



Exempt Action Final Regulation Agency Background Document

Agency name	Board for Asbestos, Lead, and Home Inspectors
Virginia Administrative Code (VAC) citation	18 VAC15-30
Regulation title	Lead-Based Paint Activities Regulations
Action title	Training Program Notification and Participant List Requirements
Final agency action date	May 19, 2004
Document preparation date	June 30, 2004

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Board for Asbestos, Lead, and Home Inspectors adopted proposed amendments to the training program notification and participant list requirements of the Lead-Based Paint Activities Regulations on May 19, 2004. These amendments are necessitated by the implementation of the EPA Final Rule (<http://www.epa.gov/opptintr/lead/notification%20final.pdf>) regarding Notification Requirements for Lead-Based Paint Abatement Activities and Training, effective May 10, 2004.

The regulations currently require training providers to notify the department no less than 48 hours prior to conducting an accredited lead training program, and require training providers to provide to the board the training program participant list within 24 hours of the training program completion.

Amendments to section 18 VAC 15-30-420 specify that notifications must be submitted by the training manager. The notification submission period has been expanded from 48 hours to

seven business days prior to the training course. Specific timeframes have been established for any change in start date, training location, or cancellation of the training program. The amendments list specific information that each notification must include.

The amendments specify that participant lists must also be submitted by the training manager. The participant list submission period has been expanded from 24 hours to ten business days following the training program completion. The amendments list specific information that each participant list must include.

Also, the method of submitting notifications and participant lists, currently used as department procedure, is established in regulation.

Language has been modified in section 18 VAC 15-30-820 to indicate that failure to submit notifications and participant lists as required and in the manner described in section 18 VAC 15-30-420 is a violation of the Board's regulations.

The Board is seeking to promulgate these amendments via the Exempt procedures as provided for in § 2.2-4006.A.4.c of the Administrative Process Act, which are necessary to meet the requirements of federal regulation. The Board's Lead-Based Paint Activities Regulations must be as restrictive as EPA's regulations for Virginia to maintain its status as an EPA-Authorized State; and the Code of Virginia requires Virginia's regulations to be no more stringent than EPA regulations (§ 54.1-501.6).

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

No impact on families in Virginia has been identified as resulting from these regulation amendments.