

CHAPTER 13

INVESTIGATOR TRAINING

Section 13.1 – INTRODUCTION

This Investigator Training Manual (ITM) serves as the basis for the Office of Hazardous Material Safety Enforcement Division Investigator Training and Certification Program (ITCP). Pipeline and Hazardous Material Safety Administration (PHMSA) investigators conducting inspections and investigations under the authorities described in 49 CFR, Part 107, Subpart D are required to be familiar with the procedures outlined in the training manual.

The ITM is designed to be used in conjunction with 49 CFR Parts 100 through 180 and the Enforcement Division's Operations Manual to ensure consistency in the application of the Federal Hazardous Material Transportation Law and regulations.

SECTION 13.2 – INVESTIGATOR TRAINING and CERTIFICATION PROGRAM

The Investigator Training and Certification Program outlined in the ITM is intended to support the safe transportation of hazardous materials by providing a standardized performance based training program for Compliance Investigators (GS 1801) in support of OHME's data driven, risk based enforcement program. The ITM is designed to meet the provisions of 49 CFR, Part 172, Subpart H, and establish a formal certification process for field investigators.

SECTION 13.3 – ROLES AND RESPONSIBILITIES

The Director of Field Operations is responsible for the integrity of the investigator certification process in support of a national compliance and enforcement program. The Director and the National Field Leadership Team (NFLT) retains the authority to accept prior training received through other federal, state, or local agencies as meeting the requirements and standards set forth in the ITM.

The National Field Training Officer (NFTO) is responsible for administration of investigator academic training and ensures the standardization of field training conducted within the Office of Hazardous Materials Safety. The NFTO is also responsible for the validation of the Investigator Training and Certification Program in support of field operations. Validation is the process of verifying adherence to the standards contained in the ITM on a national basis through field training and participation in OHMS field operations.

The NFTO conducts or coordinates the academic certification of OHME investigators. The NFTO also advises the National Field Leadership Team on the Enforcement Division's formal academic and computer based training curricula. The NFTO reviews all enforcement staff investigative training activities in order to effectively identify, develop, promote, and implement the training needed to sustain an effective risk based hazardous material compliance and enforcement programs.

The NFTO also serves as the primary liaison with federal, state, local and tribal entities engaged in hazardous material investigator training. The Enforcement Officer (EO) provides the NTO with guidance on minimum standards for investigator tasks as well as curriculum development and review. At the request of the NFLT or at the direction of the EO, the NFTO conducts training or evaluations of field operations conducted by PHMSA investigators.

Supervisors are responsible for the certification of each assigned investigator. Certification by a supervisor indicates an investigator's ability to perform the investigative tasks, as described in the ITM, to the corresponding standards, during field operations. Tasks contained in the ITM are assigned to investigators, by their supervisor, based on their grade level, needs of the organization and competency.

The supervisor certifies assigned investigators as proficient in a designated task, only after the investigator has demonstrated the ability to meet or exceed the standards set forth in the training manual. Supervisors establish and maintain the training and certification records for each assigned investigator and conduct field training as necessary, to assist investigators in meeting the standards and maintain proficiency. Supervisors also coordinate with the NFTO to conduct field and academic training, independent evaluations and academic certification and recertification as needed.

SECTION 13.4 – INVESTIGATOR CERTIFICATION

Certification of field investigators constitutes the delegation of authority to conduct inspections and investigations unsupervised, on behalf of the Associate Administrator for Hazardous Material Safety as specified under the authorities described in 49 CFR, Part 107, Subpart D. Prior to certification, investigators in training conduct inspections and investigations under the direct supervision of a certified investigator.

PHMSA hazmat investigators are considered certified upon successful completion of each of the following three phases of training:

1. Academic Certification: Achievement of a score of 80% or better on the following academic exams.
 - Basic Hazardous Material Transportation
 - OHME Investigator Initial Training (Academy)
 - OHME Investigator Non-bulk packaging and IBC certification and testing Qualification, Maintenance and Use of Cylinders
 - International Maritime Dangerous Goods Code
 - International Civil Aviation Organization (ICAO) Technical Instructions for the Transport of Dangerous Goods by Air
2. Completion of all computer based training courses commensurate with the individuals General Schedule grade level.
3. Field certification by the individual's unit supervisor that the investigator in training has demonstrated proficiency in each assigned tasks on that investigator's training record.

Field investigators are authorized to conduct inspections independently only after the successful completion of all three phases of training indicated above unless waived by the Director of Field Operations or designee.

SECTION 13.5 – PROGRAM VALIDATION

Validation of the field training and certification program involves the verification of investigator performance to ensure adherence to the standards established in this manual, ITM, and the National Business Strategy. A secondary function of program validation is to verify the consistent application of the Investigator Training and Certification Program nationally.

Validation is accomplished through field training with new investigators and the participation in field operations with existing investigator staff members. Observations by the NTO or associated staff will be documented on OHMS Form, OHMS-TR002 (Investigator Field Training Record) and a copy is always provided to the supervisor and Enforcement Officer as necessary.