



Seven Popular Myths About Hazmat Compliance

By Jim Powell, President, TDG

This article is originally part of a presentation made by our company at an IATA Dangerous Goods Conference. In the years since this conference, these myths have not faded away – they've actually gained credibility. They may sound reasonable, yet they are all untrue.

I hope that this quick list of the more common misconceptions my company encounters during training will help companies cut through the hype and get to the facts about what's required to safely and economically ship dangerous goods by air and other modes.

Myth #1– Some training companies, instructors or programs are "FAA or DOT Approved"

Since the ValuJet disaster it seems that the number of hazardous materials training schools has increased ten fold. The death of 110 passengers and crew in that fiery crash caused by an unidentified hazmat shipment, resulted in an unprecedented increase in enforcement activities by the FAA and its parent, the US DOT.

With the increased enforcement came an increased awareness of the importance of training, which led to an increase in the number of training providers.

Yet contrary to popular belief, there still are no government standards for hazmat training schools or instructors. Many shippers find this hard to believe as they are bombarded by flyers and advertisements touting "DOT Approved Hazmat Training", or "become Hazmat Certified for Air Ocean or Highway in our 1 day class".

If a trainer tells you they are "DOT (or FAA) Approved" to train shippers or forwarders, that's simply not true. You can call the local FAA security office or call the DOT Help Line at 1-800-HMR-4922 (press #1). Ask if they approve shipper or forwarder training programs. They don't. The only training they approve in advance is of Part 121 and 135 Air Carrier training.

On our website we have a popular article on the topic of "Guess Who Requires the Most Training: A Hairdresser or a Hazmat Instructor" (www.dgtraining.com/hairdresser.htm); you guessed it – the average training required in many states to be a licensed hairdresser / cosmetologist is well over 1,000 hours. In Oklahoma it's 1500 hours. Yet **zero hours** of instructor-training are required to teach people to put deadly chemicals onboard passenger airplanes – or any other vehicle or vessel for that matter.

There really is only one international standard for hazmat training and it is industry based rather than a government standard. Some classroom based training courses (including our own) are "IATA Endorsed". This airline trade group reviews and approves classroom based training



programs (they do not yet approve computer based “acceptance-level” training) for shippers, forwarders and carriers moving dangerous goods by air.

Generally IATA courses must be a minimum of 3 days for Initial Training and 1 day for recurrent training at an “acceptance” level (i.e. other than General Awareness). Outside of the US, IATA initial courses are frequently run for 5 days and recertification courses for three days.

There is no comparable industry based standard in the Ocean or Highway shipping worlds.

Myth #2– If I take an IMDG (Ocean) or IATA (Air) Course, this is the only training I need

Sorry, but the DOT allows shippers, forwarders, carriers and offerors to use the ICAO (IATA) regulations or the IMDG regulations to replace **certain parts** of 49 CFR but there are still some DOT regulations in there that apply.

1. DOT Hazardous Substance regulations (“RQ”)
2. DOT Placarding Requirements (you have to truck it to or from the airport, right?) And Placarding is a SHIPPER/OFFEROR responsibility, not just the carrier’s.
3. DOT Hazmat Security Training Requirements
4. DOT Hazmat Registration Requirements (does your company need to register?)
5. DOT Written Emergency Response Requirements and an additional requirement for a phone number (most people know only about the phone number).
6. DOT Air Carrier Requirements (49 CFR Part 175)
7. DOT Hazmat Safety Requirements (i.e. how to use the Emergency Response Guidebook among other things)

In the IATA/ICAO regulations, most of these are referenced as “variations” in section 2.9, but many training programs do little more than point them out and some requirements like placarding and hazmat registration are not even mentioned.

Myth #3 - There is a specific "certification" test that applies to all hazmat students



Contrary to popular belief, there is no hazmat certification test that is recognized by the US Government. It is up to each employer to determine what type of training and testing suits them best. In some cases the test may not even have to be a written exam.

And there is no "passing" score for any exam.

This could cause a problem because even a seemingly "good" grade could be a failing score under certain circumstances. Here's a specific example. You give a warehouse worker who sometimes drives a truck a 20 question test. Let's say she gets 18 out of 20 questions correct. She scored 90%. That sounds good, doesn't it?

Well, what if the two questions the employee missed were on placarding?, This is a vital function for shippers and truck drivers. If your employee went through a training program and when done, did NOT understand the requirements that apply to their job function, then they simply aren't trained. Period. You cannot use them in a hazmat employee function until this deficit is fixed.

Our company (TDG) has had the same policy for 12 years -- we review every incorrect answer on the test with the students after we've graded it to make sure they understand the correct answer before they leave the training room. We also document that review in a follow-up letter.

Myth #4 - Consumer Commodities (ORM-D) are not hazardous by ground

This gets a lot of people in trouble! The confusion here results from an exception in the DOT rules (not IATA or IMDG) that does not require hazmat Dangerous Goods Declarations for ORM-D shipment by ground transport.

