

Asbestos Licensing Regulations

PART II.

DEFINITIONS AND GENERAL.

18 VAC 15-20-20. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"AAR" means Asbestos Analyst Registry.

"AAT" means Asbestos Analyst Testing.

"Accredited asbestos training program" means a training program that has been approved by the board to provide training for individuals to engage in asbestos abatement, conduct asbestos inspections, prepare management plans, prepare project designs or act as a project monitor.

"Accredited asbestos training provider" means a firm or individual who has been approved by the board to offer an accredited asbestos training program.

"ACM" means asbestos-containing material.

"ASHERA" means Asbestos Hazard Emergency Response Act, 40 CFR Part 763, Subpart E.

Asbestos Licensing Regulations

"AIHA" means American Industrial Hygiene Association.

"Approval letter" means a written notice confirming the firm or individual applicant's licensure or accreditation by the board.

"Asbestos" means the asbestiform varieties of actinolite, amosite, anthophyllite, chrysotile, crocidolite, and tremolite.

"Asbestos Analytical Laboratory License" means an authorization issued by the board to perform phase contrast, polarized light, or transmission electron microscopy on material known or suspected to contain asbestos.

"Asbestos-containing material" or "ACM" means any material or product which contains more than 1.0% asbestos or such percentage as established by EPA final rule.

"Asbestos contractor" means any person who has met the board's requirements and has been issued an asbestos contractor's license by the board to enter into contracts to perform asbestos projects.

"Asbestos Contractor's License" means an authorization issued by the board permitting a person to enter into contracts to perform an asbestos abatement project.

"Asbestos inspector" means any person who performs an inspection as defined in this chapter.

"Asbestos Inspector's License" means an authorization issued by the board permitting a person to perform on-site investigations to identify, classify, record, sample, test and prioritize by exposure potential asbestos-containing materials.

Asbestos Licensing Regulations

"Asbestos Management Plan" means a program designed to control or abate any potential risk to human health from asbestos.

"Asbestos management planner" means any person preparing or updating a management plan.

"Asbestos Management Planner's License" means an authorization issued by the board permitting a person to prepare or update an asbestos management plan.

"Asbestos project" or "asbestos abatement project" means an activity involving job set-up for containment, removal, encapsulation, enclosure, encasement, renovation, repair, construction or alteration of asbestos-containing materials. An asbestos project or asbestos abatement project shall not include nonfriable asbestos-containing roofing, flooring and siding material which when installed, encapsulated or removed does not become friable.

"Asbestos project design" means any descriptive form written as instructions or drafted as a plan describing the construction of an asbestos abatement area or site, response action or work practices to be utilized on the asbestos abatement project.

"Asbestos project designer" means any person providing an asbestos project design or specifications for an asbestos abatement project.

"Asbestos Project Designer's License" means an authorization issued by the board permitting a person to design an asbestos abatement project.

Asbestos Licensing Regulations

"Asbestos project monitor" means any person hired by a building owner, lessee or his agent to monitor, inspect, provide visual clearance or clearance monitoring of an asbestos abatement project.

"Asbestos Project Monitor's License" means an authorization issued by the board permitting a person to monitor an asbestos project, subject to board regulations.

"Asbestos supervisor" means any person so designated by an asbestos contractor who provides on-site supervision and direction to the workers engaged in asbestos projects.

"Asbestos Supervisor's License" means an authorization issued by the board permitting an individual to supervise and work on an asbestos project.

"Asbestos worker" means any person who engages in an asbestos abatement project.

"Asbestos Worker's License" means an authorization issued by the board permitting an individual to work on an asbestos project.

"ASHARA" means Asbestos School Hazard Abatement Reauthorization Act, 40 CFR Part 763, Subpart E.

"Board" means the Virginia Board for Asbestos, Lead, and Home Inspectors.

"Department" means the Department of Professional and Occupational Regulation.

"Direct supervision" means a licensed or accredited inspector, management planner, project monitor or project designer, who undertakes to supervise the activities of an unlicensed inspector, management planner, project monitor or project designer, shall be physically present

Asbestos Licensing Regulations

on the premises at all times while any unlicensed inspector, management planner, project monitor or project designer under his supervision is engaged in the activities of an inspector, management planner, project monitor or project designer.

"Director" means the Director of the Department of Professional and Occupational Regulation.

"Employee" means all persons in the service of another under any contract of hire, express or implied, oral or written.

"Encapsulation" means the treatment of asbestos-containing material (ACM) with a material that surrounds or embeds asbestos fibers in an adhesive matrix to prevent the release of fibers, as the encapsulant creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).

"Encasement" means any process by which an asbestos-containing material (ACM) is sprayed with an insulating sealer which is then mechanically fastened to the asbestos covered substrate. The insulating sealer is then covered with a sealer to give structural strength and durability.

"Enclosure" means the construction or installation over or around the asbestos-containing material (ACM) of any leak tight solid or flexible coverings, which will not deteriorate or decompose for an extended period of time, so as to conceal the ACM, contain ACM fibers, and render the ACM inaccessible.

"Environmental remediation activity" means any activity planned or carried out for the purpose of reducing or eliminating any environmental hazard, including activities necessary to train

Asbestos Licensing Regulations

individuals in the proper or lawful conduct of such activities, which are regulated by federal or state law or regulation.

"EPA" means United States Environmental Protection Agency.

"Financial interest" means financial benefit accruing to an individual or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership exceeds 3.0% of the total equity of the business; (ii) annual gross income that exceeds, or may be reasonably anticipated to exceed \$1,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination of it, paid or provided by a business that exceeds or may be reasonably expected to exceed \$1,000 annually; (iv) ownership of real or personal property if the interest exceeds \$1,000 in value and excluding ownership in business, income, salary, other compensation, fringe benefits or benefits from the use of property.

"Firm" means any company, partnership, corporation, sole proprietorship, association, or other business entity.

"Friable" means that the material when dry, may be crumbled, pulverized or reduced to powder by hand pressure and includes previously nonfriable material after such previously nonfriable material becomes damaged to the extent that when dry it may be crumbled, pulverized, or reduced to powder by hand pressure.

"Guest instructor" means an instructor who is invited to instruct a specific topic or topics in an accredited asbestos training program and whose instruction is limited to two hours per day.

Asbestos Licensing Regulations

"Hands-on experience" means the physical participation of students in an asbestos training program. The physical participation includes mock sampling and inspection techniques, report preparation, writing project specifications, glovebag demonstrations and containment construction.

"Immediate family" means (i) a spouse, (ii) a sibling or step sibling, (iii) a parent or step parent, (iv) children or step children, or (v) any other person residing in the same household as the individual.

"Inspection" means an activity undertaken to determine the presence or location, or to access the condition of, friable or nonfriable asbestos-containing material (ACM) or suspected ACM, whether by visual or physical examination, or by collecting samples of such material. This term includes reinspections of friable and nonfriable known or assumed ACM that has been previously identified. The term does not include the following:

1. Periodic surveillance of the type described in 40 CFR 763.92(b) solely for the purpose of recording or reporting a change in the condition of known or assumed ACM;
2. Inspections performed by employees or agents of federal, state, or local governments solely for the purpose of determining compliance with applicable statutes or regulations;
or
3. Visual inspections solely for the purpose of determining completion of response actions.

"Instructor" means a person who instructs one or more accredited asbestos training programs, to include the principal instructor, but excluding guest instructors.

Asbestos Licensing Regulations

"Licensee" means any person, as defined by § 54.1-500 of the Code of Virginia, who has been issued and holds a currently valid license as an asbestos worker, asbestos supervisor, asbestos inspector, asbestos management planner, asbestos project designer, asbestos project monitor or asbestos contractor under this chapter.

"NIOSH" means National Institute of Occupational Safety and Health.

"NIST" means National Institute of Standards and Technology.

"NVLAP" means National Voluntary Laboratory Accreditation Program.

"Occupied" means any area of any building designed or intended for human occupancy for any purpose.

"OSHA" means the U.S. Department of Labor Occupational Safety and Health Administration.

"OSHA Class III Work" means repair and maintenance operations where asbestos-containing material (ACM), including thermal system insulation and surfacing material, is likely to be disturbed.

"PAT" means Proficiency Analytical Testing.

"PCM" means phase contrast microscopy.

"Person" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association or any other individual or entity.

"PLM" means polarized light microscopy.

Asbestos Licensing Regulations

"Preliminary review" means a review conducted by the department following the submission of training materials to ascertain if the proposed asbestos training program meets the standards established by this chapter.

"Principal instructor" means an instructor whose main responsibility is to instruct accredited asbestos training programs, supervise other instructors and manage the overall asbestos training program curriculum.

"Removal" means the physical removal of asbestos-containing material (ACM) in accordance with all applicable regulations.

"Renovation" means altering in any way, one or more facility components.

"Repair" means returning damaged asbestos-containing material (ACM) to an undamaged condition or to an intact state so as to prevent fiber release.

"Residential buildings" means site-built homes, modular homes, condominium units, mobile homes, manufactured housing, and duplexes, or other multi-unit dwellings consisting of four units or fewer that are currently in use or intended for use only for residential purposes.

"Response action" means any method, including removal, encapsulation, enclosure, encasement, or operation and maintenance, that protects human health and the environment from friable asbestos-containing material.

