

1 10A NCAC 41C .0602 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 41C .0602 ACCREDITATION**

4 (a) No person shall perform asbestos management activities until that person has been accredited by the Program in
5 the appropriate accreditation category, as set forth in Paragraphs (b) and (c) of this Rule, except as provided for in
6 G.S. ~~130A-447, (b) 130A-447(b)~~ and (c).

7 (b) An applicant for accreditation shall meet the ~~provisions~~ requirements of the "EPA Model Contractor Accreditation
8 Plan" contained in 40 CFR Part 763, Subpart E, Appendix C and ~~shall successfully~~ complete the applicable training
9 courses approved by the Program pursuant to Rule .0603 of this ~~Section~~. Section and as set forth in this Rule for each
10 accreditation category. ~~However, an An~~ applicant applying for roofing worker or roofing supervisor accreditation
11 shall only be required to ~~successfully~~ complete the ~~applicable~~ training courses as described under Rule .0611 of this
12 Section.

13 (c) In addition to the requirements in Paragraph (b) of this Rule, an applicant, other than for the worker or roofing
14 worker categories, shall meet the following:

15 (1) an applicant for initial accreditation shall have ~~successfully~~ completed an approved initial training
16 course for the ~~specific~~ discipline in which the applicant seeks accreditation within the 12 months
17 immediately preceding application. If initial training was completed more than 12 months prior to
18 application, the applicant shall have ~~successfully~~ completed an approved refresher training course
19 for the ~~specific~~ discipline in which he or she seeks accreditation at least every 24 months from the
20 date of completion of initial training to the date of application;

21 (2) an inspector shall have:

22 (A) a high school diploma or equivalent; and

23 (B) at least three months of experience working as an accredited asbestos inspector ~~related~~
24 ~~experience as, or three months of experience working~~ under the direct supervision ~~of, of~~
25 an accredited ~~inspector, or equivalent experience;~~ inspector.

26 (3) a management planner shall have a high school diploma or equivalent and shall be an accredited
27 ~~inspector;~~ inspector, as defined in Subparagraph (c)(2) of this Rule.

28 (4) a supervisor or roofing supervisor shall have:

29 (A) a high school diploma or equivalent; except that this requirement shall not apply to
30 supervisors that were accredited on November 1, 1989, or roofing supervisors that were
31 accredited prior to April 1, 1997; and

32 (B) at least three months of experience working as an accredited asbestos supervisor ~~related~~
33 ~~experience as, or three months of experience working~~ under the direct supervision ~~of, of~~
34 an accredited ~~supervisor, or equivalent experience;~~ supervisor.

35 (5) an abatement designer shall have:

36 (A) a high school diploma or equivalent; and

- 1 (B) at least three months of experience working as an accredited asbestos designer related
2 ~~experience as~~, or three months of experience working under the direct supervision ~~of~~, of
3 an accredited abatement ~~designer, or equivalent experience; designer.~~
- 4 (6) an air monitor shall work only under an accredited supervising air monitor or meet the provisions
5 of Part (c)(7)(C) of this Rule. However, this requirement shall not apply to the owner or operator of
6 a building and his ~~permanent~~ employees when performing air monitoring in non-public areas. In
7 addition, all air monitors shall meet the following requirements:
- 8 (A) Education and Work Experience:
- 9 (i) a high school diploma or equivalent; and
- 10 (ii) at least three months of experience working as an asbestos air monitor monitoring
11 ~~experience as~~, or three months of experience working under the direct supervision
12 ~~of~~, of an accredited air ~~monitor or equivalent within 12 months prior to applying~~
13 ~~for accreditation; monitor.~~
- 14 (B) Training Requirements:
- 15 (i) complete a Program approved NIOSH National Institute for Occupational Safety
16 and Health (NIOSH) 582 or Program approved NIOSH 582 ~~equivalent~~
17 Equivalency Course and meet the initial and refresher training requirements of
18 this Rule for supervisors; Program approved project monitor refresher course may
19 be substituted for the supervisor refresher course; or
- 20 (ii) meet the initial and refresher training requirements of this Rule for a Program
21 approved five-day project monitor course and a Program approved annual
22 refresher ~~course; course.~~
- 23 ~~(iii) air monitors with a valid accreditation on October 1, 1994 shall have until October~~
24 ~~1, 1995 to meet the training requirements for air monitors set forth in this~~
25 ~~Paragraph;~~
- 26 (7) a supervising air monitor shall meet the following requirements:
- 27 (A) Education and Work Experience:
- 28 (i) a high school diploma or equivalent;
- 29 (ii) at least three months of experience working as an asbestos air monitoring
30 ~~experience as~~, monitor or three months of experience working under the direct
31 supervision ~~of~~, of an accredited air ~~monitor monitor. or equivalent within 12~~
32 ~~months prior to applying for accreditation;~~
- 33 (B) Training Requirements:
- 34 (i) complete a Program approved NIOSH 582 or Program approved NIOSH 582
35 ~~equivalent~~ Equivalency Course and meet the initial and refresher training
36 requirements of this Rule for supervisors; a Program approved project monitor
37 refresher course may be substituted for the supervisor refresher course; or

1 (ii) meet the initial and refresher training requirements of this Rule for a Program
2 approved five-day project monitor course and a Program approved annual
3 refresher ~~course;~~ course.

