

**CHAPTER 4**  
**BASIC HAZARDOUS MATERIALS INSPECTION**  
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## CHAPTER 4

### BASIC HAZARDOUS MATERIALS INSPECTION

#### 1. GENERAL.

a. Inspection Program. To ensure the protection of the public, the environment, and property, it is crucial personnel assigned to the Commercial Enforcement Program (CEP) conduct comprehensive hazardous material (HM) inspections. These inspections are necessary to ensure HM shippers and carriers, hazardous waste (HW) generators and transporters, medical waste transporters, and cargo tank operators comply with applicable statutes and regulations.

b. Purpose. This chapter provides personnel assigned to the CEP with procedures to conduct safe and thorough basic HM inspections.

#### 2. POLICY.

a. Hazardous Materials and Hazardous Waste Inspections. The inspection of HM or HW shipments should be conducted in conjunction with a North American Standard inspection.

b. A high priority shall be placed on the random inspection of HM and HW transport vehicles and containers for compliance with the HM regulations. Personnel assigned to the CEP should inspect as many HM and HW shipments as practical each year.

c. Inspections shall only be performed by those personnel who have met the applicable training requirements outlined in Chapter 12, Training, of this manual.

#### 3. OCCUPATIONAL SAFETY.

a. Protective Safety Equipment. Personnel assigned to the CEP shall utilize proper safety equipment while conducting HM and HW inspections.

b. Precautions. Safe working conditions and safe work procedures are imperative when conducting HM and HW inspections.

(1) All vehicles should be approached with caution.

(a) Whenever practical, approach vehicles from upstream, upwind, and uphill.

(b) Prior to conducting an inspection, inspectors shall walk around the vehicle and conduct a visual inspection of the vehicle. Check for placards, markings, leaks, and general vehicle condition.

(c) If a leaking package is discovered, all inspection activity should cease and incident command procedures should be initiated.

NOTE: Venting of specific materials, such as cryogenic liquids, may be a normal condition and is authorized by Title 49, Code of Federal Regulations (CFR).

(2) Under no circumstances are CEP personnel to eat or smoke during a HM or HW inspection.

(3) CEP personnel shall not use their senses to determine if a product is a HM. Breathing or otherwise contacting a HM or HW can be harmful.

(4) CEP personnel shall obtain first aid and/or medical treatment if exposed to or contaminated by any HM or HW. Incidents shall be documented in accordance with Chapter 2, Hazardous Materials Incident Command and Reporting, of this manual and Highway Patrol Manual (HPM) 10.6, Occupational Safety Manual.

(5) Commercial Vehicle Enforcement Facility commanders should develop policies and procedures specific to their facility which will provide CEP personnel with clear and concise instructions prior to conducting HM or HW inspections.

(a) It is recommended that inspection bay doors remain open during HM or HW inspections.

(b) Cargo tanks transporting flammable cryogenic liquids shall not be inspected in an inspection bay or in an area which is covered.

#### 4. ON-HIGHWAY INSPECTION PROCEDURES.

a. Inspections. On-highway inspections shall be limited to the following items unless it becomes apparent that a more extensive inspection is warranted:

(1) Initiating the Inspection.

(a) Verify shipping papers and emergency response information are within the driver's immediate reach when restrained by the lap belt and

visible to the person entering the vehicle, or in a holder mounted on the inside of the driver's door.

(b) Verify the driver is in possession of the following documents, if required:

- 1 Hazardous Materials Transportation License;
- 2 Hazardous Waste Transporter Registration; and
- 3 Pipeline and Hazardous Materials Safety Administration Hazardous Materials Registration.

(2) Shipping Papers.

(a) Verify the HM on the shipping paper, which also contains nonhazardous freight, are:

- 1 Entered first, or
- 2 Identified in a contrasting color, or
- 3 Identified with an "X" in the HM column.

(b) Shipments of HW which are required to be manifested must be accompanied by a HW manifest. Inspectors should refer to Chapter 6, Hazardous Waste and Medical Waste Inspections, of this manual when conducting HW inspections.

(c) Verify compliance of the proper shipping name in Section 172.101, Title 49, CFR.

(d) Check Section 172.101, Appendix A, Title 49, CFR, to see if the material is a hazardous substance.

(e) Check Section 172.101, Appendix B, Title 49, CFR, to see if the material is a marine pollutant.

