I. Overview

This document addresses the procedures, processes, and criteria for processing PHMSA Approvals for certification agencies, labs and organizations. The approval application types below require a fitness review and Pre-Approval on-site inspection conducted by the DOT prior to approval.

The Standard Operating Procedures for Certification Agency Approvals include the following components:

1. Processing Procedures
2. Evaluation Criteria
3. Inspection Procedures
4. Inspection Report Template

Approval Processing Procedures

Application Completeness Phase

#	Description	Responsibility	Duration
1	**Generate and Populate Approvals IT System Folder.** The Project Officer is responsible for creating an application folder in the Approvals IT System, uploading the application, and populating other applicant information. If the application is not electronic, the Project Officer scans the application documents to create electronic files.	Project Officer	2 days
2	**Notify Applicant of Receipt and Update Application Status on PHMSA Web Site.** The Approvals IT System automatically sends an email to the applicant with the title and tracking number of the application.	Approvals IT System	Automated
3	**Notify OAs and PHMSA Offices of Receipt of Application.** Once a folder has been generated, the Approvals IT System sends an automatic message to relevant PHMSA offices.	Approvals IT System	Automated
4	**Conduct Initial Completeness Review of Application.** The Project Officer determines whether the application meets the criteria outlined in the HMR and whether the information provided is adequate to conduct an appropriate evaluation. The Project Officer updates the Application Completeness Form and provides an explanation of the additional information needed from the applicant if appropriate.	Project Officer	NA
5	**Determine whether Completeness Review is Needed by Technical Officer.** The application may need additional technical information to be sufficient for evaluation. If additional technical review is needed, the Project Officer sends the application and Application Completeness Form to the Senior Technical Officer via the Approvals IT System.	Project Officer	NA
6	**Determine whether Additional Information is Needed from the Applicant.** The Project Officer reviews the Application Completeness Form and assesses whether the application is complete and ready for evaluation. If the application is complete, skip to step 12.	Project Officer	NA
7	**Issue 30-Day Information Request Letter to Applicant.** If additional information is needed, the Project Officer may reject the application or draft a letter to the applicant using the explanations provided in the Application Completeness Form to justify the request for additional information. When requesting readily available information, the Project Officer may contact the applicant through the most efficient means available (e.g., phone, email, mail). If information is requested that may require significant time or resources for the applicant to attain, this request should be issued with a	Project Officer	NA

#	Description	Responsibility	Duration
	formal 30-Day Information Request Letter.		
8	**Determine whether Applicant Provided Requested Information.** If the applicant responds with the requested information within the allotted time frame, skip to step 12. If the applicant fails to respond or provide information that satisfies the request made in the 30-Day Information Request Letter, the Project Officer drafts a rejection letter. Note that applicants can request 30 days in addition to the time provided in the original 30-Day Information Request Letter.	Applicant	NA
9	**Draft Rejection Letter.** The Project Officer drafts an application rejection letter stating the rationale for rejection. The Project Officer then sends the application to the Approving Official via the Approvals IT System for review.	Project Officer	NA
10	**Review and Sign Application Rejection Letter.** The Approving Official reviews and signs the rejection letter before it is sent electronically to the applicant via the Approvals IT System <end of process>.	Approving Official	NA
11	**Rejection Letter Sent to Applicant and Application Status Updated on PHMSA Web Site.** After the Approving Official signs the rejection letter, the Approvals IT System automatically sends the rejection letter to the applicant. Skip to step 8 in the Disposition Phase.	Approvals IT System	Automated
12	**Finalize Application Completeness Form.** The Project Officer reviews the Application Completeness Form to verify that all of the information needed for evaluation is included in the applications folder. After the Application Completeness Form is finalized, proceed to the Evaluation Phase. <End of phase>	Project Officer	NA

