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December 17, 2007

AG. RESEARCH CENTER

TO: Chancellors, Deans, Directors and Department Chairs

FROM: Robert C. Bates *RC Bates*  
Provost and Executive Vice President

SUBJECT: Packaging, Labeling, Transport, Shipment, and Receipt of Hazardous Materials and Dangerous Goods

In the conduct of the University's daily business we come into contact with many materials that are classified as hazardous materials or dangerous goods by the United States Department of Transportation. Federal regulations regarding the handling of these materials are so stringent and pervasive that it has become impossible for the untrained person to handle or ship such materials safely and within the bounds of the law.

The potential criminal and civil penalties for noncompliance with these requirements are significant including fines and even imprisonment. Attached is a brief summary of the requirements of the Department of Transportation Regulations for your information.

Virtually anyone who plays any role in the packaging, labeling, transportation, shipment, or receipt of hazardous materials or dangerous goods must receive some level of formal training. To that end, we will be revising SPPM 80.68, Transport and Shipment of Hazardous Materials, including biological, chemical and radioactive materials, to significantly strengthen our efforts to comply with these regulations. In brief those changes are:

- a. Any department that packages, labels, receives, or ships hazardous materials or dangerous goods will be required to identify as a minimum one Hazardous Materials Shipping Coordinator who will be responsible for coordinating efforts within their department and monitoring compliance with regulatory requirements. Additional department staff may be trained as your requirements dictate.
- b. Central Receiving will maintain at least one fully trained Hazardous Material Shipping Coordinators to monitor compliance with training

requirements, serve as a last check before shipments leave the Pullman campus to verify that items to ship were packaged by a trained departmental coordinator, coordinate on campus training, and provide technical assistance to University departments.

- c. The initial on-campus training by the Transportation Safety Institute (TSI), a division of the Department of Transportation (DOT), will be coordinated by Facilities Operations Central Receiving. TSI will be asked to conduct the initial training to convey the importance of the training and to catch up on the training backlog.
  1. The training will be held over the course of four days on February 12-15, 2008 at the Hawthorne Inn, Pullman from 8 a.m. to 5 p.m. Registration for the course will be available on the WSU Human Resource Services training website and is limited to 25 seats. It is expected there will be a significant number requiring training initially so efforts will be made to prioritize receipt of training based on criticality of the departments' requirements. To that end I am asking that each department identify your Hazardous Materials Shipping Coordinator in a memo signed by the dean/department chair/director to John Glass, Director of Supply Management Services, so that we can ensure they get first consideration for training.
  2. Training costs will be centrally funded. Any per diem or travel costs will be born by the employees department. Should an employee who is registered to attend the training in February fail to attend or complete the training the cost of training will be charged to the employee's department, currently estimated at approximately \$525.
  3. Departments may also send staff for training to the DOT facility in Oklahoma City at the department's expense if so desired. That cost is estimated at approximately \$1500, including air fare, per diem and training.
- d. As needed, Facilities Operations Central Receiving personnel will conduct recurrent and new employee training for the Hazardous Material Shipping Coordinators.
- e. For the Pullman Campus:
  1. Central Receiving will have access to a database of trained coordinators. Shipments received by Central Receiving will be checked to ensure that trained departmental staff prepared the

package for shipment. It will remain the responsibility of Facilities Operations Central Receiving to prepare the shipping papers. Any shipment prepared by untrained staff will be rejected by Central Receiving and returned to the department for corrective action.

2. Central Receiving will make arrangements with all carriers to discontinue their delivery and pickup of hazardous material shipments directly from campus departments and drop stations.
- f. Regional campuses and research stations are to implement procedures to ensure strict compliance with DOT requirements for packaging, labeling, transport, shipment, and receipt of hazardous materials and dangerous goods.
  - g. Departments will ultimately be responsible for ensuring any handling or shipment of hazardous materials or dangerous goods within their department is compliant with all the requirements of Department of Transportation regulations. Any fines or penalties resulting from non-compliance will be the responsibility of the unit(s), academic or non-academic, whose actions resulted in the non-compliance.

