

CHAPTER 17

Investigator Safety

SECTION 17.1 – INTRODUCTION

By the very nature of employment, investigators are frequently exposed to an environment where safety is paramount. Investigators work with **hazardous materials**; materials that have been found to present some level of inherent risk to safety of personnel and/or the environment. Further, as a representative of the agency responsible for safety of hazardous materials in transportation, it is, therefore, incumbent to set a good example for those who observe your actions.

No single chapter in any manual could possibly address all of the safety issues that an investigator should know about in the hazardous materials field. Volumes of safety material have been written and you will continue to train and learn about safety for as long as you are active in this field. Therefore, this chapter will endeavor to provide some basic safety rules.

The Enforcement Division has not had a hazmat related injury to any of its staff in the long history of the program. Exercise caution and follow some basic safety rules and you will enjoy a healthy rewarding career.

SECTION 17.2 – BASIC SAFETY PRACTICES

The safety practices which follow are mandatory and may not be waived without the permission of the Director of Field Operations:

- At no time will field personnel knowingly open hazardous materials packaging to the point where hazardous materials are exposed. Field personnel may open combination packaging to view the inner packaging. However, the inner packaging may not be breached for any reason without prior permission of the Director of Field Operations.
- Opening the outer package will only be done when the ability to restore the package to its original condition, i.e. close the outer packaging in a manner consistent with the manufacturer's instructions is available. If absolutely necessary to confirm what condition a hazardous material is in, investigators may request that the owner open the outer package if proper facilities are available. If the owner does not feel the package can be opened safely, do not to force the issue.
- At no time are field personnel to open any level of packaging containing explosives, radioactive materials, poison by inhalation materials, or infectious substances.

- When opening vans, freight containers, box trailers, and other enclosed transport vehicles that contain hazardous materials, first secure the doors with a safety strap prior to opening to ensure the load has not shifted against the door and prevent spillage if load shifting has occurred. After the doors have been opened and secured, wait several minutes for an air exchange to take place within the vehicle to enter. (Note: Every field office is supplied with safety straps.)
 - Some hazardous materials give off vapors that permeate through the package. Individuals may be overcome if entering the freight container or vehicle immediately after opening.

Van, freight container, box trailer and other enclosed transport vehicle inspections requiring entry into the container should always be conducted as a two investigator team with one investigator always positioned at the doorway. Never enter the unit alone and NEVER allow yourself to be shut inside of a unit even to determine the leakproofness of seals.

When exiting a van, freight container, box trailer and other enclosed transport vehicle, or leaving a freight dock area, always climb down using stairs, ladder rungs and /or ladders; never jump down from the unit or the dock.

- Never handle leaking packages of hazmat.
- No person is to conduct explosives or radioactive materials inspections without having received the appropriate training and prior permission from the Special Investigations Program Manager.
- No person is to conduct explosives manufacturer inspections without having received the appropriate training from the Explosives Program Manager and prior permission from the Special Investigations Program Manager and Chief, Special Investigations.
- No person is to conduct radioactive materials inspections without an approved form of dosimetry monitoring device.

The safety practices listed below are provided as guidance. Field staff are to give these practices due consideration whenever they are working in a hazardous materials environment.

- Use caution when climbing on top of cargo tanks, tank cars, or portable tanks. Surfaces may be slippery from water, oil, ice or snow. Do not proceed if you know the surface is not safe.
- Wear leather work gloves when handling freight
- Observe the safety practices employed by the entity you are visiting. Hard hats and lab coats can often be provided if needed. Know the company safety environment.

- When lifting, bend knees and keep back relatively straight. Do not bend over at the waist and lift. Investigators can quickly injure back by improper lifting. Ask for assistance when moving freight around. The company is experienced and equipped for the job.
- Do not jump from loading docks. Use the stairs or ramps to get down to ground level.
- Always wear eye protection in manufacturing environments.
- Ear protection is necessary in many manufacturing and shipping facilities.
- Be aware of vehicles operating in the area. Ports and warehouses have heavy vehicle traffic activity.

These are some of the safety practices investigators must be aware of in the course of their daily activities. Always be aware of surroundings and use good judgment. When not sure, consult with the supervisor or senior investigators.