"Substantial change" means a change in overall asbestos training program, materials, principal instructors, training managers, directors, ownership, facilities, equipment, examinations, and

Asbestos Licensing Regulations

certificates of completion. The addition of updated regulations, exam questions or news articles shall not be considered a substantial change.

"TEM" means transmission electron microscopy.

"Training manager" means the individual responsible for administering a training program and monitoring the performance of the instructors.

"Visual inspection" means a process of looking for conditions, which if not corrected during the asbestos abatement project, will lead to residual asbestos-containing dust or debris. Visual inspection includes examination of an asbestos abatement project area prior to clearance air monitoring for evidence that the project has been successfully completed as indicated by the absence of residue, dust and debris.

PART III.

~~GENERAL ENTRY AND RENEWAL REQUIREMENTS.~~

~~18 VAC 15-20-30. License application. (Repealed)~~

~~A. Application for asbestos licensure shall be made on forms provided by the department.~~

~~B. Each individual applicant shall be at least 18 years of age.~~

Asbestos Licensing Regulations

- ~~C. Each individual applying for initial licensure as a supervisor, inspector, management planner, project designer or project monitor shall provide evidence of successful completion of an EPA/AHERA or board approved initial accredited asbestos training program and all subsequent EPA/AHERA or board approved accredited asbestos refresher training programs, relevant to the applicant's discipline. The training certificate must indicate that the training was taken within 12 months preceding the date the department receives the application.~~
- ~~D. Each individual applying for initial licensure as a worker shall provide proof of successful completion of (i) an EPA/AHERA or board approved initial accredited asbestos worker training program and all subsequent EPA/AHERA or board approved accredited asbestos worker refresher training programs or (ii) an EPA/AHERA or board approved initial accredited supervisor asbestos training program and all subsequent EPA/AHERA or board approved accredited asbestos supervisor refresher training programs. The training certificate must indicate that the training was taken within 12 months preceding the date the department receives the application.~~
- ~~E. Each applicant for licensure as an asbestos contractor shall submit a completed asbestos contractor application to the department.~~
- ~~F. Each applicant for licensure as an asbestos analytical laboratory shall submit a completed asbestos analytical laboratory application and all documents required by this chapter to the department.~~

Asbestos Licensing Regulations

- ~~G. Each applicant for approval as an accredited asbestos training program shall submit to the board a completed accredited asbestos training program application and all documents required by this chapter.~~
- ~~H. Each application for a license shall be signed by the applicant and shall include a certification, by the applicant, that the applicant's license or other authorization to perform asbestos related work has not been suspended or revoked by any jurisdiction and that no enforcement action by any jurisdiction is pending against the applicant.~~
- ~~I. In the event disciplinary actions have been taken against the applicant, in any jurisdiction, the applicant shall submit the following information:~~
- ~~1. A complete list of all prior disciplinary actions, including any sanctions imposed on the applicant by any jurisdiction or any state or federal court.~~
 - ~~2. A description of any asbestos abatement or inspection activities, or both, conducted by the applicant that were terminated prior to completion, including the circumstances of the termination.~~
 - ~~3. A copy of all reports compiled by the enforcement agency or a copy of a final report.~~
- ~~J. Each application shall be completed according to the instructions provided by the department with the application. Incomplete applications will be returned to the applicant; fees received shall not be refunded.~~

Asbestos Licensing Regulations

~~18 VAC 15-20-40. Experience and Education Verification Forms. (Repealed)~~

~~Each application for inspector, management planner, project monitor and project designer shall include an Experience Verification Form completed by the applicant and signed by a supervisor verifying the job description of the applicant during the term of employment. The form shall contain the name and address of the employer, a complete and concise job description, a job title, the dates of employment or dates of work performed and the signature, typewritten or printed name, address and phone number of the supervisor verifying the experience. In lieu of a verifying signature for experience, an applicant who is self employed may submit a copy of three completed inspections, management plans, project designs or project monitor reports, whichever is applicable. A letter from a supervisor verifying the experience may be submitted in lieu of the Experience Verification Form. If verification of a degree is required, the Education Verification Form shall be sent directly from the school to the department.~~

18 VAC 15-20-31. Application procedures.

All applicants seeking licensure shall submit an application with the appropriate fee specified in 18 VAC 15-20-52. Application shall be made on forms provided by the department.

Asbestos Licensing Regulations

By signing the application or submitting it electronically to the department, the applicant certifies that he or she has read and understands the board's statutes and regulations.

The receipt of an application and the deposit of fees by the board does not indicate approval by the board.

The board may make further inquiries and investigations with respect to the applicant's qualifications to confirm or amplify information supplied.

Applicants will be notified if their application is incomplete. Applicants who fail to complete the process within 12 months after the date the department receives the application shall submit a new application and fee.

18 VAC 15.20-32. Qualifications for licensure – individuals.

A. General. Applicants shall meet all applicable entry requirements at the time application is made.

B. Name. The applicant shall disclose his full legal name.

C. Age. The applicant shall be at least 18 years old.

D. Address. The applicant shall disclose a physical address. A post office box is only acceptable when a physical address is also provided.

E. Specific entry requirements.

Asbestos Licensing Regulations

1. Worker. Each individual applying for an initial asbestos worker license shall provide proof of successful completion of (i) an EPA/AHERA or board-approved initial accredited asbestos worker training program and all subsequent EPA/AHERA or board-approved accredited asbestos worker refresher training programs or (ii) an EPA/AHERA or board-approved initial accredited supervisor training program and all subsequent EPA/AHERA or board-approved accredited asbestos supervisor refresher training programs. The training certificate must indicate that the training was taken within 12 months preceding the date the department receives the application.

2. Supervisor. Each individual applying for an initial asbestos supervisor license shall provide proof of successful completion of an EPA/AHERA or board-approved initial accredited supervisor training program and all subsequent EPA/AHERA or board-approved accredited asbestos supervisor refresher training programs. The training certificate must indicate that the training was taken within 12 months preceding the date the department receives the application.

3. Inspector. Each individual applying for an initial asbestos inspector license shall provide:

- a. Proof of successful completion of an EPA/AHERA or board-approved initial accredited inspector training program and all subsequent EPA/AHERA or board-approved accredited asbestos inspector refresher training programs; and

Asbestos Licensing Regulations

b. Evidence of experience in performing asbestos inspections in buildings or industrial facilities, including collecting bulk samples, categorizing ACM, assessing ACM and preparing inspection reports. The amount of experience required is dependent on the applicant's formal education and is as follows:

(1) An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least six months' experience or have completed a minimum of five inspections;

(2) An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least 12 months' experience or have completed a minimum of 10 inspections; or

(3) An applicant with a high school diploma shall have at least 24 months' experience or have completed a minimum of 15 inspections.

c. Experience may be obtained by:

(1) Conducting asbestos inspections in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.

(2) Conducting asbestos inspections under the direct supervision, as defined in this chapter, of a licensed inspector, or EPA-accredited

Asbestos Licensing Regulations

inspector where no license is required. All reports prepared by the unlicensed individual shall be signed by the licensed or EPA-accredited inspector in charge. The licensed or EPA-accredited inspector assumes responsibility for all sampling and reports prepared by the unlicensed individual.

4. Management Planner. Each individual applying for an initial asbestos management planner license shall provide:

a. Proof of successful completion of an EPA/AHERA or board-approved initial accredited management planner training program and all subsequent EPA/AHERA or board-approved accredited asbestos management planner refresher training programs; and

b. Evidence of experience evaluating inspection reports, selecting response actions, analyzing the cost of response actions, ranking response actions, preparing operations and maintenance plans and preparing management plans.

The amount of experience required is dependent on the applicant's formal education and is as follows:

(1) An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least six

Asbestos Licensing Regulations

months' experience or shall have completed a minimum of five management plans.

(2) An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least 12 months' experience or shall have completed a minimum of 10 management plans.

(3) An applicant with a high school diploma shall have at least 24 months' experience or shall have completed a minimum of 15 management plans.

c. Experience may be obtained by:

(1) Preparing management plans or conducting asbestos inspections in jurisdictions outside of Virginia in accordance with all federal, state and local statutes; or

(2) Preparing management plans or conducting asbestos inspections under the direct supervision, as defined in this chapter, of a licensed management planner or inspector, or EPA-accredited management planner or inspector where no license is required. All reports prepared by the unlicensed individual shall be signed by the licensed or EPA-accredited management planner or inspector in charge. The licensed or EPA-

Asbestos Licensing Regulations

accredited management planner or inspector assumes responsibility for all sampling and reports prepared by the unlicensed individual.

5. Project Designer. Each individual applying for an initial asbestos project designer license shall provide:

a. Proof of successful completion of an EPA/AHERA or board-approved initial accredited project designer training program and all subsequent EPA/AHERA or board-approved accredited asbestos project designer refresher training programs;
and

b. Evidence of experience in the preparation of project designs or project specifications. The amount of experience required is dependent on the applicant's formal education and is as follows:

(1) An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or related field shall have six months' experience or shall have completed a minimum of five project designs.

(2) An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or related field shall have 12 months' experience or shall have completed a minimum of 10 project designs.

