

CHAPTER 1

ABOUT THIS MANUAL

SECTION 1.1 - INTRODUCTION

This manual is an tool of program management issued solely for the guidance of Office of Hazardous Materials Investigative personnel. It neither creates nor reduces any private right or obligation. The guidance provided by this manual may be revoked or modified without prior notice by memorandum of the Associate Administrator for Hazardous Materials Safety.

This manual has been prepared by and designed for the Office of Hazardous Materials Safety Field Operations, (OHMSFO), Associate Administrator for Hazardous Materials Safety (AAHMS), Pipeline and Hazardous Materials Safety Administration (PHMSA). The manual prescribes the manner in which a compliance investigator with the functional title of Hazardous Materials Investigator shall engage in inspection and enforcement activities to ensure compliance with rules, regulations, standards, orders, special permits, and approvals issued by PHMSA, and such other activities as may be assigned.

The policies, directives, procedures, and guidelines contained in this manual are designed to ensure effective use of available resources. Adherence to these policies, directives, procedures, and guidelines, will guarantee uniform, consistent application and enforcement of the Hazardous Materials Regulations (HMR) throughout the nation. This uniformity is necessary for effective program management and execution.

Comments and suggestions for future changes and additions are invited and should be forwarded to the Director of Field Operations through the assigned supervisor. All investigators are required to review this manual prior to conducting independent inspections and as this document is updated.

SECTION 1.2 - PURPOSE OF THE MANUAL

The purpose of this Operations Manual is to describe the policies and procedures to be used for inspections and investigations conducted by OHMS personnel. This manual addresses the entire spectrum of PHMSA procedures and policies, while focusing on field-oriented aspects of a compliance inspection or investigation. It is intended as the primary training policy manual, desk reference, and field guidelines for trainees, investigators, field supervisors, and program management personnel. Although not specifically written for them, the manual will also be of assistance to legal personnel.

- A. TRAINING MANUAL - This manual serves as primacy text for the investigator training program. Although this manual is primarily designed for field staff, States planning to institute hazardous materials enforcement programs may also use the manual in the orientation and training of their personnel.
- B. REFERENCE MANUAL - This manual serves as a reference guide for the professional enforcement staff in carrying out its responsibilities in field surveillance, facility inspections, and enforcement activities. It contains the authorities, objectives, responsibilities, policies, and procedures required by enforcement staff to do its job.
- C. FIELD MANUAL - This manual may be carried by investigators in its entirety into the field, or selected portions may removed (e.g., safety, observation reports, etc.). The manual contains sample forms that may be used in investigations to supplement documentation in field notes, and particularly to ensure that all important areas of an investigation are covered.

SECTION 1.3 - INTENDED AUDIENCE OF THE MANUAL

This manual is designed as a guide for PHMSA's professional enforcement staff. Users of this manual are encouraged to offer suggestions, revisions and constructive criticism to keep the manual a useful working tool.

SECTION 1.4 - COMMENTS FROM INTERESTED PERSONS

As required by the Freedom of Information Act (5 USC 552), this manual is available for public review. Interested persons are invited to submit constructive comments regarding the content of this manual and to make recommendations regarding any material they believe should be added.

SECTION 1.5 - UPDATING THE MANUAL

As changes, revisions, or deletions occur in the manual, revised pages will be sent to manual holders with an Operations Manual transmittal notice. The notice will identify and describe the new information being issued. A notice will also be placed on the agency website.

Each page of the manual is identified at the top with the name of this manual and the date. At appropriate intervals, a checklist of current pages will be issued to show each page number and its latest issue date. When a check list is received, manual holders should check the dates of the pages in their manual and file the checklist at the front of the manual.