They are, however, still considered hazardous materials and require full hazmat training in General Awareness, Safety, Hazmat Security and Function Specific Training.

We see many MSDS sheets that are just plain wrong – under "DOT shipping information" it will say "not regulated" yet elsewhere on the MSDS sheet it shows "Consumer Commodity".

Shippers need to be very careful with "consumer commodities". We have several clients who receive goods that come in by ocean where there are shipped as limited quantity and do not require hazard labeling or marking. These go into the warehouse and months later are shipped out by air, where they require full hazard labeling and marking (and often UN tested packaging) yet none of this is evident to the shipping manager because it was unmarked and unlabeled when it came in. This is a source of many violations that we have seen.



Myth #5 - Packing companies are certified by the government to package DGs for shippers

This is not true. Packing companies do not have any more or any less authority than anyone else to sign shippers' declarations or pack hazmat shipments.

Anyone can do it, without any approvals, as long as they have the proper training and do it correctly!

One BIG mistake that many shippers make – and this is often encouraged by unknowing forwarders, is that of a shipper who is not trained in hazmat thinking they are skirting the hazmat training requirements by hiring a packing company. This is VERY important. If you are untrained and you put freight on a truck to ship to a packing company so that they can do the DGD, you are violating the law.

In most situations hazmat will have to be packed on your dock by the packing company. You are not allowed to "offer" a hazmat shipment for highway transport unless you are trained and the shipment is properly prepared for transport. If you really take a close look at it, the packing company is going to have to drive your forklift too and load their truck, because no employee of your company may perform ANY hazmat employee function unless they have been trained.

Myth #6 - As long as I don't put more than 1000 pounds of hazmat on a truck I'll never have to register with the DOT

Nope. You have to register with the DOT if you transport or "offer" more than 1000 pounds of hazmat for transport. This includes the acceptance function as well.

Let's say you are a forwarder and you want to avoid placarding a truck so you load 999 pounds on each of two trucks and send them to the airport. You are correct in that you don't need to placard the truck (and your driver does not need a commercial driver's license), however if you have an air waybill that shows more than 1000 pounds then you most likely will have to register with the DOT.

Even if you are not transporting or shipping hazmat yourself, you can still be subject to this requirement just by reviewing shipping papers to determine compliance with the HMR (case in point – an airline ground handler who receives freight on behalf of an airline; they may be required to register even though they're not transporting or shipping the freight themselves).



Myth #7 – Only Two People Per Office Need to Be Trained

This myth started years ago when IATA passed a resolution requiring endorsed Cargo Agents to have at least two people in each office that were IATA DG Certified. This guideline was surpassed over a decade ago when the U.S. DOT passed the hazmat training law (sometimes referred to as "HM-126F"). HM-126F (which is really 49 CFR Part 172, Subpart H) requires that every hazmat employee in every office be fully trained appropriate to their job function.

Summary – 5 Tips to help you ensure hazmat shipping compliance

These are some of the more common misconceptions about dangerous goods / hazardous materials. There certainly are more than these. If you are a shipper or carrier of dangerous goods we offer this specific advice:

1. Get trained for each mode of transport you use. As a guideline, full acceptance training for each mode of transport is going to be a minimum of 2 days per mode, though when combined you can get a good multimodal class done in 5 days. General Awareness and Security Training, which is appropriate for warehouse personnel, should take between 1 and 4 hours.

In-house – customized training that **focuses specifically on your products** can take anywhere from 4 hours to 4 days – maybe more. This is one way to reduce the training time required.

2. Use a checklist in your shipping or acceptance operations; you can contact the author, jim@dgtraining.com for copies of checklists.
3. Insist that your carrier use a checklist! Why? If something of yours is rejected, you want to know specifically **why** it was rejected. If the carrier returns a filled out and signed checklist to you with your rejection it not only demonstrates that they probably know what they're doing, but they think enough of you as a customer to help you do your job better.
4. If you are a carrier or forwarder, it's important that you **do not sign for freight until you've inspected it**. If a trucker drops off hazmat to your airline, and 2 hours later you inspect it and find out it's not in a UN approved package as required by DOT or IATA, you are stuck! You cannot load that back on a truck and return it to the shipper – if you did, you'd be violating the law for willfully offering an improperly prepared hazmat shipment for transportation in commerce.



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5. Designate specific hazmat “specialists” on each shift. Train everyone who meets the definition of a hazmat employee, but allow (and encourage) a few key people to be specialists and funnel difficult shipments through them so they can hone their skills and become a resource for your company. Have those people establish a relationship with their training company who can provide backup “tech support” to them. Some training schools charge for this service and some, like dgtraining.com do not – either way put your people in a position where they get practice preparing or accepting hazmat and give them the backup support they need to solve increasingly difficult problems. That’s the only way they’ll learn.

For more information on dangerous goods compliance and training you can visit the US DOT’s website at <http://hazmat.dot.gov> or the author of this article at www.dgtraining.com

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