Asbestos Licensing Regulations

(3) An applicant with a high school diploma shall have at least 24 months' experience or shall have completed a minimum of 15 project designs.

c. Experience may be obtained by:

(1) Preparing asbestos project designs in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.

(2) Preparing asbestos project designs under the direct supervision, as defined in this chapter, of a licensed asbestos project designer, or EPA-accredited asbestos project designer where no license is required. All project designs prepared by the unlicensed individual shall be signed by the licensed EPA-accredited project designer in charge. The licensed or EPA-accredited project designer assumes responsibility for all project design reports prepared by the unlicensed individual.

6. Project Monitor. Each individual applying for an initial asbestos project monitor license shall provide:

a. Proof of (i) a current certification by EPA as an asbestos project designer or asbestos supervisor and successful completion of a board-approved asbestos project monitor training program of 16 hours, including the examination or (ii) successful completion of a board-approved asbestos project monitor training program of 40 hours, including examination. Only project monitor training

Asbestos Licensing Regulations

programs that are board approved shall be accepted for meeting the training requirement; and

b. Evidence of 160 hours of experience in performing asbestos project monitoring through field work on project sites. This includes, but is not limited to, evaluating and monitoring asbestos work practices, collecting environmental asbestos air samples during abatement, performing visual inspections and taking final air samples to grant clearance for asbestos abatement projects.

c. Experience may be obtained by:

(1) Acting as an asbestos project monitor in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.

(2) Acting as an asbestos project monitor under the direct supervision, as defined in this chapter, of a licensed asbestos project monitor, or an accredited asbestos project monitor where no license is required. All project monitoring reports prepared by the unlicensed individual shall be signed by the licensed or accredited project monitor in charge. The licensed or accredited project monitor assumes responsibility for all reports and documents prepared by the unlicensed individual.

F. Experience and education verification. Each application for inspector, management planner, project monitor and project designer shall include a completed Experience Verification

Asbestos Licensing Regulations

Form signed by a supervisor verifying the applicant's experience. In lieu of a verifying signature for experience, an applicant who is self employed may submit a copy of three completed inspections, management plans, project designs or project monitor reports, whichever is applicable. A letter from a supervisor verifying the experience may be submitted in lieu of the Experience Verification Form. If verification of a degree is required, the Education Verification Form shall be sent directly from the school to the department.

G. Conviction or guilt. The applicant shall not have been convicted or found guilty, regardless of adjudication, in any jurisdiction of any felony or of any misdemeanor involving lying, cheating or stealing or any violation while engaged in environmental remediation activity, which resulted in the significant harm or the imminent and substantial threat of significant harm to human health or the environment, there being no appeal pending therefrom or the time of appeal having lapsed. Any plea of nolo contendere shall be considered a conviction for the purposes of this section. The record of conviction, finding or case decision shall be considered prima facie evidence of a conviction or finding of guilt. The board, at its discretion, may deny licensure or certification to any applicant in accordance with § 54.1-204 of the *Code of Virginia*.

H. Standards of practice and conduct. Applicants shall be in compliance with the standards of practice and conduct set forth in 18 VAC 15-20-400 through 18 VAC 15-20-450 and 18 VAC 455 through 18 VAC 459.1 of this chapter, as applicable at the time of application to the

Asbestos Licensing Regulations

board, while the application is under review by the board, and at all times when the license, is in effect.

I. Standing. The applicant shall be in good standing in every jurisdiction where licensed and the applicant shall not have had a license that was suspended, revoked or surrendered in connection with any disciplinary action in any jurisdiction prior to applying for licensure in Virginia. The board, at its discretion, may deny licensure or certification to any applicant based on disciplinary action by any jurisdiction.

18 VAC 15-20-33. Qualifications for licensure – business entities.

A. General. Every business entity shall secure a license before transacting business.

B. Name. The business name shall be disclosed on the application. The name under which the entity conducts business and holds itself out to the public (i.e., the trade or fictitious name) shall also be disclosed on the application. Business entities shall register their trade or fictitious names with the State Corporation Commission or the clerk of court in the county or jurisdiction where the business is to be conducted in accordance with §§ 59.1-69 through 59.1-76 of the *Code of Virginia* before submitting their application to the board.

C. Address. The applicant shall disclose the firm’s mailing address, and the firm’s physical address. A post office box is only acceptable as a mailing address when a physical address is also provided.

Asbestos Licensing Regulations

D. Form of organization. Applicants shall meet the additional requirements listed below for their business type:

Corporations. All applicants shall have been incorporated in the Commonwealth of Virginia, or, if a foreign corporation, shall have obtained a certificate of authority to conduct business in Virginia from the State Corporation Commission in accordance with § 13.1-544.2 of the *Code of Virginia*. The corporation shall be in good standing with the State Corporation Commission at the time of application to the board and at all times when the license is in effect.

Limited liability companies. All applicants shall have obtained a certificate of organization in the Commonwealth of Virginia or, if a foreign limited liability company, shall have obtained a certificate of registration to do business in Virginia from the State Corporation Commission, in accordance with § 13.1-1105 of the *Code of Virginia*. The company shall be in good standing with the State Corporation Commission at the time of application to the board and at all times when the license is in effect.

Partnerships. All applicants shall have a written partnership agreement. The partnership agreement shall state that all professional services of the partnership shall be under the direction and control of a licensed or certified professional.

Sole proprietorships. Sole proprietorships desiring to use an assumed or fictitious name, that is, a name other than the individual's full name, shall have their assumed or fictitious

Asbestos Licensing Regulations

name recorded by the clerk of the court of the county or jurisdiction wherein the business is to be conducted.

E. Qualifications.

1. Asbestos Contractor. Each applicant shall hold a valid Virginia contractor license issued by the Virginia Board for Contractors with an asbestos specialty and shall be in compliance with all other requirements found in Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia governing the regulation of contractors.

2. Asbestos analytical laboratory. Each applicant shall submit evidence of meeting the standards to perform one or more of the following analysis:

a. For PLM analysis, a current NVLAP accreditation for bulk asbestos fiber analysis or a current AIHA accreditation and proficiency in the AIHA bulk asbestos program. A copy of the NVLAP Certificate of Accreditation, Scope of Accreditation and documentation of NVLAP proficiency or a copy of an AIHA accreditation certificate and proof of proficiency in the AIHA bulk program shall be submitted with the application.

b. For PCM analysis:

(1) At fixed laboratory sites, a current accreditation by AIHA or evidence that each facility has been rated “proficient” the PAT Program’s most recent

Asbestos Licensing Regulations

round of asbestos evaluations, or evidence that each analyst is listed or has applied for listing in the Asbestos Analyst Registry (AAR) and has a performance rating of “acceptable” for the most recent Asbestos Analyst Testing (AAT) round. Each analyst shall have completed the NIOSH 582 training program or equivalent.

(2) For on-site analysis, each on-site analyst shall be listed or shall have applied for listing in the AAR and have a performance rating of “acceptable” for the most recent AAT round , or is accredited by AIHA or has been rated “proficient” in the PAT Program’s most recent round of asbestos evaluations. Each analysis shall have completed the NIOSH 582 training program or equivalent.

c. For TEM analysis, a current accreditation by NVLAP to analyze asbestos airborne fibers using TEM. A copy of the NVLAP Certificate of Accreditation, Scope of Accreditation and documentation of NVLAP proficiency shall be submitted with the application.

F. Conviction or Guilt. Neither the firm nor the owners, officers or directors shall have been convicted or found guilty, regardless of adjudication, in any jurisdiction of any felony or of any misdemeanor involving lying, cheating or stealing or of any violation while engaged in environmental remediation activity, which resulted in the significant harm or the imminent and substantial threat of significant harm to human health or the environment, there being no

Asbestos Licensing Regulations

appeal pending therefrom or the time of appeal having lapsed. Any plea of nolo contendere shall be considered a conviction for the purposes of this section. A certified copy of the final order, decree or case decision by a court or regulatory agency with lawful authority to issue such order, decree or case decision shall be admissible as prima facie evidence of such conviction or discipline. The board, at its discretion, may deny licensure to any applicant in accordance with § 54.1-204 of the Code of Virginia.

G. Standards of practice and conduct. Applicants shall be in compliance with the standards of practice and conduct set forth 18 VAC 15-20-400 through 18 VAC 15-20-450, 18 VAC 15-20-451 through 18 VAC 15-20-454, and 18 VAC 15-20-459.2 through 18 VAC 15-20-459.5 of this chapter at the time of application to the board, while the application is under review by the board, and at all times when the license, is in effect.

H. Standing. Both the firm and the owners, officers and directors shall be in good standing as a in every jurisdiction where licensed and the applicant shall not have had a license that was suspended, revoked or surrendered in connection with any disciplinary action in any jurisdiction prior to applying for licensure in Virginia. The board, at its discretion, may deny licensure to any applicant based on disciplinary action by any jurisdiction.

I. Denial of license. The board may refuse to issue a license to any asbestos contractor or asbestos analytical laboratory applicant if the applicant or its owners, officers or directors have a financial interest in an asbestos contractor whose asbestos license has been revoked, suspended or denied renewal in any jurisdiction.