SECTION 17.3 – MANDATORY SAFETY EQUIPMENT

At a minimum, each investigator will have and utilize the following safety equipment with them during field activities:

- Safety glasses, ANSI approved. PHMSA will reimburse investigators for one pair of prescription safety glasses each time the prescription changes, or after the glasses become unserviceable due to fair wear and tear.
- Ear plugs, 2 sets. Remember to clean them frequently, or use disposable ear plugs.
- Leather work or neoprene gloves, 1 pair. These should be made of heavy leather to protect hands during freight handling or puncture resistant mechanics gloves.
- Safety shoes, ANSI approved. Investigators work in environments where proper foot protection is a must. PHMSA will reimburse investigators for one pair each time the shoes/boots become unserviceable due to fair wear and tear.

PHMSA will provide or reimburse investigators for the above equipment. Check with the region supervisor before purchasing the equipment to verify the procedures for obtaining the equipment.

SECTION 17.4 – ADDITIONAL SAFETY EQUIPMENT

Some of the activities Field Operations becomes involved in will warrant the use of additional safety equipment. Port activities, MASFOs, and Border Crossing operations all have additional requirements for safety equipment. Some of the equipment that may be required is as follows:

- Rubber gloves
- Reflective vests
- Polypropylene shoe covers
- Work boots
- Coveralls or lab coats
- Plastic face shields
- Hard hats
- Flashlights

Check with supervisor before engaging in special activities. Supervisors will assist in obtaining the right equipment.

SECTION 17.5 – ACCIDENT/INJURY REPORTING

Report even the smallest injury, cuts, scrapes, etc. to the region supervisor immediately. In a chemical environment even the smallest cut can become infected. Reporting injury will preserve your right to workers compensation and other employee benefits you may be entitled to receive.

SECTION 17.6 – PERSONAL SAFETY

By the very nature of enforcement activity, people are not always happy to see investigators perform their functions. This is especially true if they know they have not been conducting business in accordance with the Hazardous Materials Regulations, or if they have previously been cited for violations of the HMR. Most people will behave professionally, however there are some who become emotional.

If encountering a situation where someone becomes overly aggressive or threatens you with violence, get out! Go to a safe place and contact the region supervisor. Supervisors will consult with the Director of Field Operations to determine how to proceed.

If struck or molested in any way, contact the local law enforcement agency and the supervisor immediately

Always maintain vigilance regarding surroundings, the environment and the inspected individual's bearings towards you as an investigator and as an individual (profession, gender and/or race). Be aware of what is going on around you so you can react appropriately. Never attempt to engage an overly aggressive individual.

SECTION 17.7 – VEHICLE SAFETY

Investigators duties involve operating government owned vehicles (GOVs). A rental vehicle is a government vehicle. Always operate these vehicles in a manner which is safe and in compliance with local laws and ordinances.

Some rules to remember when operating a GOV (or rental car) are as follows:

- **ALWAYS WEAR YOUR SEATBELT.** The Department of Transportation mandates serious penalties for employees who fail to wear seatbelts. After all, investigators are DOT representatives and must set the example.
- The government self insures itself. Investigators are not permitted to allow non-government personnel to ride in or drive a GOV or rental car (except under the most exigent circumstances) unless receiving clearance from their supervisor.
- Do not operate a GOV or rental car after consuming alcohol or are under the influence of drugs, legal or illegal. Prescription and over the counter drugs have advisory labels warning when you should not operate vehicles while taking the medication. If taking these drugs causes impairment, advise the region supervisor when taking medication that precludes driving.
- Be aware of road conditions and drive within the limits of the road conditions. Rain, snow, ice, fallen leaves, and high winds all affect how your vehicle will behave on the road.
- Conduct a walk around inspection of your vehicle each day before operating it. Give special attention to lights, directional signals, tires, brakes, wipers, steering, and any other safety features.
- Obey local laws and ordinances. As the operator, you are responsible for violation citations. Further, you can be held personally liable if you have an accident as a result of violations you have committed. Investigators must have a driver's license to do their job. Investigators who lose their license may not be able to perform their duties, and could be discharged.

- Cell Phone and/or Blackberry communication usage while operating a motor vehicle shall be in accordance with local laws (some cities and states only allow hands free operation of cell phones while driving). **Additionally, e-mailing, text messaging, or reading either while driving is forbidden as specified by Executive Order 13513.**
- The maximum daily mileage authorized for an investigator is limited to 500 miles. Each investigator must obtain approval from supervisor prior to exceeding the daily driving mileage amount.

Safety is a full time job of every investigator! Be aware and be safe. Refer all safety concerns to the region supervisor for guidance.