

10A NCAC 41C .0904 ACCREDITATION OF TRAINING COURSES

(a) Pursuant to Rule .0902 of this Section, applicants for certification and certification renewal are required to successfully complete training courses accredited by the Program. Training courses:

- (1) Taught in locations other than North Carolina and accredited by US EPA or by a state with a US EPA authorized program shall be deemed accredited for certification purposes of the Program;
- (2) Taught in North Carolina and accredited by a state, tribe, or territory that has a written reciprocating agreement with the Program shall meet the requirements of Paragraphs (b), (c), (e), (g), and (h) of this Rule to be accredited by the Program;
- (3) Taught in North Carolina, other than those covered in Subparagraphs (2) and (4) of this Paragraph, shall meet the requirements of this Rule;
- (4) Taught in North Carolina prior to August 1, 2010, and accredited by US EPA or by a state with a US EPA authorized program shall be deemed accredited for certification purposes of the Program.

(b) A training provider may apply for initial and refresher training course accreditation for the following disciplines: renovator and dust sampling technician. Training providers applying for course accreditation shall submit a completed training course application to the Program for review and evaluation, pursuant to Paragraph (e) of this Rule. Once a training course is accredited, any changes in curriculum, hands-on exercises, examination, training manual or materials, or quality control plan from the original course accreditation application shall be submitted and approved by the Program prior to implementation.

(c) For all courses, the training provider shall administer a closed book examination. Initial courses shall include a hands-on skills assessment. Initial and refresher course examinations shall consist of a minimum of 25 multiple choice questions.

(d) Training courses shall be evaluated for accreditation purposes by the Program for course administration, course length, curriculum, training methods, instructors' teaching effectiveness, technical accuracy of written materials and instruction, examination, and training certificate. The evaluation shall be conducted using 40 CFR Part 745 Subpart L.

(e) Training course providers shall submit the following for evaluation by the Program:

- (1) A completed application on a form provided by the Program, along with supporting documentation. The form and supporting documentation shall include the following:
 - (A) name, address including city, state, and zip code, and telephone number of the training provider, and name and signature of the contact person, training manager, and principal instructor;
 - (B) course title, location, and the language in which the course is to be taught;
 - (C) course agenda;
 - (D) a copy of all written instructional material to be used;
 - (E) learning or performance objectives for each topic to be taught;
 - (F) a copy or description of all audio/visual materials to be used;
 - (G) a description of each hands-on training activity and skills assessment, including criteria for determining student proficiency;
 - (H) a description of instructional facilities and equipment;
 - (I) a copy of a sample exam with correct answers marked and exam blueprint; and
 - (J) a written policy for administration of oral exams.
- (2) A sample course certificate with the following information:
 - (A) name and address, including city, state, and zip code of the student;
 - (B) training course title specifying "initial" or "refresher" of training course completed;
 - (C) inclusive dates of course and applicable examination;
 - (D) a statement that the student successfully completed the course and hands-on skills assessment and passed the required examination;
 - (E) unique certificate number;
 - (F) student photo;
 - (G) printed name and signature of the training course manager and printed name of the principal instructor;
 - (H) name, address including city, state, and zip code, and telephone number of the training provider;
 - (I) training course location; and
 - (J) for training courses taught in languages other than English, the certificate shall indicate the language of the course;