Asbestos Licensing Regulations

18 VAC 15-20-34. Qualifications for accredited asbestos training program approval.

A. Training programs desiring board approval shall meet the minimum requirements established in this chapter. Persons requesting approval as an accredited asbestos training program to prepare training program participants for licensure requirements shall submit an accredited asbestos Training Program Review and Audit Application with the following required information:

1. Training provider's business name, physical address, mailing address, and phone number.
2. Copies of approval letters issued by EPA or other states granting approval of asbestos training programs presented by the provider.
3. Applicable fee specified in 18 VAC 15-20-52.
4. The training program curriculum.
5. A narrative explanation that states how the training program meets the requirements for approval in the following areas:
 - a. Length of training in hours.
 - b. Amount and type of hands-on training.
 - c. Examinations (length, format and passing score).

Asbestos Licensing Regulations

- d. Topics covered in the training program.
- e. Assurances of test security and how exams are administered.
- 6. A copy of all training program materials including, but not limited to, student manuals, instructor notebooks, handouts, and training aids.
- 7. A copy of the examination(s) used and applicable answer sheets.
- 8. The names and qualifications, including education and experience, of each instructor and subject areas that each instructor will teach.
- 9. A description of and an example of a certificate that will be issued to students who successfully complete the accredited asbestos training program. The certificate shall contain the information required by this chapter.
- 10. A proposed training program date for auditing purposes. The proposed date will be confirmed or an alternate date will be proposed within 10 business days after receipt of a complete accredited asbestos training program submission and the required fee.
- B. A complete submission shall consist of all information required by this section. Receipt of application and deposit of fees by the department in no way indicates approval of a training program.
- C. A complete application shall be submitted to the department no less than 45 days prior to the requested audit date.

Asbestos Licensing Regulations

D. Upon receipt of a completed application, a preliminary review will be conducted to ensure all written material and other documentation is accurate and up to date. If any deficiencies are noted, a letter will be sent to the applicant indicating the deficiencies and necessary steps to correct them. All deficiencies noted during the preliminary review shall be corrected prior to the on-site audit.

E. Upon successful completion of the preliminary review, an on-site audit shall be conducted to complete the application process. If any deficiencies are noted during the audit, the training provider will be informed, either in writing or verbally, and offered an opportunity to correct them. Once the audit is complete and any deficiencies corrected, a letter of approval will be sent to the accredited asbestos training program.

F. All accredited asbestos training programs approved by the board shall have a monitored, final written examination, except for asbestos workers needing an oral examination. The board recommends the examination include a practical component to test skill in asbestos abatement techniques. Students shall obtain a minimum examination grade of 70% correct. Records of the participant's examination shall be maintained in accordance with this chapter.

G. Letters of approval for accredited asbestos training programs shall be maintained at the business address listed on the approval letter and made accessible to the public. Each provider of an approved accredited asbestos training program shall maintain all records at

Asbestos Licensing Regulations

the business address. The required records shall be available for review upon demand by the board or its representatives.

PART IV - FEES

~~18 VAC 15-20-50. Fees. (Repealed)~~

- ~~A. The fee for an initial application for or a renewal of an asbestos worker, supervisor, inspector, management planner, project designer, or project monitor license shall be \$25.~~
- ~~B. The renewal fee for an asbestos worker, supervisor, inspector, management planner, project designer, or project monitor license not renewed within 30 days after its expiration date shall be \$50.~~
- ~~C. The fee for an initial application for or a renewal of an asbestos analytical laboratory license shall be \$40.~~
- ~~D. The renewal fee for asbestos analytical laboratory licenses not renewed within 30 days after its expiration date shall be \$65.~~

Asbestos Licensing Regulations

- ~~E. The fee for an initial application for or a renewal of an asbestos contractor's license shall be \$40.~~
- ~~F. The renewal fee for asbestos contractor licenses not renewed within 30 days after its expiration date shall be \$65.~~
- ~~G. The fee for an initial application for approval of an accredited asbestos training program shall be \$400 per day of training.~~
- ~~H. The renewal fee for an accredited asbestos training program shall be \$50.~~
- ~~I. The renewal fee for accredited asbestos training programs not renewed within 30 days after its expiration date shall be \$75.~~
- ~~J. A license not renewed within six months after the expiration date printed on the license shall not be renewed and the person shall apply for a new license.~~
- ~~K. All checks or money orders shall be made payable to the Treasurer of Virginia.~~
- ~~L. Fees received shall not be refunded.~~

18 VAC 15-20-51. General fee requirements.

All fees are nonrefundable and shall not be prorated. The date on which the fee is received by the department or its agent will determine whether the fee is on time. Checks or money orders shall be made payable to the Treasurer of Virginia.

Asbestos Licensing Regulations

18 VAC 15-20-52. Application fees.

<u>Fee Type</u>	<u>Fee Amount</u>	<u>When Due</u>
<u>Application for worker, supervisor, inspector, management planner, project designer or project monitor license</u>	<u>\$25</u>	<u>With application</u>
<u>Application for asbestos analytical laboratory license</u>	<u>\$40</u>	<u>With application</u>
<u>Application for an asbestos contractor license</u>	<u>\$40</u>	<u>With application</u>
<u>Application for accredited asbestos training program approval</u>	<u>\$400 per day of training</u>	<u>With application</u>

18 VAC 15.20-53. Renewal and late renewal fees.

<u>Fee Type</u>	<u>Fee Amount</u>	<u>When Due</u>
<u>Renewal for worker, supervisor, inspector, management planner, project designer or project monitor</u>		

Asbestos Licensing Regulations

<u>license</u>	<u>\$25</u>	<u>With renewal application</u>
<u>Renewal for asbestos analytical laboratory license</u>	<u>\$40</u>	<u>With renewal application</u>
<u>Renewal for asbestos contractor's license</u>	<u>\$40</u>	<u>With renewal application</u>
<u>Renewal for accredited asbestos training program approval</u>	<u>\$50</u>	<u>With renewal application</u>
<u>Late renewal for worker, supervisor, inspector, management planner, project designer or project monitor license (includes a \$25 late renewal fee in addition to the regular \$25 renewal fee)</u>	<u>\$50</u>	<u>With renewal application</u>
<u>Late renewal for asbestos analytical laboratory license(includes a \$25 late renewal fee in addition to the regular \$40 renewal fee)</u>	<u>\$65</u>	<u>With renewal application</u>
<u>Late renewal for asbestos contractor's license(includes a \$25</u>		

Asbestos Licensing Regulations

<u>late renewal fee in addition to the regular \$40 renewal fee)</u>	<u>\$65</u>	<u>With renewal application</u>
<u>Late renewal for accredited asbestos training program approval (includes a \$25 late renewal fee in addition to the regular \$50 renewal fee)</u>	<u>\$75</u>	<u>With renewal application</u>

PART V.

RENEWAL.

18 VAC 15-20-60. ~~Expiration~~Renewal required.

- A. Each individual asbestos license issued under this chapter shall expire one year from the last day of the month in which it was issued.
- B. Each asbestos contractor and each asbestos analytical laboratory license issued under this chapter shall expire one year from the last day of the month in which it was issued.

Asbestos Licensing Regulations

- C. ~~Each accredited asbestos training program approved prior to January 2, 2002 shall expire on January 31, 2004, and may be renewed for 24 months at a time thereafter.~~ Each accredited asbestos training program ~~approved after January 2, 2002,~~ shall expire 24 months from the last day of the month in which it was approved.
- D. A fee shall be required for renewal as specified in 18 VAC 15-20-53.

18 VAC 15-20-70. ~~Renewal application~~Procedures for renewal.

- A. The department shall mail a renewal notice to each licensee and to each approved accredited asbestos training program at the last known address. The notice shall outline the procedures for renewal and the renewal fee amount. Failure to receive the notice shall not relieve the licensee or the approved accredited asbestos training program of the obligation to renew in a timely fashion.
- B. Prior to the expiration date shown on the license or approval letter, each licensed asbestos contractor, and licensed asbestos analytical laboratory ~~and approved accredited asbestos training program~~ desiring to renew the license ~~or approval~~ shall return the renewal notice ~~and appropriate fee~~ together with the appropriate fee specified in 18 VAC 15-20-53 to the department. Should the licensee fail to receive the renewal notice, a copy of the current license may be submitted with the required fee. ~~Should an approved accredited asbestos~~

Asbestos Licensing Regulations

~~training program fail to receive the renewal notice, a letter indicating the desire to renew and the applicable fee may be submitted.~~

C. Prior to the expiration date shown on the individual's current license, the individual desiring to renew that license shall provide evidence of meeting the annual refresher training requirement for license renewal and the appropriate fee specified in 18 VAC15-20-53. The board will accept any asbestos training programs that are approved by EPA/AHERA or the board. A copy of the training certificate documenting the successful completion of the refresher training for the license discipline being renewed and meeting the requirements outlined in this chapter shall accompany the renewal notice and fee.

D. Prior to the expiration date shown on the approval letter, each accredited asbestos training program desiring to renew the approval shall return the renewal notice to the department together with the following:

1. Appropriate fee specified in 18 VAC 15-20-53.
2. Any changes made to the training program.
3. Dates on which the training material was last updated.
4. Statement indicating that the training program continues to meet the regulation requirements established in this chapter.

Should an approved accredited asbestos training program fail to receive the renewal notice, a letter indicating the desire to renew and the applicable fee may be submitted.

