



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 24 2000

Mr. Gene Secor
H. B. Fuller Automotive
Products, Inc.
31601 Research Park Drive
Madison Heights, Michigan 48071

Ref. No. 99-0148

Dear Mr. Secor:

This is in response to your letter regarding the training requirements as they apply to sales people who are considered "hazmat employees" under the requirements of Subpart H of Part 172 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). We apologize for the delay in responding and hope it has not caused any inconvenience.

You asked whether a "hands-on demonstration" is required, or if a "kit" consisting of the correct UN packaging, including inner containers, etc., and a "cheat sheet" on how to construct or prepare the package would satisfy the requirements for "function specific" training. For example, if sales people not physically located near a plant or warehouse were provided such a "kit", would this be acceptable to meet "function specific" training? Competency would be certified by your company.

The purpose of the training requirements is to ensure that each hazmat employer train each hazmat employee. There are no provisions or procedures under the training requirements for review or approval of training programs or certification of instructors. A hazmat employer must determine the most suitable method (e.g., hands-on demonstrations) and source of training for its employees.

Although self-training is acceptable and may be used, a "cheat sheet" in and of itself is not "training" and may not be sufficient to provide the knowledge level necessary to construct and prepare a package for hazardous materials. In addition, each hazmat employer must certify that each of its hazmat employees has been trained and tested, as required. No specific testing method or document is required. The requirements in Subpart H of Part 172 do not state that an employee must "pass" a test; however, a hazmat employee may only be certified in those areas in which the hazmat employee can successfully perform the assigned duties. A record of current training must be created and retained by each hazmat employer as specified in 49 CFR 172.704(d).



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172.704

For your information, enclosed is a previous letter of clarification which answers many of the questions you may have regarding a hazmat employee's training.

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

Enclosure



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June 3, 1999

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US DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
STANDARDS DEVELOPMENT
400 SEVENTH STREET, SW, DHM-11
WASHINGTON, DC 20590-0001

Re: Function Specific Training for Sales People

Gentlemen:

We have a far-flung and varied Sales Group who periodically may have a need to ship samples or small quantities of hazardous materials via truck, mail, or other means. Generally speaking we mandate that Sales personnel bring these samples to one of our manufacturing or warehouse facilities where people have the proper hazmat training to make these shipments. In some cases this is impossible due to the physical location of the individual involved (no where near a plant or warehouse). De facto, then, these people would have to classify, name, mark, label, package, and prepare shipping papers to make these shipments thus making them full fledged shippers requiring both awareness and function-specific training according to my interpretation of the regulations.

Management's concern, of course, is the training requirements for Hazmat employees. Use of the DOT's CD-ROM training program may suffice to meet the awareness requirements (we realize that the company must certify competency). Function-specific training is another matter and my interpretation is that hands-on demonstrations especially in the packing area are required and the knowledge level of all aspects of hazmat shipping is enhanced and must be demonstrated. We can develop a detailed cheat sheet with the details of classification, naming, marking, labeling, and shipping paper preparation but packing seems to be a stumbling block. If we provided these people with a "kit" consisting of the correct UN packaging including inner containers, etc., along with a cheat sheet on how to construct the package, would this suffice for function specific training or is hands-on, in person (or via video conference), demonstration the only requirement acceptable to the department when examining training records. The company would still decide on the competency of each employee to perform the functions of a shipper in these instances.

I'm sure you have gotten these questions (or similar ones) in the past so the Departments comments on this matter would be appreciated.

Regards,

GENE SECOR

EHS/TRANSPORTATION SPECIALIST

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File: DOT/SalesFST