

USCG Auxiliary  
Assistant Pollution Investigator  
(AUX-ED)



Performance Qualification  
System (PQS) Workbook

## **USCG Auxiliary Assistant Pollution Investigator (AUX-ED)**

### **INTENT**

Upon successful completion of this personal qualification, a person will hold the minimum competencies to assist a qualified Pollution Investigator in completing a Pollution Investigation case. Auxiliarists should not be exposed to conditions posing an elevated health or safety risk (ex. HAZMAT Spills, Hazardous Gas releases, carcinogenic cargoes, etc), or conditions that require a response team to be armed.

### **Marine Safety and Environmental Protection Training Guide**

#### **Assistant Pollution Investigator**

This booklet is your personal ‘on the job training’ guide to qualification as an Auxiliary Pollution Investigator. It is your responsibility to document completed unit training items. For OJT, a person already holding this qualification code (called a verifying officer/mentor) should review your qualifications, observe you perform each task and sign in the appropriate space provided in this booklet. It may be necessary to perform a task several times. The verifying officer will not give credit for any task that is not performed satisfactorily.

Multiple verifying officers may make entries in your manual. Every verifying officer/mentor must enter his or her name, rate/rank or Auxiliary qualification, signature, and initials in the Record of Verifying Officers section. When you have completed all of the items required by your command for this qualification, your command will issue a letter of designation.



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### References:

The following references will aid you in completing the majority of the tasks in this manual:

- The Marine Safety Manuals, COMDTINST M16000 (series).
- Guidance and Procedures for Administering and Enforcing the Oily Waste Reception Facility Program, COMDTINST M16450.27.
- Civil Penalty Procedures and Administration, COMDTINST 16200.3 (series).
- U. S. Coast Guard Federal On Scene Coordinator (FOSC) Finance and Resource Management Field Guide (FFARM Guide).
- Chemical Hazards Response Information System (CHRIS), COMDTINST M16465.12C.
- The Federal Water Pollution Control Act (FWPCA), as amended.
- The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended.
- The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78).
- Refuse Act.
- 29 CFR 1910.120.
- 33 CFR 2, 6, 88, 130, 135, 153, 154, 155, 156, and 160.
- 40 CFR 260-265, 279, 300, 300 App., 302, 310, and 355.
- 49 CFR 172.101 App., 173, 172.6 and 172.7
- U. S. Coast Guard Marine Safety Laboratories “Oil Spill Sample Handling and Transmittal Guide.”
- NIOSH Pocket Guide to Chemical Hazards.
- “Threshold Limit Values for Chemical Substances and Physical Agents,” ACGIH.
- DOT “Emergency Response Guidebook.”

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**Assistant Pollution Investigator Tasks**

| <i>Task No.</i> | <i>OJT Task</i>   | <i>Date Completed</i> | <i>Verifying Officer's Initials</i> |
|-----------------|---|-----------------------|-------------------------------------|
| <b>GENERAL</b>  |   |                       |                                     |
| AED1            | List the laws applicable to conducting pollution investigations as a member of the Coast Guard.   | _____                 | _____                               |
| AED2            | Define "harmful quantity" and "reportable quantity" as they apply to oil and hazardous materials under the FWPCA and CERCLA   | _____                 | _____                               |
| AED3            | Define "Navigable Waters of the United States" and state where the specific navigable waters of a Captain of the Port jurisdiction would be listed.                                     | _____                 | _____                               |
| AED4            | Describe the occasions and policies for entry to private property. (MSM Vol. VI)  | _____                 | _____                               |
| AED5            | Identify the jurisdictional limits of the following pollution laws enforced by the Coast Guard:   |                       |                                     |
|                 | a. Clean Water Act.   | _____                 | _____                               |
|                 | b. Refuse Act.  | _____                 | _____                               |
|                 | c. MARPOL 73/78.  | _____                 | _____                               |
|                 | d. CERCLA.  | _____                 | _____                               |
| AED6            | Describe the effect of a Letter of Undertaking, including when such a document would be executed, what form of surety would be required, and the applicable authority for its issuance. | _____                 | _____                               |
| AED7            | Properly document an initial report of a discharge or release (MARPOL 73/78; COMDTINST 16450.27; MSM Vol. V)  | _____                 | _____                               |
| AED8            | List and describe the rules of evidence as they pertain to pollution investigation (both criminal and civil).   | _____                 | _____                               |
| AED9            | Describe the warnings and notices of rights to witnesses given during a pollution violation. (MSM Vol. V)   | _____                 | _____                               |
| AED10           | Describe the protection afforded to witnesses providing statements in a civil pollution violation case.   | _____                 | _____                               |

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| <i>Task No.</i> | <i>OJT Task</i>  | <i>Date Completed</i> | <i>Verifying Officer's Initials</i> |
|-----------------|--|-----------------------|-------------------------------------|
| AED11           | Demonstrate the proper procedures for gathering information and the following types of evidence used in a pollution investigation case. (MSM Vol. V; MSL Procedures Guide)   |                       |                                     |
|                 | a. Photographs/video tape.   | _____                 | _____                               |
|                 | b. Diagrams/charts.  | _____                 | _____                               |
|                 | c. Statements/interviews.  | _____                 | _____                               |
|                 | d. Oil spill samples   | _____                 | _____                               |
|                 | e. Vessel/facility logs.   | _____                 | _____                               |
|                 | f. Procedures and documents required by regulations.   | _____                 | _____                               |
|                 | g. Other information and “real” evidence.  | _____                 | _____                               |
| AED12           | List and describe the elements of a Civil Pollution Violation under the CWA and CERCLA. (MSM Vol. V)   | _____                 | _____                               |
| AEd13           | Describe the elements of a Class II Civil Penalty violation.   | _____                 | _____                               |
| AED14           | Determine which of the following procedures is most applicable for a given case:   |                       |                                     |
|                 | a. A COTP Letter of Warning  | _____                 | _____                               |
|                 | b. A Notice of Violation   | _____                 | _____                               |
|                 | c. A Class I civil penalty.  | _____                 | _____                               |
|                 | d. A Class II civil penalty  | _____                 | _____                               |
|                 | e. A Criminal Report of Violation.   | _____                 | _____                               |
| AED15           | Define and describe the differences in the level of proof required for civil and criminal cases.   | _____                 | _____                               |
| AED16           | Assist with the preparation (from initial investigation through dispatch to the appropriate final authority) at least one of each of the following (ensure that each case is logged in the Incident Investigation Log at the end of this PQS): |                       |                                     |
|                 | a. A local (or “COTP”) Letter of Warning.  | _____                 | _____                               |
|                 | b. A Notice of Violation   | _____                 | _____                               |
|                 | c. A Report of Violation   | _____                 | _____                               |

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|---------------------|---|---------------------------|---|
| AED17               | State and define the maximum level of protection (established by Commandant Policy) that may be used during the course of an investigation. | _____                     | _____                                       |