Asbestos Licensing Regulations

DE. Project monitors who also hold a valid Virginia asbestos supervisor or project designer license may meet the renewal training requirements by completing the supervisor refresher or project designer refresher, whichever is applicable. Project monitors who hold only a project monitor license shall complete an accredited asbestos project monitor refresher training program to meet the renewal training requirements.

EF. Annual refresher training certificates shall only be used once to renew an individual license.

EG. Each license and each accredited asbestos training program approval that is not renewed within 30 days of the expiration date on the license or approval shall be subject to late renewal fees as established in ~~18 VAC 15-20-50~~ 18 VAC 15-20-53.

GH. Each license and each approved accredited asbestos training program not renewed within six months after the expiration date shall not be renewed and the licensee or approved accredited asbestos training program shall apply for a new license or new approval.

~~18 VAC 15-20-80. Change of address or name. (Repealed)~~

Asbestos Licensing Regulations

~~Each licensee and approved accredited asbestos training program shall notify the board, in writing, of any change of address or name. This notification shall be sent to the board within 30 days of such relocation or name change.~~

~~PART IV.~~

~~ASBESTOS WORKER LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-90. Qualifications for licensure. (Repealed)~~

~~Each individual applying to the board for licensure as an asbestos worker shall submit a completed application, all training documentation as required by 18 VAC 15-20-30 D and the appropriate fee as required by 18 VAC 15-20-50.~~

~~PART V.~~

~~ASBESTOS SUPERVISOR LICENSING REQUIREMENTS.~~

Asbestos Licensing Regulations

~~18 VAC 15-20-101. Qualifications for licensure. (Repealed)~~

~~Each individual applying to the board for licensure as an asbestos supervisor shall submit a completed application, all training documentation as required by 18 VAC 15-20-30 C and the appropriate fee as required by 18 VAC 15-20-50.~~

~~PART VI.~~

~~ASBESTOS CONTRACTOR LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-110. Qualifications for licensure. (Repealed)~~

~~A. Each applicant shall submit a completed asbestos contractor application and fee as required by 18 VAC 15-20-50.~~

~~B. Each applicant shall hold a valid Virginia contractor license with an asbestos specialty and shall be in compliance with all other requirements found in Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia governing the regulation of contractors.~~

Asbestos Licensing Regulations

~~18 VAC 15-20-150. Denial of license. (Repealed)~~

~~The board may refuse to issue a license to any asbestos contractor applicant if the applicant or its owners, officers or directors have a financial interest in an asbestos contractor whose asbestos license has been revoked, suspended or denied renewal in any jurisdiction.~~

~~PART VII.~~

~~ASBESTOS INSPECTOR LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-250. Qualifications for licensure. (Repealed)~~

~~A. Each individual applying to the board for licensure as an asbestos inspector shall submit a completed application, all training documents as required by 18 VAC 15-20-30 C, the appropriate fee as established in 18 VAC 15-20-50, and evidence of meeting the experience requirements as established in subsection B of this section. Evidence of experience and education shall comply with 18 VAC 15-20-40.~~

Asbestos Licensing Regulations

~~B. The applicant shall provide evidence of experience in performing asbestos inspections in buildings or industrial facilities, including collecting bulk samples, categorizing ACM, assessing ACM and preparing inspection reports. The amount of experience required is dependent on the applicant's formal education and is as follows:~~

- ~~1. An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least six months' experience or have completed a minimum of five inspections.~~
- ~~2. An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least 12 months' experience or have completed a minimum of 10 inspections.~~
- ~~3. An applicant with a high school diploma shall have at least 24 months' experience or have completed a minimum of 15 inspections.~~

18 VAC 15-20-251. Qualifying experience. (Repealed)

Experience may be obtained by:

- ~~1. Conducting asbestos inspections in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.~~

Asbestos Licensing Regulations

~~2. Conducting asbestos inspections under the direct supervision, as defined in this chapter, of a licensed inspector, or EPA accredited inspector where no license is required. All reports prepared by the unlicensed individual shall be signed by the licensed or EPA accredited inspector in charge. The licensed or EPA accredited inspector assumes responsibility for all sampling and reports prepared by the unlicensed individual.~~

~~**PART VIII.**~~

~~**ASBESTOS MANAGEMENT PLANNER LICENSING REQUIREMENTS.**~~

~~**18 VAC 15-20-270. Qualifications for licensure. (Repealed)**~~

~~A. Each individual applying to the board for licensure as an asbestos management planner shall submit a completed application, all training documents as required by 18 VAC 15-20-30 C, the appropriate fee as required by 18 VAC 15-20-50, and evidence of meeting the experience requirements established by 18 VAC 15-20-250 B and subsection B of this section. The applicant shall also meet all qualifications to be licensed as an asbestos~~

Asbestos Licensing Regulations

~~inspector, whether or not the license is held. Evidence of experience and education shall comply with 18 VAC 15-20-40.~~

~~B. The applicant shall provide evidence of experience evaluating inspection reports, selecting response actions, analyzing the cost of response actions, ranking response actions, preparing operations and maintenance plans and preparing management plans. The amount of experience required is dependent on the applicant's formal education and is as follows:~~

- ~~1. An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least six months' experience or shall have completed a minimum of five management plans.~~
- ~~2. An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or a related field shall have at least 12 months' experience or shall have completed a minimum of 10 management plans.~~
- ~~3. An applicant with a high school diploma shall have at least 24 months' experience or shall have completed a minimum of 15 management plans.~~

18 VAC 15-20-271. Qualifying experience. (Repealed)

~~Experience may be obtained by:~~

Asbestos Licensing Regulations

- ~~1. Preparing management plans or conducting asbestos inspections in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.~~
- ~~2. Preparing management plans or conducting asbestos inspections under the direct supervision, as defined in this chapter, of a licensed management planner or inspector, or EPA accredited management planner or inspector where no license is required. All reports prepared by the unlicensed individual shall be signed by the licensed or EPA accredited management planner or inspector in charge. The licensed or EPA accredited management planner or inspector assumes responsibility for all sampling and reports prepared by the unlicensed individual.~~

~~PART IX.~~

~~ASBESTOS PROJECT DESIGNER LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-290. Qualifications for licensure. (Repealed)~~

- ~~A. Each individual applying to the board for licensure as an asbestos project designer shall submit a completed application, all training documents as established in 18 VAC 15-20-30~~

Asbestos Licensing Regulations

~~C, the appropriate fee as established in 18 VAC 15-20-50, and evidence of meeting the experience requirements as established in subsection B of this section. Evidence of experience and education shall comply with 18 VAC 15-20-40.~~

~~B. The applicant shall provide evidence of experience in the preparation of project designs or project specifications. The amount of experience required is dependent on the applicant's formal education and is as follows:~~

- ~~1. An applicant with a bachelor's degree in engineering, architecture, industrial hygiene, physical science or related field shall have six months' experience or shall have completed a minimum of five project designs.~~
- ~~2. An applicant with a two-year associate's degree in engineering, architecture, industrial hygiene, physical science or related field shall have 12 months' experience or shall have completed a minimum of 10 project designs.~~
- ~~3. An applicant with a high school diploma shall have at least 24 months' experience or shall have completed a minimum of 15 project designs.~~

18 VAC 15-20-291. Qualifying experience. (Repealed)

~~Experience may be obtained by:~~

Asbestos Licensing Regulations

- ~~1. Preparing asbestos project designs in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.~~
- ~~2. Preparing asbestos project designs under the direct supervision, as defined in this chapter, of a licensed asbestos project designer, or EPA accredited asbestos project designer where no license is required. All project designs prepared by the unlicensed individual shall be signed by the licensed EPA accredited project designer in charge. The licensed or EPA accredited project designer assumes responsibility for all project design reports prepared by the unlicensed individual.~~

PART X.

~~ASBESTOS PROJECT MONITOR LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-330. Qualifications for licensure. (Repealed)~~

- ~~A. Each individual applying for licensure as an asbestos project monitor shall submit a completed application, all training documents as required by 18 VAC 15-20-30 C, the appropriate fee as established in 18 VAC 15-20-50, and evidence of meeting the experience~~

Asbestos Licensing Regulations

~~requirements as established in subsection B of this section. Evidence of experience and education shall comply with 18 VAC 15-20-40.~~

~~B. The applicant shall provide evidence of experience in performing asbestos project monitoring through field work on project sites. This includes, but is not limited to, evaluating and monitoring asbestos work practices, collecting environmental asbestos air samples during abatement, performing visual inspections and taking final air samples to grant clearance for asbestos abatement projects. Each applicant shall provide evidence of 160 hours of said experience.~~

~~18 VAC 15-20-331. Qualifying experience. (Repealed)~~

~~Experience may be obtained by:~~

- ~~1. Acting as an asbestos project monitor in jurisdictions outside of Virginia in accordance with all federal, state and local statutes.~~
- ~~2. Acting as an asbestos project monitor under the direct supervision, as defined in this chapter, of a licensed asbestos project monitor, or an accredited asbestos project monitor where no license is required. All project monitoring reports prepared by the unlicensed individual shall be signed by the licensed or accredited project monitor in charge. The~~

Asbestos Licensing Regulations

~~licensed or accredited project monitor assumes responsibility for all reports and documents prepared by the unlicensed individual.~~