Approval Processing Procedures

Application Evaluation Phase

#	Description	Responsibility	Duration
1	Conduct Fitness Review. At the beginning of the Evaluation Phase, the Project Officer is responsible for conducting a fitness review on the applicant. See the fitness review sub-process in Section 5.1 for details.	Project Officer	NA
2	Is Applicant Fit? The Project Officer determines whether the applicant is fit to conduct operations under the approval. If the applicant is determined unfit, the Project Officer denies the application and determines whether the applicant holds any additional approvals; see the fitness review sub-process in Section 5.1 for details.	Project Officer	NA
3	Technical Evaluation. Evaluate the technical aspects of the application based on evaluation criteria. Determine if there is any missing information or if there is a need for further clarification from the applicant.	Technical Officer	NA
4	Conduct Pre- Inspection Review. Coordinate with Enforcement Liaison for an inspection. Evaluate application and determine whether the applicant is ready to be inspected. If not, communicate with the applicant to explain what additional information needs to be provided or what changes need to be made for the application to move forward.	Technical Officer/ Enforcement Liaison	NA
5	Coordinate Inspection with Applicant. Establish a time to conduct the on-site inspection.	Technical Officer/ Enforcement Liaison	NA
6	Conduct Pre-Approval On-site Inspection. Travel to the location where the applicant is seeking approval. Follow inspection procedures for the specific approval type and conduct an on-site inspection.	Technical Officer/ Enforcement Liaison	NA
7	Draft Inspection Report. After the on-site inspection is completed, an Inspection Report is drafted detailing the findings of the inspection using a standard template.	Technical Officer/ Enforcement Liaison	NA
8	Draft Approval or Denial Letter. If the applicant is unfit or the application is otherwise deficient, then draft the justification for denial letter. If the applicant is fit and otherwise adequate, then draft an approval letter. The Project Officer uses the justification drafted in the Safety Evaluation Form to populate the boilerplate approval or denial letter.	Project Officer/ Technical Officer	NA
9	Review Technical Evaluation. The Senior Technical Officer reviews the technical evaluation and recommendation.	Senior Technical Officer	NA

#	Description	Responsibility	Duration
10	**Review Application Materials for Completeness.** The Project Officer reviews the Safety Evaluation Form and fitness review, and conducts a final review of the approval or denial letter, which includes checking for format, content, and spelling.	Project Officer	NA
11	**Assign Expiration Date and Reporting Requirements to Approval.** If the application is approved, the Project Officer is responsible for assigning an expiration date and relevant reporting requirements for each approval. Additional reporting guidance and templates should also be included for distribution with the approval letter.	Project Officer	NA
12	**Send the Application to Approving Official.** Once the evaluation is complete, send to the Approving Official via the Approvals IT System; skip to step 1 of the Disposition Phase.	Approving Official	NA

Approval Processing Procedures

Application Disposition Phase

#	Description	Responsibility	Duration
1	**Review Approval or Denial Letter.** Review relevant documents and the justification for issuing approval or denial letter. This review includes verifying that an expiration date is set, if applicable, and that reporting or other compliance requirements for the applicant are clearly outlined. The Approving Official will coordinate with the Administrator for review of approvals proposed to be issued based on public interest or other significant approvals, as determined by the Administrator. The Approving Official may also request further explanation from the Project Officer or Technical Officer.	Approving Official, Administrator	NA
2	**Issue Signed Approval Letter?** After the review and the Administrator's approval, as appropriate, the Approving Official is responsible for signing the approval or denial letter. If the approval letter is not signed, skip to step 3B.	Approving Official	NA
3A	**Send Approval Letter to Applicant and Relevant PHMSA Office Liaisons.** After the approval letter is signed by the Approving Official, the Approvals IT System will automatically send a notice to the applicant including the signed approval letter. The Project Officer will have indicated which points of contact were relevant to the review of the approval, which the Approvals IT System will use to determine who should receive copies of the approval documents. Skip to step 9.	Approvals IT System	NA
3B	**Send Denial Letter to Applicant and Relevant PHMSA Office Liaisons.** After the denial letter is signed by the Approving Official, the Approvals IT System will automatically send a notice to the applicant including the signed denial letter. The Project Officer will have indicated which points of contact were relevant to the review of the approval, which the Approvals IT System will use to determine who should receive copies of the approval documents	Approvals IT System	NA
4	**Applicant Submits Request for Reconsideration?** The applicant has 30 days to submit a request for reconsideration. If the applicant chooses to exercise this option, follow the Reconsideration Sub-process. If the applicant does not request reconsideration, skip to step 9.	Applicant	30 Days
5	**Follow Reconsideration Sub-Process.** Section 5.2 outlines the reconsideration sub-process.	Project Officer	NA