4 ~~(iii) supervising air monitors with a valid accreditation on October 1, 1994 shall have~~
5 ~~until October 1, 1995 to meet the training requirements for supervising air~~
6 ~~monitors set forth in this Paragraph;~~

7 (C) Professional Status:

8 (i) a supervising air monitor who was accredited as an air monitor on or after
9 February 1, 1991, or an air monitor accredited prior to that date who has not
10 continuously maintained accreditation, shall be a Certified Industrial Hygienist;

11 (ii) a supervising air monitor who was accredited as an air monitor prior to February
12 1, 1991, who has continuously maintained accreditation shall be a Certified
13 Industrial Hygienist, Professional Engineer, or Registered ~~Architect;~~ Architect.

14 (D) Air monitors with a valid accreditation on January 1, 1995 supervising other accredited air
15 monitors shall be deemed to be accredited supervising air monitors for the duration of their
16 existing air monitor accreditation.

17 (d) To obtain accreditation, the applicant shall ~~submit~~ submit, or cause to be submitted, to the Program:

18 (1) a completed application on a form provided by the ~~Program~~ Program, which is available at:
19 <https://epi.dph.ncdhhs.gov/asbestos/healthaz.html>. A completed application form shall include with
20 the following information:

21 (A) ~~full name; name and social security number of applicant;~~

22 (B) address, including city, state, zip code, and telephone number;

23 (C) date of birth, sex, height, and weight;

24 (D) discipline applied for;

25 (E) name, address, and telephone number of employer;

26 (F) training agency attended;

27 (G) name of training course completed; and

28 (H) dates of course attended;

29 (2) ~~one two~~ current 1.25 43 inch x 1.25 43 inch color ~~photograph~~ photographs of the applicant per
30 application with the applicant's full name and social security number printed on the back; back of
31 each photograph;

32 (3) ~~confirmation~~ confirmation of completion of an approved initial or refresher training course from the
33 training ~~agency;~~ agency. ~~The~~ the confirmation shall be in the form of an original certificate of
34 completion of the approved training course bearing the training agency's official ~~seal;~~ seal or an
35 original letter from the training agency on training agency letterhead that confirming completion of
36 the course on training agency letterhead, or an original letter from the training agency listing names

1 of persons who have successfully completed the training course, with the applicant's name included,
2 on the training agency letterhead; includes the following information:

3 (A) the name of the course completed;

4 (B) the date of course completion;

5 (C) the unique certificate number; and

6 (D) a list of names for the individuals who successfully completed the training course, with the
7 applicant's name included in that list;

8 (4) when education is a ~~requirement~~, requirement in accordance with this Rule, a copy of the ~~diploma~~
9 diploma; or other written documentation;

10 (5) when work experience is a ~~requirement~~, requirement in accordance with this Rule, documentation
11 of the applicant's asbestos related work experience that includes the following: work history
12 documenting asbestos related experience, including employer name, address and phone number;
13 positions held; and dates when the positions were held; and

14 (A) employer name;

15 (B) employer address and phone number;

16 (C) position(s) held by applicant; and

17 (D) dates when the applicant held each position;

18 (6) when applicants for initial air monitor accreditation are working under an accredited supervising air
19 monitor pursuant to Subparagraph (c)(6) of this Rule, the accredited supervising air monitor shall
20 submit an original, signed letter acknowledging responsibility for the applicant's air monitoring
21 activities. The applicant shall ensure that a new letter is submitted to the Program any time the
22 information in the letter currently on file is no longer accurate.

23 (e) All accreditations shall expire at the end of the 12th month following completion of required initial or refresher
24 training. Work performed after the 12th month and prior to reaccreditation shall constitute a violation of this Rule.
25 To be reaccredited, an applicant shall have ~~successfully~~ completed the required refresher training course within 24
26 months after the initial or refresher training course. An applicant for reaccreditation shall also submit information
27 specified in Subparagraphs (d)(1)-(d)(6) of this Rule. If a person fails to obtain the required training within 12 calendar
28 months after the expiration date of accreditation, that person ~~may~~ shall be accredited only by meeting the requirements
29 of Paragraphs (b), (c), and (d) of this Rule.

30 (f) All accredited persons shall be assigned an accreditation number and issued a photo-identification card by the
31 Program.

32 (g) In accordance with G.S. 130A-23, the Program may revoke accreditation or reaccreditation for any violation of
33 G.S. 130A, Article 19 or the rules in this Section, or upon determining finding that its issuance was based upon
34 incorrect or inadequate information that materially affected the decision to issue accreditation or reaccreditation. The
35 Program ~~shall may~~ also revoke accreditation or reaccreditation upon a finding that the accredited person has violated
36 any requirement referenced in Rule .0605(e) of this Section. A person whose accreditation is revoked because of
37 fraudulent misrepresentations or because of violations that create a significant public health hazard shall not reapply

1 for accreditation before six months after the revocation and shall repeat the initial training course and other
2 requirements as set out in Paragraphs (b), (c), and (d) of this Rule.

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4 *History Note:* Authority G.S. 130A-5(3); 130A-23; 130A-447;

5 *Temporary Amendment Eff. November 8, 1994 for a period of 180 days or until the permanent rule*
6 *becomes effective, whichever is sooner;*

7 *Temporary Amendment Eff. November 1, 1989 for a period of 180 days to expire on April 30, 1990;*

8 *Temporary Rule Eff. October 28, 1988 for a period of 180 days to expire on*

9 *April 26, 1989;*

10 ~~*Authority G.S. 130A-5(3); 130A-447; P.L. 99-519;*~~

11 ~~*Eff. March 1, 1989;*~~

12 ~~*Amended Eff. July 1, 1996; January 1, 1995; October 1, 1994; August 1, 1991; February 1, 1990.*~~