18 VAC 15-20-332. Project monitor training requirements. (Repealed)

- ~~A. An applicant currently certified by the EPA as an asbestos project designer or asbestos supervisor shall successfully complete a board approved asbestos project monitor training program of 16 hours and examination. Evidence of current project designer or current supervisor accreditation shall be submitted with the application.~~
- ~~B. An applicant not currently certified as an asbestos project designer or asbestos supervisor shall successfully complete a board approved asbestos project monitor training program of 40 hours and examination. Evidence of completion of the 40-hour training program shall be submitted with the application.~~
- ~~C. Only project monitor training programs that are board approved will be accepted for meeting the training requirements.~~

Asbestos Licensing Regulations

~~PART XI.~~

~~ASBESTOS ANALYTICAL LABORATORY LICENSING REQUIREMENTS.~~

~~18 VAC 15-20-361. Qualifications for licensure. (Repealed)~~

~~A. Each applicant for an asbestos analytical laboratory license shall submit a completed application, the appropriate fee as required by 18 VAC 15-20-50, and evidence of meeting the standards to perform one or more of the analyses described in subsections B, C and D of this section. Each license issued shall indicate which kind of analysis the asbestos analytical laboratory is seeking authorization to perform.~~

~~B. For authorization to analyze bulk materials using PLM, the applicant shall provide evidence that the asbestos analytical laboratory is currently NVLAP accredited for bulk asbestos fiber analysis or evidence that the asbestos analytical laboratory is AIHA accredited and proficient in the AIHA bulk asbestos program. A copy of the NVLAP Certificate of Accreditation, Scope of Accreditation and documentation of NVLAP proficiency or a copy~~

Asbestos Licensing Regulations

~~of an AIHA accreditation certificate and proof of proficiency in the AIHA bulk program shall be submitted with the application for licensure.~~

~~C. For authorization to analyze airborne fibers using PCM:~~

~~1. For fixed laboratory sites, the applicant shall provide evidence that each facility is accredited by AIHA or that each facility has been rated "proficient" in the PAT Program's most recent round of asbestos evaluations, or the applicant shall provide evidence that each analyst is listed or has applied for listing in the Asbestos Analyst Registry (AAR) and has a performance rating of "acceptable" for the most recent Asbestos Analyst Testing (AAT) round. The applicant shall also provide evidence that each analyst has completed the NIOSH 582 training program or equivalent.~~

~~2. For laboratories that will be conducting on site analysis, the applicant shall provide evidence that each on-site analyst is listed or has applied for listing in the AAR and has a performance rating of "acceptable" for the most recent AAT round within six months after January 2, 2002, or is accredited by AIHA or has been rated "proficient" in the PAT Program's most recent round of asbestos evaluations. The applicant shall also provide evidence that each analyst has completed the NIOSH 582 training program or equivalent.~~

~~D. For licensure to analyze asbestos airborne fibers using TEM, the applicant shall provide evidence that the asbestos analytical laboratory is currently NVLAP accredited to analyze asbestos airborne fibers using TEM. A copy of the NVLAP Certificate of Accreditation,~~

Asbestos Licensing Regulations

~~Scope of Accreditation and documentation of NVLAP proficiency shall be submitted with the application.~~

~~PART X~~PART VI.

GENERAL STANDARDS OF PRACTICE AND CONDUCT.

18 VAC 15-20-400. Responsibility to the public.

The primary obligation of the ~~regulant~~ licensee is to the public. If the ~~regulant's~~ licensee's judgment is overruled under circumstances when the safety, health, property and welfare of the public are endangered, the ~~regulant~~ licensee shall inform the employer or client of the possible consequences and notify appropriate authorities if the situation is not resolved. The ~~regulant~~ licensee shall take such action only when his authority to correct a problem has been ignored or overruled.

18 VAC 15-20-410. Public statements.

Asbestos Licensing Regulations

- A. The ~~regulant~~ licensee shall be truthful in all matters relating to the performance of asbestos abatement or asbestos consulting services.
- B. When serving as an expert or technical witness, the ~~regulant~~ licensee shall express an opinion only when it is based on an adequate knowledge of the facts in issue and on a background of technical competence in the subject matter. Except when appearing as an expert witness in court or an administrative proceeding when the parties are represented by counsel, the ~~regulant~~ licensee shall issue no statements, reports, criticisms, or arguments on matters relating to practices which are inspired or paid for by an interested party or parties, unless one has prefaced the comment by disclosing the identities of the party or parties on whose behalf the ~~regulant~~ licensee is speaking, and by revealing any self-interest.
- C. A ~~regulant~~ Licensees or applicants shall not knowingly make a materially false statement, submit falsified documents or fail to disclose a material fact requested in connection with an application submitted to the board by any individual or business entity for licensure or renewal.

18 VAC 15-20-420. Solicitation of work.

In the course of soliciting work:

1. The ~~regulant~~ licensee shall not bribe.

Asbestos Licensing Regulations

2. The ~~regulant~~ licensee shall not falsify or permit misrepresentation of the ~~regulant's~~ licensee's work or an associate's academic or professional qualifications, nor shall the ~~regulant~~ licensee misrepresent the degree of responsibility for prior assignments.
3. Materials used in the solicitation of employment shall not misrepresent facts concerning employers, employees, associates, joint ventures or past accomplishments of any kind.
4. Materials used in the solicitation of services shall not misrepresent facts of approval, federal, or state requirements.

18 VAC 15-20-430. Professional responsibility.

- A. The licensee or ~~approved entity~~ accredited asbestos training provider shall, upon request or demand, produce to the board, or any of its representatives, any plan, document, book, record or copy of it in his possession concerning a transaction covered by this chapter, and shall cooperate in the investigation of a complaint filed with the board against a licensee or ~~approved entity~~ accredited asbestos training provider.
- B. A licensee or ~~approved entity~~ accredited asbestos training provider shall not use the design, plans or work of another licensee or ~~approved entity~~ accredited asbestos training provider without the original professional's knowledge and consent and after consent, a thorough review to the extent that full responsibility shall be assumed by the user.

Asbestos Licensing Regulations

- C. Accredited asbestos training providers shall admit board representatives for the purpose of conducting an on-site audit, or any other purpose necessary to evaluate compliance with this chapter and other applicable laws and regulations.

18 VAC 15-20-440. Good standing in other jurisdictions.

- A. ~~Regulants~~ Licensees, accredited asbestos training providers, training managers, or principal instructors who perform project monitoring, project design, inspections, management planning, asbestos abatement training, asbestos contracting or supervisor work in other jurisdictions shall be in good standing in every jurisdiction where licensed, certified, or approved and shall not have had a license, certification or approval suspended, revoked or surrendered in connection with a disciplinary action.
- B. ~~Regulants~~ Licensees, accredited asbestos training providers, training managers, or principal instructors shall notify the board in writing no later than 10 days after the final disciplinary action taken by another jurisdiction against their license or other approval to conduct asbestos abatement activities.
- C. ~~Regulants~~ Licensees, accredited asbestos training providers, training managers, or principal instructors may be subject to disciplinary action or removal of an asbestos training program accreditation for disciplinary actions taken by another jurisdiction.

Asbestos Licensing Regulations

18 VAC 15-20-450. Grounds for disciplinary action.

A. The board shall have the authority to fine any licensee or accredited asbestos training program, accredited asbestos training provider or instructor, and to deny renewal, to suspend, to revoke or to deny application for any license or approval as an accredited asbestos training program, accredited asbestos training provider or instructor provided for under Chapter 5 (§ 54.1-500 et seq.) of Title 54.1 of the Code of Virginia for:

1. Violating or inducing another person to violate any of the provisions of Chapter 1, 2, 3, or 5 of Title 54.1 of the Code of Virginia, or any of the provisions of this chapter.
2. Obtaining a license, approval as an accredited asbestos training program, approval as an accredited asbestos training provider or approval as an instructor through fraudulent means.
3. Altering, or falsifying ~~or issuing~~ a ~~fraudulent~~ Virginia Asbestos License or a training certificate ~~issued by~~ from an accredited asbestos training program.
4. Violating any provision of AHERA or ASHARA, or any federal or state regulation pertinent to asbestos activity.
5. Having been found guilty by the board, an administrative body, or by a court of any misrepresentation in the course of performing his asbestos-related operating duties.

Asbestos Licensing Regulations

6. Subject to the provisions of § 54.1-204 of the Code of Virginia, having been convicted or found guilty, regardless of adjudication in any jurisdiction of the United States, of any felony or of any misdemeanor involving lying, cheating, or stealing, or of any violation while engaged in environmental remediation activity, which resulted in the significant harm or the imminent and substantial threat of significant harm to human health or the environment there being no appeal pending therefrom or the time for appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. A certified copy of the final order, decree or case decision by a court or regulatory agency with lawful authority to issue such order, decree or case decision shall be admissible as prima facie evidence of such conviction or discipline.
7. Failing to notify the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty of any felony or of any misdemeanor involving lying, cheating, or stealing or of any violation while engaged in environmental remediation activity which resulted in the significant harm or the imminent and substantial threat of significant harm to human health or the environment.
8. Negligence, or a continued pattern of incompetence, in the practice of the discipline in which the asbestos license is held.
9. Failing or neglecting to send any information or documentation that was requested by the board or its representatives.