(f) Verify the hazard class/division entered on the shipping paper corresponds with the proper shipping name and subsidiary hazards.

(g) Verify the identification number entered on the shipping paper corresponds with the proper shipping name.

(h) Verify the packing group entered on the shipping paper corresponds with the proper shipping name.

- (i) Verify the total quantity and unit of measure is entered on the shipping paper.
- (j) Verify the HM basic description appears in the proper sequence:
  - 1 Identification number;
  - 2 Proper shipping name;
  - 3 Hazard class/division;
  - 4 Packing group;
  - 5 Total quantity and unit of measure; and
  - 6 Number and type of packages.
- (k) Refer to special provisions when inspecting a shipping paper and check for additional entries which may be applicable to the shipment.
- (l) Verify the emergency response telephone number is entered on the shipping paper in the proper manner.
- (m) Verify the emergency response information, as appropriate, accompanies the shipment.

(3) Check Placarding Compliance.

- (a) Check for exceptions which may apply to the placarding requirements for the HM.
- (b) Verify placards are displayed for all "Table 1" materials, regardless of quantity.
- (c) Verify placards are displayed when more than 1,001 pounds of "Table 2" materials are present.
- (d) If present, verify bulk packages display placards or labels, if authorized.
- (e) Verify the placards meet general specifications.
- (f) Verify the required placards are displayed and meet the visibility and display requirements on the vehicle.

(4) Check Marking Compliance.

(a) Using the shipping papers, determine if the shipment is a bulk or non-bulk shipment.

(b) For bulk shipments, verify the transport vehicle is displaying the appropriate identification numbers. Identification numbers may be displayed by utilizing one of the following methods:

- 1 Orange Panels;
- 2 Placards; or
- 3 White-square on point.

(c) Verify the display of identification numbers on bulk packages.

(d) If present, verify the specific marking requirements for portable tanks, cargo tanks, or multi-unit tank car tanks are in compliance.

(e) Verify the markings on the packages conform to set size standards and specifications.

(f) Verify non-bulk packages are marked on at least one side or end of the package.

(g) Determine if the package is subject to a Department of Transportation (DOT) special permit (SP) and, if so, is marked with "DOT-SP" followed by the applicable SP number.

(h) After reviewing the shipping papers, verify product-specific markings are present, if required. Examples include, but are not limited to, the following:

- 1 Poison inhalation hazard markings;
- 2 Hazardous substance markings;
- 3 Orientation arrows;
- 4 Explosive packaging markings; and
- 5 Infectious substances markings.

(i) Verify the location of all markings are appropriate.

(5) Check Labeling Compliance.

(a) After reviewing the shipping papers, verify which labels are present on HM packages.

(b) Verify the labels are properly located on the package. When required, check for multiple and duplicate labeling.

(c) Verify label specifications are in compliance.

(6) Check Packaging Compliance.

(a) Identify the type of packaging used and determine if the packaging is appropriate for the HM it contains.

(b) Determine if a DOT-SP applies to the packaging.

(7) Check Loading Compliance.

(a) Observe the general securement of the HM being transported. Verify compliance of the blocking and bracing requirements for HM cargo.

(b) Verify segregation, separation, and compatibility for the HM being transported.

5. OFF-HIGHWAY INSPECTION PROCEDURES.

a. General. Compliance with HM requirements shall routinely be checked during terminal inspections. Priorities as outlined in HPM 84.1, Motor Carrier Safety Operations, shall be used to determine inspection scheduling. Shippers and carriers should be reminded of the importance of proper procedures and personnel training.

b. For-Hire Carriers. Inspection for compliance with HM requirements by for-hire carriers shall include, but not be limited to, shipping documents, shipper certification, general loading practices, and incident reporting.

c. Private Carriers and Shippers. Inspections for compliance with the following requirements by private carriers and shippers shall be made:

(1) Classification and assignment of proper shipping names.

(2) Package integrity and use, including proper specifications, filling limits, package assembly, and retesting of cylinders and bulk packages.

- (3) Shipping documents, package markings, package labels, and placards.
- (4) Fire extinguisher requirements for carriers.
- (5) Incident reporting for carriers.
- (6) Loading practices.
- (7) Shipper certification for shippers.