#	Description	Responsibility	Duration
6	**Issue Signed Approval Letter after Reconsideration?** The evaluation of the reconsideration is ultimately assessed by the Approving Official who will determine whether an approval or denial letter is issued. If the approval is not issued, the applicant has the opportunity to request an appeal.	Approving Official	NA
7	**Applicant Submits Request for Appeal?** The applicant has 30 days to submit a request for an appeal. If the applicant chooses to exercise this option, follow the Appeal Sub-process. If the applicant does not request an appeal, skip to step 9.	Applicant	30 Days
8	**Follow Appeal Sub-Process.** Section 5.3 outlines the appeal sub-process. An appeal is the last opportunity for the applicant to receive an approval for that specific application. The decision resulting from the appeal sub-process is final. Applicants may reapply by submitting a new approval application.	Project Officer	NA
9	**Change Application Status on PHMSA Website.** After the document has been electronically signed, the Approvals IT System will also trigger a change in application status to reflect the decision made on the PHMSA Website. <End of Process>	Approvals IT System	NA

*At the conclusion of the Disposition Phase, the approval Application Action Process ends.

On-site inspections are conducted by the DOT to determine whether an applicant is fit and capable of operating in accordance with the specifications outlined in the approval. Before the on-site inspection can take place, the PHMSA inspector is responsible for coordinating all scheduling and relevant financial logistics with the applicant. The procedures for conducting onsite inspections are specific to the application type, but all on-site inspections evaluate the fitness and ability of the applicant to safely perform the activities outlined in their approval request.

Step 1: Pre-Inspection. View organization's documentation requesting new approval or renewal to include:

- Fitness Evaluation Form
- Reporting History
- Locations
- Operational/quality controls
- Safety control measures (internal/external safety policies and procedures)
- Modes of transportation that would be affected
- Modal requirements affected (including any international regulations)

Step 2: Target the locations specific to the special permit or approval to conduct the fitness inspections; this may include multiple locations. Note: Investigators will be required to witness the test process; therefore it may not be possible to conduct site visits unannounced.

Step 4: Fitness Inspection. Conduct the site visit(s) to include an inspection of certifying agency's overall operations and to witness the test process. Inspection should include review of the specific requirements and criteria under the requested special permit or approval, including:

- Test procedures and equipment
- Internal quality assurance/control measures
- Spatial Requirements
- Security policies/procedures
- Personnel and subcontract qualifications
- Employee training and certifications
- Independent and impartial operations

Step 5: Report. Investigators must complete and submit a fitness inspection report within five business days from completion of the fitness inspection to their supervisor. The report will follow "Fitness Inspection and Recommendation Memo" as format and should address the following issues:

- Brief synopsis of the company's overall operations
- Ability to meet approval criteria and requirements
- What quality control processes
- Recommendations pertaining to the special permit or approval for any issues raised by the inspection.

- Inspection findings, inclusive of special permit/approval actions
- Fitness recommendation/rating (satisfactory/unsatisfactory).

Step 6: The Supervisor will review and approve the fitness inspection report, which will include an enforcement recommendation.

Step 7: The Supervisor will submit the fitness inspection report to the Director, OHME, or Designee for review and approval.

Step 8: Director, OHME, or Designee will forward the final fitness inspection report to the Director, OHMS, Special Permits and Approvals (PHH-30) with the final enforcement recommendation and company's fitness rating.