Asbestos Licensing Regulations

10. Refusing to allow state or federal representatives access to any area of an abatement site for the purpose of lawful compliance inspections.

11. Failing to notify the board in writing within 30 days after any change in address or name.

12. Acting as or being an ostensible licensee for undisclosed persons who do or will control or direct, directly or indirectly, the operations of the licensee's business.

Any unlawful act or violation of any provision of Chapter 5 (§ 54.1-500 et seq.) of Title 54.1 of the Code of Virginia or of the regulations of the board by any asbestos supervisor or asbestos worker may be cause for disciplinary action against the asbestos contractor for whom he works if it appears to the satisfaction of the board that the asbestos contractor knew or should have known of the unlawful act or violation.

B. Any individual or firm whose license, approval as an accredited asbestos training program, or approval as an accredited asbestos training provider is revoked under this section shall not be eligible to reapply for a period of one year from the effective date of the final order of revocation. The individual or firm shall meet all education, experience and training requirements, complete the application and submit the required fee for consideration as a new applicant.

PART XIIIPART VII.

**STANDARDS OF PRACTICE AND CONDUCT FOR LICENSED
ASBESTOS CONTRACTORS.**

18 VAC 15-20-451. Asbestos contractor responsibilities.

- A. Licensed asbestos contractors shall comply with all requirements, procedures, standards and regulations covering any part of an asbestos project established by the U.S. Environmental Protection Agency, the U.S. Occupational Safety and Health Administration, the Virginia Department of Labor and Industry, and the Divisions of Air Pollution and Waste Management of the Department of Environmental Quality (§ 54.1-517 of the Code of Virginia).
- B. Licensed asbestos contractors shall comply with the requirements found in § 54.1-1100 of the Code of Virginia governing the regulation of general contractors.
- C. A licensed asbestos contractor shall employ only licensed asbestos supervisors and workers to perform work on any asbestos project.
- D. A licensed asbestos contractor shall ensure that a licensed asbestos supervisor is present at each job site while an asbestos project is in progress.

Asbestos Licensing Regulations

E. Prior to the start of any asbestos project, the licensed asbestos contractor shall:

1. Notify the building or property owner or agent of the owner that a licensed project monitor is required to determine that proper work practices are used and compliance with all asbestos laws and regulations is maintained, to collect environmental air samples during the asbestos project, to perform visual inspections of the work area, and to grant final clearance upon completion of the asbestos project.
2. Obtain a written acknowledgment from the owner that the owner has been notified of the requirement to secure the services of a licensed asbestos project monitor. Such acknowledgment must include the address of the building where the asbestos project is to take place; the date the work is to be performed; the name, address, and license number of the licensed asbestos contractor performing the work; and the signature and date of signature of both the building or property owner and the licensed asbestos contractor.
3. Conflict of interest situations and relationships between asbestos contractors and asbestos project monitors are set forth in 18 VAC 15-20-453.2 of this chapter.

18 VAC 15-20-453. Conflict of interest.

The following situations and relationships between license categories are deemed to represent a conflict of interest and are prohibited.

Asbestos Licensing Regulations

1. It is a conflict of interest and a violation of ~~these regulations~~ this chapter for an asbestos contractor to have an employee/employer relationship with, or financial interest in, a laboratory utilized by the contractor for asbestos sample analysis. Laboratories owned by the building owner performing analysis on suspect asbestos samples taken from the building owners' property are exempt from this section.
2. It is a conflict of interest and a violation of ~~these regulations~~ this chapter for an asbestos contractor to have an employee/employer relationship with an asbestos project monitor working on an asbestos project performed by that asbestos contractor. An asbestos contractor shall not have any financial interests in the firm of which a project monitor is an employee and provides project monitoring services for that contractor. This section does not relieve a contractor of the OSHA personal monitoring requirements set forth in 29 CFR 1926.1101.
3. It is a conflict of interest and a violation of ~~these regulations~~ this chapter for an asbestos contractor to enter into a contract to perform an asbestos project if the asbestos inspection or project design was performed by individuals with an employer/employee relationship with, or financial interest in, the asbestos contractor, unless the asbestos contractor provides the building owner with the Virginia Asbestos Licensing Consumer Information Sheet and the Virginia Asbestos Licensing Inspector/Project Designer/Contractor Disclosure Form as prescribed by the department. The asbestos contractor's relationship with the asbestos inspector or project designer on the project shall be disclosed. The disclosure form shall be signed and dated by the licensed contractor and submitted as part

Asbestos Licensing Regulations

of the bid. The disclosure form shall be kept on the asbestos project site and available for review.

~~PART XIV~~PART VIII.

**STANDARDS OF PRACTICE AND CONDUCT FOR
ASBESTOS PROJECT MONITORS.**

18 VAC 15-20-456. Responsibilities.

- A. Asbestos project monitors shall conduct inspections of the contractor's work practices and inspections of the containment when the project monitor is present.
- B. Asbestos project monitors shall be present on the job site each day asbestos abatement activities are being conducted, shall perform the duties and functions established in 18 VAC 15-20-455 of this chapter, and shall maintain a daily log of all work performed. The daily log shall include, but not be limited to, inspection reports, air sampling data, type of work performed by the contractor, problems encountered and corrective action taken.

Asbestos Licensing Regulations

- C. Asbestos project monitors shall take final air samples on all abatement projects, except for abatement projects in residential buildings.
- D. Project monitors who analyze PCM air samples on site shall be employed by a licensed analytical laboratory and shall be listed or have applied for listing in the AAR and rated "acceptable" or is accredited by AIHA or has been rated "proficient" in the PAT Program's most recent round of asbestos evaluations.

PART XVIII.

~~ACCREDITED ASBESTOS TRAINING PROGRAM APPROVAL.~~

~~18 VAC 15-20-459.6. Accredited asbestos training program requirements. (Repealed)~~

- ~~A. Training programs desiring board approval shall meet the minimum requirements established in this chapter. Persons requesting approval as an accredited asbestos training program to prepare training program participants for licensure requirements shall submit an accredited asbestos Training Program Review and Audit Application with the following required information:~~

Asbestos Licensing Regulations

- ~~1. Training provider's business name, physical address, mailing address, and phone number.~~
- ~~2. Copies of approval letters issued by EPA or other states granting approval of asbestos training programs presented by the provider.~~
- ~~3. Applicable fee.~~
- ~~4. The training program curriculum.~~
- ~~5. A narrative explanation that states how the training program meets the requirements for approval in the following areas:
 - ~~a. Length of training in hours.~~
 - ~~b. Amount and type of hands-on training.~~
 - ~~c. Examinations (length, format and passing score).~~
 - ~~d. Topics covered in the training program.~~
 - ~~e. Assurances of test security and how exams are administered.~~~~
- ~~6. A copy of all training program materials including, but not limited to, student manuals, instructor notebooks, handouts, and training aids.~~
- ~~7. A copy of the examination(s) used and applicable answer sheets.~~
- ~~8. The names and qualifications, including education and experience, of each instructor and subject areas that each instructor will teach.~~

Asbestos Licensing Regulations

- ~~9. A description of and an example of a certificate that will be issued to students who successfully complete the accredited asbestos training program. The certificate shall contain the information required by this chapter.~~
- ~~10. A proposed training program date for auditing purposes. The proposed date will be confirmed or an alternate date will be proposed within 10 business days after receipt of a complete accredited asbestos training program submission and the required fee.~~
- ~~B. A complete submission shall consist of all information required by this section. Receipt of application and deposit of fees by the department in no way indicates approval of a training program.~~
- ~~C. A complete application shall be submitted to the department no less than 45 days prior to the requested audit date.~~

~~**18 VAC 15-20-459.7. Approval process. (Repealed)**~~

- ~~A. Upon receipt of a completed application, a preliminary review will be conducted to ensure all written material and other documentation is accurate and up to date. If any deficiencies are noted, a letter will be sent to the applicant indicating the deficiencies and necessary steps to correct them. All deficiencies noted during the preliminary review shall be corrected prior to the on-site audit.~~

Asbestos Licensing Regulations

~~B. Upon successful completion of the preliminary review, an on site audit shall be conducted to complete the application process. If any deficiencies are noted during the audit, the training provider will be informed, either in writing or verbally, and offered an opportunity to correct them. Once the audit is complete and any deficiencies corrected, a letter of approval will be sent to the accredited asbestos training program.~~

~~18 VAC 15-20-459.8. Examination. (Repealed)~~

~~All accredited asbestos training programs approved by the board shall have a monitored, final written examination, except for asbestos workers needing an oral examination. The board recommends the examination include a practical component to test skill in asbestos abatement techniques. Students shall obtain a minimum examination grade of 70% correct. Records of the participant's examination shall be maintained in accordance with this chapter.~~

~~18 VAC 15-20-459.9. Letters of approval. (Repealed)~~

~~Letters of approval for accredited asbestos training programs shall be maintained at the business address listed on the approval letter and made accessible to the public. Each provider of an approved accredited asbestos training program shall maintain all records at the business~~

Asbestos Licensing Regulations

~~address. The required records shall be available for review upon demand by the board or its representatives.~~