6. ENFORCEMENT.

- a. General. When a HM or HW violation is detected, personnel shall take the most appropriate enforcement action in accordance with HPM 100.68, Traffic Enforcement Policy Manual. Enforcement documents shall be prepared in accordance with HPM 100.9, Enforcement Documents Manual.
- b. Recording of Violations. Violations detected on-highway shall be documented in accordance with HPM 82.6, Commercial Enforcement Manual. Violations detected during terminal inspections shall be documented based upon the guidelines in HPM 84.1, Chapter 2, Inspection Procedures.

7. SEALED VEHICLE AND CONTAINER INSPECTION PROCEDURES.

- a. Authority. Departmental personnel are authorized by Section 32001 of the California Vehicle Code to inspect sealed and unsealed cargo areas of vehicles transporting HM. The following guidelines shall apply:
  - (1) Sealed or unsealed vehicles or containers may be opened and resealed by the following authorized personnel:
    - (a) Uniformed personnel and Motor Carrier Specialists assigned to the CEP.
    - (b) Designated Environmental Crimes Investigators.
  - (2) Vehicles or containers may be opened at:
    - (a) Commercial Vehicle Enforcement Facilities.
    - (b) Motor carrier terminals.
    - (c) Roadside enforcement stops.

(d) Accident locations.

(3) A seal may be broken and/or door opened to conduct a HM inspection when there is probable cause to believe HM is present. Vehicles or containers are not to be arbitrarily opened to search for HM when there is no reason to believe HM is present. Some reasons could include, but are not limited to:

(a) A driver states there is HM in the vehicle but the HM is not accompanied by a shipping paper.

(b) The vehicle displays HM placards but a shipping paper is not available or is not properly completed.

(c) Allegations of HM violations have been received from a reliable source.

b. Precautions.

(1) Departmental personnel should treat all vehicles/containers with unidentified commodities as potentially hazardous.

(2) Vehicles which have been fumigated or are carrying products which have been treated with a pesticide or fumigant are not to be opened. These vehicles should display a marking as described in Section 173.9 of Title 49, CFR.

c. Procedures for Breaking and Replacing Seals.

(1) Seals are of two basic types. One type, for minimum security, is made of light steel or plastic. The other, for high security, is made of steel aircraft cable or case hardened rod.

(2) Seals are available from Supply Services Unit.

(3) Appropriate tools shall be used to break a seal. Cut edges may be sharp and care should be taken in the handling and disposal of cut metal seals.

(4) Whenever possible, a witness should be present during the seal-cutting, door-opening, and resealing process. Witnesses may include:

(a) The driver or other employee of the company operating the vehicle.

(b) Any employee of the Department.

(c) An official of an allied agency.

(5) Before opening doors, obtain as much information as possible about the cargo, including:

- (a) Shipping documents.
- (b) Type of cargo and hazard class.
- (c) Type of packaging, bulk or non-bulk.
- (d) Position of packages in vehicle.
- (e) Are packages likely to fall when the door is opened?
- (f) Has the load been fumigated?

(6) After the cargo inspection is completed, the door must be closed and secured to its preinspection condition. A seal of a similar type shall be used to replace the original seal.

(7) Each opening of a cargo door or container shall be recorded in the appropriate section of the CHP 407F, Driver/Vehicle Examination Report, or the CHP 343A, Vehicle/Equipment Inspection Report Motor Carrier Safety Operations. The report shall indicate the serial numbers from the original and replacement seals. Departmental seals shall not be applied to vehicles or containers which were not sealed before inspection. Seals shall be replaced by an authorized employee of the Department and not be directly given to a driver.

(8) A door or container not sealed or improperly sealed (e.g., a seal which was tampered with before inspection) should also be noted on the CHP 407F/CHP 343A and reported to the driver.

## 8. ENFORCEMENT OF HAZARDOUS MATERIALS REGULATIONS AFTER HAZARDOUS MATERIALS INCIDENTS.

a. Commercial enforcement personnel or Environmental Crimes Investigators are encouraged to respond, when requested, to HM incidents in order to provide technical support.

b. Environmental Crimes Investigators should be notified of incidents which appear to be intentional or suspicious of nature. Often, these types of incidents require further investigation or may be related to an ongoing investigation.

9. EXCEPTIONS.

- a. When determining the presence of a violation, care should be taken to review the general and specific HM regulations contained in Title 49, CFR and Title 13, California Code of Regulations.