DOT Certification Agency Approvals
Evaluation Criteria for EXPLOSIVES

1. Application - submitted in accordance with 49 CFR subpart H (107.701-107.717)

2. Qualifications
    a. Personnel
        i. Work History – To include at least ten years of experience in the examination, testing and evaluation of explosives
            1. Detailed knowledge of the UN Manual of Tests and Criteria
        ii. Certification Statement – "Does not manufacture or market explosives, and is not controlled by or financially dependent on any entity that manufactures or markets explosives, and whose work is limited to examination, testing, and evaluation."
        iii. Proof of U.S. residency
    b. Test Equipment – (own or ready access to)
        i. Drop Weight Impact Sensitivity Test (Test Method 3(a)(i))
        ii. Friction Sensitivity Test (Test Method 3(b)(iii))
        iii. Thermal Stability Test (Test Method 3(c)) @ 75 °F
        iv. Small-Scale Burning Test (Test Method 3(d)(i))
        v. Thermal Stability Test for Unpackaged Articles and Packaged Articles (Test Method 4(a))
        vi. Twelve Meter Drop Test (Test Method 4(b)(ii))
    c. Spatial Requirements – area(s) to conduct the following tests including federal, state, and local permitting requirements (own or ready access to):
        i. Single Package Test (Test Method 6(a))
        ii. Stack Test (Test Method 6(b))
        iii. External Fire Test (Test Method 6(c))
        iv. Unconfined Single Package Test (Test Method 6(d))
        v. Cap Sensitivity Test (Test Method 5(a)
        vi. DDT Test (Test Method 5(b)(ii))
        vii. External Fire Test (Test Method 5(c))
        viii. Princess Incendiary Spark Test (Test Method 5(d))
        ix. EIDS Cap Test (Test Method 7(a))
        x. EIDS Gap Test (Test Method 7(b))
        xi. Susan Test (Test Method 7(c)(i))
        xii. EIDS Bullet Impact Test (Test Method 7(d)(i))
        xiii. EIDS External Fire Test (Test Method 7(e))
        xiv. EIDS Slow Cook-Off Test (Test Method 7(f))
        xv. UN Test Series 8

3. Obligations/Requirements
    a. Testing Facilities – Examination and testing of explosive samples may be performed in one or more of the following locations:

    i. On the laboratory's own premises; or
    ii. On the premises of another corporation, sole proprietor or government entity not owned or controlled by any party for whom the laboratory is conducting an explosives examination, provided that corporation, proprietor or government entity does not manufacture or market explosives and is under a sub-contract with the laboratory to utilize its site, equipment and personnel in support of the testing; or
    iii. On a client's property, provided that client is only a passive observer to the examination and testing and takes no active role in the design or conduct of the actual examination and testing work itself.

b. Test Procedures – any and all explosives examinations or testing shall be exclusively designed, directed and overseen by one or more of the explosives expert identified within the DOT/PHMSA application/approval. Testing and recommendations shall be based on specified criteria:
    i. The U.S. Hazardous Materials Regulations
    ii. The UN Manual of Tests and Criteria
    iii. Relevant DOT/PHMSA policies and procedures
c. Data Storage – must be stored in a readily accessible location for 10 years.
    i. Data shall include all applicable testing records including but not limited to notes, videotapes, photographs, etc.
    ii. All data should be dated and signed by the explosives expert
    iii. DOT/PHMSA shall have access to all past or current examination records upon request
d. Equipment Certifications - Present and current for all applicable equipment
e. Personnel Training and Experience Records
    i. Present and current for explosives experts and applicable staff in accordance with 49 CFR Subpart H
    ii. Records shall be documented and available to DOT/PHMSA upon request
f. Laboratory – Immediate notification to DOT/PHMSA of any of the following:
    i. Changes in ownership of the laboratory
    ii. Changes in staff who are authorized to sign recommendation letters to DOT
    iii. Changes in personal or financial relationship of staff or owner(s) with an entity who manufactures or markets explosives
g. Incident Reporting – Immediate notification to DOT/PHMSA of any of the following:
    i. Accidental incident (i.e. fire, explosion, etc.) during testing being performed in conjunction with DOT classification.
    ii. Any incident involving the storage of explosives

h. Meeting Commitment – explosive experts shall agree to attend any and all general meetings as requested by DOT/PHMSA
i. Testing Standard Operating Procedures (SOPs) - each lab shall maintain SOPs for the tests that are conducted including but not limited to safe handling and proper disposal procedures

4. Site Visit
    a. DOT/PHMSA will perform an initial site visit to audit the capability of the requesting explosive test lab prior to granting an approval
        i. The Office of Hazardous Materials Special Permits and Approvals will coordinate appropriate representation to include experts from the Offices of Hazardous Materials Technology and Enforcement as required
    b. Compliance audits during the period of the approval will be in accordance with established Office of Hazardous Materials Enforcement policy
        i. The Office of Hazardous Materials Enforcement will coordinate appropriate representation to include experts from the Offices of Hazardous Materials Special Permits and Approvals and Technology as required

5. Renewal
    a. Length of Approval – approvals shall be valid for no more than 5 years
    b. Renewal Process
        i. The approval holder shall request renewal in accordance with 49 CFR Part 107 Subpart H
        ii. DOT/PHMSA will evaluate the renewal application in accordance with office standard operating procedures
            1. Application completeness
            2. Safety fitness
            3. Technical evaluation
            4. Site visit as required

