

§ 172.606

Castor meal
Castor pomace
Consumer commodity
Dry ice
Engines, internal combustion
Fish meal, stabilized
Fish scrap, stabilized
Refrigerating machine
Vehicle, flammable gas powered
Vehicle, flammable liquid powered
Wheelchair, electric

[Amdt. 172-116, 54 FR 27145, June 27, 1989, as amended at 55 FR 33713, Aug. 17, 1990; Amdt. 172-127, 59 FR 49133, Sept. 26, 1994; Amdt. 172-149, 61 FR 27173, May 30, 1996; 65 FR 50460, Aug. 18, 2000; 65 FR 58628, Sept. 29, 2000; 66 FR 45182, Aug. 28, 2001]

§ 172.606 Carrier information contact.

(a) Each carrier who transports or accepts for transportation a hazardous material for which a shipping paper is required shall instruct the operator of a motor vehicle, train, aircraft, or vessel to contact the carrier (e.g., by telephone or mobile radio) in the event of an incident involving the hazardous material.

(b) For transportation by highway, if a transport vehicle, (e.g., a semi-trailer or freight container-on-chassis) contains hazardous material for which a shipping paper is required and the vehicle is separated from its motive power and parked at a location other than a facility operated by the consignor or consignee or a facility (e.g., a carrier's terminal or a marine terminal) subject to the provisions of §172.602(c)(2), the carrier shall—

(1) Mark the transport vehicle with the telephone number of the motor carrier on the front exterior near the brake hose and electrical connections or on a label, tag, or sign attached to the vehicle at the brake hose or electrical connection; or

(2) Have the shipping paper and emergency response information readily available on the transport vehicle.

(c) The requirements specified in paragraph (b) of this section do not apply to an unattended motor vehicle separated from its motive power when the motor vehicle is marked on an orange panel, a placard, or a plain white square-on-point configuration with the identification number of each hazardous material loaded therein, and the

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marking or placard is visible on the outside of the motor vehicle.

[Amdt. 172-151, 62 FR 1234, Jan. 8, 1997, as amended at 62 FR 39398 and 39409, July 22, 1997; 63 FR 16076, Apr. 1, 1998]

Subpart H—Training

SOURCE: Amdt. 172-126, 57 FR 20952, May 15, 1992, unless otherwise noted.

§ 172.700 Purpose and scope.

(a) *Purpose.* This subpart prescribes requirements for training hazmat employees.

(b) *Scope.* Training as used in this subpart means a systematic program that ensures a hazmat employee has familiarity with the general provisions of this subchapter, is able to recognize and identify hazardous materials, has knowledge of specific requirements of this subchapter applicable to functions performed by the employee, and has knowledge of emergency response information, self-protection measures and accident prevention methods and procedures (see §172.704).

(c) *Modal-specific training requirements.* Additional training requirements for the individual modes of transportation are prescribed in parts 174, 175, 176, and 177 of this subchapter.

§ 172.701 Federal-State relationship.

This subpart and the parts referenced in §172.700(c) prescribe minimum training requirements for the transportation of hazardous materials. For motor vehicle drivers, however, a State may impose more stringent training requirements only if those requirements—

(a) Do not conflict with the training requirements in this subpart and in part 177 of this subchapter; and

(b) Apply only to drivers domiciled in that State.

§ 172.702 Applicability and responsibility for training and testing.

(a) A hazmat employer shall ensure that each of its hazmat employees is trained in accordance with the requirements prescribed in this subpart.

(b) Except as provided in §172.704(c)(1), a hazmat employee who performs any function subject to the

requirements of this subchapter may not perform that function unless instructed in the requirements of this subchapter that apply to that function. It is the duty of each hazmat employer to comply with the applicable requirements of this subchapter and to thoroughly instruct each hazmat employee in relation thereto.

(c) Training may be provided by the hazmat employer or other public or private sources.

(d) A hazmat employer shall ensure that each of its hazmat employees is tested by appropriate means on the training subjects covered in §172.704.

[Amdt. 172-126, 57 FR 20952, May 15, 1992; 57 FR 22182, May 27, 1992, as amended by Amdt. 172-149, 61 FR 27173, May 30, 1996]

§ 172.704 Training requirements.

(a) Hazmat employee training shall include the following:

(1) *General awareness/familiarization training.* Each hazmat employee shall be provided general awareness/familiarization training designed to provide familiarity with the requirements of this subchapter, and to enable the employee to recognize and identify hazardous materials consistent with the hazard communication standards of this subchapter.

(2) *Function-specific training.* (i) Each hazmat employee shall be provided function-specific training concerning requirements of this subchapter, or exemptions issued under subchapter A of this chapter, which are specifically applicable to the functions the employee performs.

(ii) As an alternative to function-specific training on the requirements of this subchapter, training relating to the requirements of the ICAO Technical Instructions and the IMDG Code may be provided to the extent such training addresses functions authorized by §§171.11 and 171.12 of this subchapter.

(3) *Safety training.* Each hazmat employee shall receive safety training concerning—

(i) Emergency response information required by subpart G of part 172;

(ii) Measures to protect the employee from the hazards associated with hazardous materials to which they may be exposed in the work place, including

specific measures the hazmat employer has implemented to protect employees from exposure; and

(iii) Methods and procedures for avoiding accidents, such as the proper procedures for handling packages containing hazardous materials.

(b) *OSHA or EPA Training.* Training conducted by employers to comply with the hazard communication programs required by the Occupational Safety and Health Administration (OSHA) of the Department of Labor (29 CFR 1910.120 or 1910.1200) or the Environmental Protection Agency (EPA) (40 CFR 311.1), to the extent that training addresses the training specified in paragraph (a) of this section, may be used to satisfy the training requirements in paragraph (a) of this section, in order to avoid unnecessary duplication of training.

(c) *Initial and recurrent training—*(1) *Initial training.* A new hazmat employee, or a hazmat employee who changes job functions may perform those functions prior to the completion of training provided—

(i) The employee performs those functions under the direct supervision of a properly trained and knowledgeable hazmat employee; and

(ii) The training is completed within 90 days after employment or a change in job function.

(2) *Recurrent training.* A hazmat employee shall receive the training required by this subpart at least once every three years.

(3) *Relevant Training.* Relevant training received from a previous employer or other source may be used to satisfy the requirements of this subpart provided a current record of training is obtained from hazmat employees' previous employer.

(4) *Compliance.* Each hazmat employer is responsible for compliance with the requirements of this subchapter regardless of whether the training required by this subpart has been completed.

(d) *Recordkeeping.* A record of current training, inclusive of the preceding three years, in accordance with this section shall be created and retained by each hazmat employer for as long as that employee is employed by that employer as a hazmat employee and for 90