



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

AUG 22 2011

Mr. Michael Gardner
Manager of Safety Compliance
Con-Way Freight
2211 Old Earhart Road
Ann Arbor, MI 48105

Ref. No. 11-0063

Dear Mr. Gardner:

This responds to your March 2, 2011 request for clarification on the recurrent training requirements under § 172.704(c)(2) under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if it would be acceptable for an employer to provide partial recurrent training annually over the course of a three-year period instead of providing complete recurrent training to all hazmat employees every three years.

The answer is no. The HMR do not specifically authorize partial training annually to meet the 3-year recurrent training requirement.

Section 172.704(c)(2) requires a hazmat employee to receive the training at least once every three years. In addition, if major regulatory changes occur within this 3-year recurrent training period, hazmat employees must receive training on the new regulatory requirements within 90 days of their effective date. Section 172.704(a)(1)-(4) requires hazmat training to include: general awareness/familiarization training; function-specific training; safety training; and security awareness training. Additionally, § 172.704(a)(5) requires in-depth security training when a security plan is required by part 172, subpart I.

I hope this answers your inquiry. If you need additional assistance, please contact this office at (202) 366-8553.

Sincerely,

Ben Supko
Chief, Standards Development
Standards and Rulemaking Division



Never Settle for Less.

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§172.704
Training
11-0063

March 2, 2011

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

Attention: Interpretation of §172.704 Training requirements.

To Whom it May Concern:

I am writing to request an interpretation on the training requirements set forth in §172.704, specifically the requirements under §172.704(c)(2) *Recurrent training*.

If a hazmat employee receives partial (modular) training covering one-third of the complete requirements for recurrent training every 12 months, meaning at the end of each three-year cycle, the employee would have received all required recurrent hazmat training, would this satisfy the requirements of §172.704(c)(2)?

In other words, would it be acceptable for an employer to provide partial recurrent training annually that over the course of a three-year period satisfies the requirements of §172.704(c)(2) instead of providing complete recurrent training to all hazmat employees every three years?

Respectfully,

Michael Gardner
Manager of Safety Compliance