~~18 VAC 15-20-459.10. Refresher approval. (Repealed)~~

~~A. Refresher training programs shall be one day (8 hours) for supervisors, workers, project designers and project monitors, and one half day (4 hours) for inspectors and management planners. The refresher training program shall review federal and state regulations; discuss changes to the regulations, if applicable, and developments in state of the art procedures; and review key aspects of the initial training program.~~

~~B. Persons wishing to conduct refresher training programs shall submit a training program review and audit application as established in 18 VAC 15-20-459.6.~~

~~18 VAC 15-20-459.11. Renewal of accredited asbestos training programs.~~

~~Providers of accredited asbestos training programs desiring to renew their approval shall submit the renewal notice to the department along with the following:~~

- ~~1. Appropriate fee.~~
- ~~2. Name of the training program for which they are renewing.~~

Asbestos Licensing Regulations

- ~~3. Any changes made to the training program.~~
- ~~4. Dates on which the training material was last updated.~~
- ~~5. Statement indicating that the training program continues to meet the regulation requirements established in this chapter.~~

~~18 VAC 15-20-459.12. Changes to an approved accredited asbestos training program.~~

~~Once an accredited asbestos training program has been approved, prior to the continuation of the accredited asbestos training program, substantial changes in the information required by subdivisions 1 through 5 of this section shall be submitted to the board for review and approval.~~

~~The board will state its approval or disapproval of the changes by mail.~~

- ~~1. Training program curriculum.~~
- ~~2. Training program examination.~~
- ~~3. Training program materials.~~
- ~~4. Principal instructors.~~
- ~~5. Certificate of completion.~~

~~18 VAC 15-20-459.13. Transfer of approval of an accredited asbestos training program.~~

Asbestos Licensing Regulations

~~The transfer of the approval of an accredited asbestos training program will require a review by the following procedure:~~

- ~~1. The applicant for transfer shall submit an application to the department and materials for review to determine if substantial changes have been made to the program. All submissions shall be in accordance with 18 VAC 15-20-459.6.~~
- ~~2. Receipt of applications and deposit of fees submitted does not indicate approval of the transfer.~~
- ~~3. A review of the submitted materials shall be performed to determine if substantial changes have been made. A substantial change is defined as a change in training program materials, curriculum, principal instructors or facilities at the time of transfer of the accredited asbestos training program. A complete field audit may be conducted of any applicant believed to have made a substantial change.~~

~~**18 VAC 15-20-459.14. Access by the department.**~~

~~Accredited asbestos training providers shall permit department representatives to attend, evaluate, and monitor any accredited asbestos training program. Prior notice of attendance by agency representatives is not required.~~

Asbestos Licensing Regulations

~~18 VAC 15-20-459.15. Suspension or revocation of approval of an accredited asbestos training program.~~

~~A. The board may withdraw approval of any accredited asbestos training program for the following reasons:~~

~~1. The school, instructors, or training programs no longer meet the standards established in this chapter.~~

~~2. The board determines that the provider is not conducting the training in a manner that meets the requirements as set forth in this chapter.~~

~~3. Suspension or revocation of training approval in another state or by the EPA.~~

~~B. Decisions regarding withdrawal of approval shall be made by the board under the provisions of the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).~~

PART XIX**PART XII.**

ACCREDITED ASBESTOS TRAINING PROGRAM PERFORMANCE STANDARDS
OF PRACTICE AND CONDUCT.

Asbestos Licensing Regulations

~~18 VAC 15-20-460. General. (Repealed)~~

~~This part outlines the recordkeeping responsibilities for an accredited asbestos training provider (training provider) performing asbestos training under Virginia law. All records are required to be available for review by representatives of the board. Records required to be maintained by the training provider shall be maintained at the physical location of the accredited asbestos training provider.~~

18 VAC 15-20-461. Changes to an approved accredited asbestos training program.

Once an accredited asbestos training program has been approved, prior to the continuation of the accredited asbestos training program, substantial changes in the information required by subdivisions 1 through 5 of this section shall be submitted to the board for review and approval. The board will state its approval or disapproval of the changes by mail.

1. Training program curriculum.
2. Training program examination.
3. Training program materials.

Asbestos Licensing Regulations

4. Principal instructors.

5. Certificate of completion.

18 VAC 15-20-462. Transfer of approval of an accredited asbestos training program.

The transfer of the approval of an accredited asbestos training program will require a review by the following procedure:

1. The applicant for transfer shall submit an application to the department and materials for review to determine if substantial changes have been made to the program. All submissions shall be in accordance with subsections A, B and C of 18 VAC 15-20-30.8.
2. Receipt of applications and deposit of fees submitted does not indicate approval of the transfer.
3. A review of the submitted materials shall be performed to determine if substantial changes have been made. A substantial change is defined as a change in training program materials, curriculum, principal instructors or facilities at the time of transfer of the accredited asbestos training program. A complete field audit may be conducted of any applicant believed to have made a substantial change.

18 VAC 15-20-463. Access by the department.

Asbestos Licensing Regulations

Accredited asbestos training providers shall permit department representatives to attend, evaluate, and monitor any accredited asbestos training program. Prior notice of attendance by agency representatives is not required. All records are required to be available for review by department representatives. Records required to be maintained by the training provider shall be maintained at the physical location of the accredited asbestos training provider.

18 VAC 15-20-464. Withdrawal of approval of an accredited asbestos training program.

A. The board may withdraw approval of any accredited asbestos training program for the following reasons:

1. The school, instructors, or training programs no longer meet the standards established in this chapter.
2. The board determines that the provider is not conducting the training in a manner that meets the requirements as set forth in this chapter.
3. Suspension or revocation of training approval in another state or by the EPA.

B. Decisions regarding withdrawal of approval shall be made by the board under the provisions of the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

Asbestos Licensing Regulations

18 VAC 15-20-470. Record keeping and provision of records to the board.

A. The training manager shall notify the board no less than 48 hours prior to the start date of any accredited asbestos training program.

B. The training manager shall provide an updated notification when an accredited asbestos training program will begin on a date other than the start date specified in the original notification as follows:

1. For accredited asbestos training programs beginning prior to the start date provided to the board, an updated notification must be received by the board at least 48 hours before the new start date.

2. For accredited asbestos training programs beginning after the start date provided to the board, an updated notification must be received by the board at least 48 hours before the start date provided to the board.

C. The training manager shall update the board of any change in location of an accredited asbestos training program at least 48 hours prior to the start date provided to the board.

Asbestos Licensing Regulations

D. The training manager shall update the board regarding any accredited asbestos training program cancellations or any other change to the original notification at least 48 hours prior to the start date provided to the board. This requirement shall not apply to situations or circumstances beyond the control of the training provider.

E. Each notification, including updates, shall include the following:

1. Notification type (original, update, cancellation).

2. Training program name, Virginia accreditation number, address, and telephone number.

3. Course discipline, type (initial/refresher), and the language in which the instruction will be given.

4. Dates and times of training.

5. Training locations, telephone number, and address.

6. Principal instructor's name.

7. Training manager's name and signature.

~~A. F.~~ For all accredited asbestos training programs approved by the board, the training provider shall keep a training program participant list of all of the individuals ~~training program~~

Asbestos Licensing Regulations

~~participants~~ attending the accredited asbestos training program. The training program participant list shall contain the following minimum information:

- ~~1. Training provider;~~
- ~~2. Date of training;~~
- ~~3. Location of training program presentation;~~
- ~~4. Type and length of training;~~
- ~~5. Training program manager and principal instructor;~~
- ~~6. Training program participant's name as it will appear on the Certificate of Completion to be issued by the training provider;~~
- ~~7. Participant's employer, if applicable;~~
- ~~8. Participant's name, address, and social security number;~~
- ~~9. Participant's Virginia asbestos license number, if applicable;~~
- ~~10. The resulting certificate number assigned to a participant who successfully completes the accredited asbestos training program when applicable and expiration date; and~~
- ~~11. The participant's examination score, when applicable.~~

1. Training program name, Virginia accreditation number, address, and telephone number.

2. Course discipline and type (initial/refreshers).

Asbestos Licensing Regulations

3. Dates of training.

4. Location of training program presentation.

5. Each participant's name, address, social security number, course completion certificate number, and course test score.

6. Principal instructor's name.

7. Training manager's name and signature.

~~B. G.~~ The training program participant list shall be completed by the training provider program principal instructor and training program participants daily.

~~C. H.~~ The training program participant list shall be retained by the training provider for three years following the date of completion of the training program.

~~D. The training provider shall provide to the board the training program participant list as described in subsection A of this section within 24 hours of training program completion.~~

I. The training manager shall provide to the board the accredited asbestos training program participant list no later than 24 hours following the training program completion.

J. Notifications and training program participant lists shall be submitted electronically in the manner established by the board specifically to receive this documentation using a sample form designed by and available from the board. Any variation upon this procedure shall be approved by the board prior to submission.

Asbestos Licensing Regulations

- E. K. The training provider shall retain all examinations completed by training program participants for a period of three years.
- ~~F. Training providers shall notify the department no less than 48 hours prior to conducting an accredited asbestos training program.~~
- G. L. The department ~~will~~ shall not recognize training certificates from approved training providers that fail to notify or fail to provide a training program participant list.