



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 27 2018

David J. Ronzani
Director, Railcar Regulatory Compliance
AllTranstek, LLC
1101 W. 31st Street, Suite 200
Downers Grove, IL 60515

Reference No. 18-0093

Dear Mr. Ronzani:

This letter is in response to your June 19, 2018, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to employee training requirements. Specifically, you ask whether an employee must be trained and tested on each leak test procedure they may use, or if being generally trained on comparable topics, such as the quality assurance program and procedures as outlined in § 179.7(e), is sufficient.

The HMR do not require any specific training curriculum; instead, training must fulfill the requirements outlined in § 172.704. If the hazmat employer determines that providing generic leak test training as part of the quality assurance program is sufficient to fulfill training requirements, more specific training is unnecessary to fulfill the employee's job function. Each hazmat employer has its own unique operational requirements. Therefore, it is the responsibility of a hazmat employer to determine the specific training needs of its hazmat employees based on the employee's specific job functions. It is also the responsibility of the hazmat employer to ensure and certify that each hazmat employee receives function-specific training concerning requirements of the HMR, which are specifically applicable to the functions the employee performs. See § 172.704(a)(2).

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

Dirk Der Kinderen
Chief, Standards Development Branch
Standards and Rulemaking Division

Casey
Training
18-0093

January, Ikeya CTR (PHMSA)

From: INFOCNTR (PHMSA)
Sent: Wednesday, June 20, 2018 5:04 PM
To: Hazmat Interps
Subject: FW: Request Interpretation for 49 CFR 179.7(e)

Hi Ikeya,

Please submit the letter below for a letter of interpretation. Mr. Ronzani spoke with Breanna about his questions.

Thank you,
Jodi

From: Dave Ronzani [mailto:ronzani@Alltranstek.com]
Sent: Tuesday, June 19, 2018 7:03 PM
To: PHMSA HM InfoCenter <PHMSAHMInfoCenter@dot.gov>
Subject: Request Interpretation for 49 CFR 179.7(e)

Hazardous Material Information Center,

I would like to request an interpretation for 49 CFR 179.7(e). This paragraph states that "Each tank car facility shall train its employees...on the program and procedures specified in paragraph (b)..."

In regards to the word "procedures" in this paragraph, does that mean that an employee must be trained and tested (per subpart H, 172) on every procedure that the employee may use in regards to paragraph (b)?

For example, an employee that has been certified in the Leak Test nondestructive test method (ref. 179.7(b)(9)), as a level II in Leak Testing meeting the requirements of AAR M-1002 Appendix T, has been trained and tested on a generic procedure which specifically evaluates the employee's ability to use a Leak Test procedure. That employee may be called upon to perform Leak Testing to a variety of tank car owners Leak Test procedures. Does the employee need to be trained and tested on each Leak Test procedure they may use? Or does being trained, tested, and certified on how to use a Leak Test procedure meet the training requirements specified in 179.7(e)?

Thank You
Dave

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