazardous materials training requirements. This is an updated fact sheet to provide guidance to managers and staff on the DOT training and certification requirements. I appreciate your assistance in distributing this fact sheet to the inspectors and their supervisors. During the 2000 National Inspector Workshop, many participants requested the development of a quick reference fact sheet. The original fact sheet was released on February 6, 2001. We received several comments that warranted an update to the original fact sheet.

Please note that persons other than inspectors, i.e., secretarial and administrative staff, may also be subject to the Department of Transportation's training and certification requirements. General information and website addresses on the three major transportation carriers most likely used by EPA inspectors were added to this fact sheet. This fact sheet will be posted on the EPA Inspector Website. The website address is <http://intranet.epa.gov/oeca/oc/metd/inspector>. The website version of this fact sheet will provide you with direct links to the three major transportation carriers' websites mentioned above.

Several incidents over the past few years have prompted the Department of Transportation to emphasize hazmat training reviews. It is the responsibility of our inspectors, supervisors and staff to be in compliance with the Department's regulations.

If you have any questions about this fact sheet, please contact Everett Bishop at 202-564-7032.

DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS TRAINING

What are DOT training requirements?

DOT's training requirements can be found at 49 CFR Part 172, Subpart H. In general, any employee who has a responsibility working with hazardous materials (hazmat) that is placed in commerce must have hazmat training. The employee must be familiar or aware of the requirements enabling the employee to recognize and identify hazardous materials, i.e., environmental samples vs. hazardous waste samples, consistent with the hazard communication standards. The training must be commensurate with functions and responsibilities of the employee.

Why does hazmat training apply to me?

As an inspector, you are likely to be a hazmat employee because you collect samples during an inspection and prepare the hazmat samples for transportation. The EPA is a hazmat employer because the Agency causes hazmat to be transported or shipped in commerce through its employees. DOT defines "hazmat employer" to include any department, agency, or instrumentality of the United States, a State, a political subdivision of a State, or an Indian Nation. Administrative and secretarial staff are also subject to DOT training if their responsibilities cause hazmat materials to be placed into commerce, i.e., preparing shipping papers.

Does my EPA training substitute for DOT training requirements?

EPA Health & Safety courses may substitute for some or all of DOT's safety training requirements. However, the employer must make that determination. No EPA Health & Safety course will meet DOT's general awareness/familiarization requirement. See DOT's training requirements.

What type of DOT training do I need?

DOT hazmat training is function-specific. For most inspectors, the general awareness hazardous materials training course found on the DOT's website will be sufficient to meet the DOT training requirements. Alternatively, the employer can provide function specific training from other sources.(see below).

What are DOT's training requirements for hazardous materials?

DOT's hazmat training, 49 CFR §172.704, focuses on three requirements applicable to inspectors and administrative staff:

- General awareness/familiarization
 - ✓ Each hazmat employee shall be provided general awareness/familiarization training designed to provide familiarity with the hazmat requirements and to enable the employee to recognize and identify hazardous materials consistent with the hazard communication standards.

What are DOT's training requirements for hazardous materials? cont.

- Function-specific
 - ✓ Each hazmat employee shall be provided function-specific training as it applies to the employee's job responsibilities.
- Safety
 - ✓ Emergency response information required by part 172, subpart G, i.e., information that can be used in the mitigation of an incident involving hazardous materials;
 - ✓ Measures to protect the employee from the hazards associated with hazardous materials to which they may be exposed in the work place, including specific measures the hazmat employer has implemented to protect employees from exposure; and
 - ✓ Methods and procedures for avoiding accidents, such as the proper procedures for handling packages containing hazardous materials.

Where can I find training opportunities?

A good training resource is DOT's hazmat page, hazmat.dot.gov/training. You download the instructor's and student's training manual for in-house use. The training manual does include test questions. Self-training is acceptable by DOT so long as §172.704 training requirements are met. The DOT's Transportation Safety Institute in Oklahoma City, OK offers training on-site. Course dates are available from the website.

In addition to DOT's hazmat site, this web link, hazmat.dot.gov/thirdpty.htm identifies third party providers who offer a variety of hazmat training courses.

How long does the certification last?

The hazardous materials training is required to be completed within the first 90 days of employment. The certification period is good for three years and then the hazardous materials training program must be retaken. If your job responsibilities change, your training needs may change.

Who is responsible for training?

The employer is responsible. DOT's definition of employer is not clear in terms of EPA's administrative structure. "Employer" could be defined as the Administrator or any other manager in direct supervisory line of the employee.

Who is responsible for keeping the training record?

The employer is responsible for keeping the employee's records.

What should be in the training record?

Documentation that shows the employee has completed the necessary training, has been tested and certified.

Specifically, what documents need to be retained?

A record of current training, inclusive of the preceding three years must be retained for as long as the employee is employed by that employer as a hazmat employee and for 90 days thereafter. The record shall include the following information:

- (1) The inspector's name;
- (2) The most recent training completion date of the inspector's training;
- (3) A description, copy, or the location of the training materials used to meet the requirements;
- (4) The name and address of the person providing the training; and
- (5) Certification that the hazmat employee has been **trained and tested**.

Does the employee have to "pass" the test?

The requirements do not state that the employee must "pass" a test; however, an employee may only be certified in areas in which he/she can successfully perform their hazmat duties.

Know Your Shipper's Requirements!

Before collecting samples, know which shipping company you will be using to ship your samples. Some require additional training and certification beyond the basic DOT requirements. Here are three common carriers with some of their requirements for shipping hazmat materials.

Federal Express (FedEx)

The shipping method you select determines what type of training FedEx expects you to have completed. If you plan to ship samples by ground, the DOT training requirements are sufficient. If you plan to ship the samples by air, then you must be trained according to International Air Transport Association (IATA) regulations. Successful completion of the IATA requirements will meet DOT's hazard communications requirements. IATA training and information can be found at: www.iata.org.

***Know Your
Shipper's
Requirements!
cont.***

United Parcel Service (UPS)

DOT's general awareness training is acceptable by UPS for ground shipments. Shipments by air require IATA training.

United States Postal Service (USPS)

DOT's general awareness training and testing is acceptable by USPS for both shipping by ground and air. However, the Postal Service does have limits which are more stringent than DOT's regulations. Check this website for further details - <http://pe.usps.gov/text/dmm/c023.htm>

Before shipping, you should inquire with the shipping company if they have additional requirements for handling, packaging and shipment limitations for the hazmat materials.

Here are a few issues an inspector may face with the different shippers:

- Do you want them to meet you at the site? You may need to call ahead to schedule the pickup before you arrive at the site to collect samples.
- Do you plan on dropping the shipment off? Not all offices can accept dangerous goods and hazmat.
- Shipping papers may need to be typed, not handwritten. Do you bring a portable typewriter with you or type the shipping papers before leaving the office?