DOT Certification Agency Approvals
Evaluation Criteria for NON-BULK PACKAGES

1. Application - submitted in accordance with 49 CFR Subpart H (107.701-107.717)

2. Qualifications
    a. Personnel
        i. Certification Person(s)
            1. The person(s) who is designated with the authority to sign a UN Test Report.
            2. New certification is required if the Certifying Person is removed or replaced.
        ii. Others involved in conducting the tests.
            1. Test Engineers.
            2. Test Technicians.
    b. Test Equipment Required.
        i. Conditioning Chambers.
            1. Temperature – for plastic packages.
                a. Temperature range – 0 F to +104 F (-18 C to +40 C).
            2. Humidity/Temperature – for fiberboard packages.
            3. Recording Devices for temperature/humidity conditions.
        ii. Drop Testing.
            1. Drop Tester (for small packages).
            2. Hoist/quick release mechanism for larger packages.
        iii. Leakproofness Testing.
            1. Air source.
            2. Pressure gauges.
            3. Immersion tank.
            4. Other method from Part 178, Appendix B.
                a. Helium.
                b. Pressure differential.
                c. Solution over seams.
                d. Solution over partial seams.
        iv. Hydrostatic Pressure Testing.
            1. Pressure source.
            2. Pressure gauges.
        v. Stacking Test.
            1. Stacking load.
                a. Weights.
                b. Guided load fixture.
                c. Compression Tester.
            2. Test Chamber with stacking/temperature capability for certain packages.
        vi. Vibration Testing
            1. Vibration Machine.
            2. Capacity of the machine relative to the level of approval granted (IBC versus non-bulk).

vii. Miscellaneous Equipment for Testing (not an all inclusive list).
    1. Scales.
    2. Cobb Test Apparatus.
    3. Micrometers.
    4. Others as determined by the test laboratory.

3. Requirements
    a. Test Procedures.
        i. Standard Operating Procedures for UN testing.
            1. Test Process to be followed.
            2. Conditioning requirements, if needed.
            3. Standard for documenting packaging tested.
        ii. Pass/Fail Criteria for all test sequences.
        iii. Failure Procedures – What to do if packages fail testing.
    b. Documentation - documentation standard for configuration of items tested, tests performed and results
        i. Test Reports –
            1. Required for each type of package (i.e. drums, boxes, combination packages, etc) to be tested.
        ii. Final Report – For package testing witnessed during the visit
        iii. Equipment Certifications
            1. Present for all equipment.
            2. Certification process/procedures.
            3. Re-certification intervals.
    c. Final Resumes – For all required personnel.
    d. Agreement for payment of Official Travel Expenses.
        i. Required for PHMSA Official to travel to the laboratory for Approval.

4. Site Visit.
    a. DOT/PHMSA will perform an initial site visit to audit the capability of the test lab prior to granting an approval.
        i. The Office of Hazardous Materials Special Permits and Approvals will coordinate appropriate representation to include experts from the Offices of Hazardous Materials Technology and Enforcement as required.
    b. Compliance audits during the period of the approval will be in accordance with established Office of Hazardous Materials Enforcement policy
        i. The Office of Hazardous Materials Enforcement will coordinate appropriate representation to include experts from the Offices of Hazardous Materials Special Permits and Approvals and Technology as required.
    c. Witnessing Test Process
        i. Package Preparation
            1. Filling limits

        2. Mass
        3. Closures
    ii. Preconditioning (if needed).
    iii. Package testing
        1. Tested in accordance with laboratory procedures.
        2. Test conducted in accordance with UN/DOT Regulations.
d. Final Report – For package testing witnessed during the visit

5. Approval of Additional Package Types to the Laboratory Approval.
    a. New test reports are required as needed to certify additional package types not approved during the initial visit.
    b. Re-Inspection is not usually required.
    c. Re-Inspection may be required for Approval to test Intermediate Bulk Containers.

6. Renewal.
    a. Length of Approval – approvals shall be valid for no more than 5 years.
    b. Renewal Process
        i. The approval holder shall request renewal in accordance with 49 CFR Part 107 Subpart H.
        ii. DOT/PHMSA will evaluate the renewal application in accordance with office standard operating procedures.
            1. Application completeness
            2. Safety fitness
            3. Technical evaluation
            4. Site visit as required