While these requirements may appear stringent and uncompromising, they will help ensure our compliance with Department of Transportation Regulations. More importantly they will help ensure the safety of employees who handle hazardous materials and dangerous goods, as well as all those individuals in the transportation pipeline who come in contact with these shipments.

Information will be forthcoming very shortly from Facilities Operations regarding on-campus training and how to schedule your staff for training.

Thank you in advance for your attention to this very important issue.

cc: Vice Presidents

**DEPARTMENT OF TRANSPORTATION  
REGULATIONS FOR  
HAZARDOUS MATERIALS**

There are many products we come into contact with on a daily basis that are dangerous. Some pose little risk while others can have catastrophic affects on people, property and the environment. Increasing attention is being given to the problems associated with the handling of what has become known as hazardous materials (HAZMAT) or dangerous goods (DG). The government started regulating certain chemicals (explosives, oxidizers) in the 1800's during the civil war. In 1966 congress established the Department of Transportation (DOT). The DOT was made responsible for hazardous materials transportation. In 1974 congress passed The Hazardous Materials Transportation Act. This act gave the secretary of transportation the authority to identify and regulate all modes of hazardous materials transportation. Over time the regulations have become more stringent and inclusive to the point that it has become impossible for the untrained person to handle or ship HAZMAT safely and within the law.

**D.O.T. REGULATIONS:**

- Provide a means for ensuring the safe transportation of hazardous materials.
- Establish requirements for identifying, packaging, loading/unloading and transporting hazardous materials and communicating these hazards to others.
- Apply to all hazardous materials transported in commerce. Any person who performs an activity in support of hazardous materials being transported in commerce must be compliant with D.O.T. requirements.
- Compliance is the law and must be complied with whenever shipping or offering hazardous materials for shipment. D.O.T. HAZARDOUS MATERIALS REGULATIONS ARE NOT NEW. The hazardous material transportation act was passed in 1974.
- There is an incentive program for compliance in: 49 C.F.R 107.301 - 339

Criminal: willful disregard and endangerment of the public or environment.  
Penalties: up to \$500,000 per day for corporations. Up to \$250,000 per day for individuals. Up to 5 years imprisonment.

Civil: Any violation other than criminal.

Penalties: Up to \$32,500 per day, per violation (11 violations possible on the shipping paper alone) and a \$275 minimum.

- All hazardous materials employees must be trained and tested per Title 49 code of federal regulations part 172 subpart H. A hazardous materials employee is any person who:
  - 1) Determines hazard class of material
  - 2) Selects packaging for material
  - 3) Fills packaging with material
  - 4) Secures closures on packaging
  - 5) Marks packaging
  - 6) Labels packaging
  - 7) Prepares dangerous goods declarations
  - 8) Provides and maintains dangerous goods emergency response information
  - 9) Reviews dangerous goods shipping papers for compliance

- 10) Persons importing dangerous goods into U.S. must provide shipper and forwarding agent at place of entry into U.S. with information as to the requirements of the HMR that apply to the shipment while in the U.S.
  - 11) Certifies that a HazMat is in proper condition for transportation in conformance with the requirements of the HMR
  - 12) Blocking and bracing a hazmat package in a freight container or transport vehicle
  - 13) Segregating hazmat in a transport vehicle from incompatible cargo
  - 14) Selects, provides or affixes placards for a transport vehicle
- Hazardous materials employers are responsible for ensuring that each employee receives the required training.
  - There are four areas of training: 1) General awareness/familiarization 2) Function specific 3) Safety 4) Security training

Retraining and retesting is required at least every 3 years.

- Driver training 49 C.F.R. 177.816 (c) must be performed for any person who transports any quantity of hazardous materials. Size or type of vehicle has no bearing in the applicability of this requirement. A commercial driver license becomes required when we haul placard amounts of hazardous material.

**Central Receiving has trained personnel to assist and guide those who are shipping hazardous materials. Please contact the hazmat shipping coordinator at: 509-335-4529, [bral@wsu.edu](mailto:bral@wsu.edu), for hazmat shipping assistance.**