- (3) A list of accredited lead training courses being offered for certification;
 - (4) A list of instructors who will teach in North Carolina and their qualifications in accordance with 40 CFR 745 Subpart L Subsection .225(c)(2); and
 - (5) A copy of the course quality control plan that meets the requirements of 40 CFR 745 Subpart L Subsection .225(c)(9).
- (f) An application for course accreditation by the Program shall be processed as follows:
- (1) The Program shall review the application and supporting documentation and advise the applicant of any deficiencies. If the deficiencies are not corrected within 12 months from the date of application, the application and any supporting documentation shall be returned to the applicant and the applicant shall re-submit a completed application. Approval of submitted documentation does not constitute course accreditation;
 - (2) If the submitted documentation meets all applicable requirements of this Rule, the Program shall notify the applicant of this and also advise the applicant that it may contact the Program to schedule an on-site audit. The on-site audit shall be of a class of at least two student attendees and taught in North Carolina;
 - (3) If the Program determines, as a result of the on-site audit, that the training course meets all applicable requirements of this Rule, it shall issue course accreditation. If the course does not meet these requirements, the Program shall notify the applicant of the deficiencies and advise the applicant that it may request one additional on-site audit, which shall be held no more than six months from the date of the first audit; and
 - (4) If the Program determines, as the result of the second audit, that the training course meets all applicable requirements of this Rule, it shall issue course accreditation. If the course does not meet all these requirements, the Program shall notify the applicant of the deficiencies, return all the application materials, and advise the applicant that it may not reapply for course accreditation for the audited course for a period of six months from the date of the last audit.
- (g) Training course providers shall perform the following in order to maintain accreditation of all initial and refresher courses:
- (1) Issue a certificate of training meeting the requirements of Subparagraph (e)(2) of this Rule to any student who successfully completes the required training and the hands-on skills assessment, and passes the applicable examination;
 - (2) Submit to the Program written notice of intention to conduct a training course for North Carolina lead certification purposes, if the course is to be taught in North Carolina. Notices for training courses shall be postmarked or received 10 working days before the training course begins. If the training course is canceled or there is a change of instructors or course location, the training course provider shall notify the Program at least two working days prior to the scheduled start date. Notification of intent to conduct a training course shall be made using a form provided by the Program and shall include the following:
 - (A) training provider name, address including city, state, and zip code, telephone number, and contact person;
 - (B) training course title;
 - (C) inclusive dates of course and applicable exam;
 - (D) start and completion times;
 - (E) location of the course facility and directions to the course facility;
 - (F) language in which the course is taught; and
 - (G) signature of the training manager;
 - (3) Notify the Program, in writing, at least 10 working days prior to the scheduled course start date, of any changes to course length, training methods, training certificate, or training course manager;
 - (4) Submit to the Program information and documentation for any course accredited pursuant to this Rule if requested by the Program;
 - (5) Ensure that all training courses covered under this Rule meet the requirements of 40 CFR Part 745 Subpart L, Subsection .225(c), (d), and (e) and the following requirements:
 - (A) the instructor must follow the curriculum that was approved by the Program, US EPA, or a state, tribe, or territory with whom the Program has a reciprocity agreement. The schedule may be adjusted, but all curriculum elements shall be covered;
 - (B) all initial and refresher training courses shall have a maximum of 30 students;
 - (C) a day of training shall include at least eight training hours;

- (D) a training course shall be completed within a two-week period;
 - (E) instructor ratio for hands-on training shall be no more than 10 students per instructor;
 - (F) all course materials shall be in the language in which the course is being taught;
 - (G) each training course shall be discipline specific;
 - (H) students shall be allowed to take an examination no more than twice for each course. The exam used for retesting shall be different from the previous exam. After two failures, the student shall retake the full course before being allowed to retest; and
 - (I) training providers shall provide examination security to prevent student access to the examination materials before and after the exam. Training providers shall take measures to preclude cheating during the exam, such as providing space between students, prohibiting talking, and monitoring students throughout the exam.
- (6) Verify, by photo identification, the identity of any student requesting training;
 - (7) Submit a completed renewal application on a form provided by the Program for each course accredited by the Program, and taught in North Carolina, for which the training provider is seeking renewal;
 - (8) Conduct work practice and worker protection demonstrations and hands-on exercises presented in all training courses covered under this Rule in accordance with Rule .0906 of this Section and 29 CFR 1926.62, which is hereby incorporated by reference, including any subsequent amendments and editions; and
 - (9) Teach the course at least once every five years in North Carolina.
- (h) Training course providers shall permit Program representatives to attend, evaluate and monitor any training course, take the course examination, and have access to records of training courses without charge or hindrance to the Program for the purpose of evaluating compliance with these Rules. The Program shall perform periodic and unannounced on-site audits of training courses.
- (i) In accordance with G.S. 130A-23, the Program may suspend, revoke, or deny accreditation for a training course for any violation of G.S. 130A, Article 19B or the Rules of this Section and shall revoke accreditation upon revocation of accreditation by the US EPA or by any state with a US EPA authorized accreditation program. The Program shall also revoke course accreditation for all courses taught by a training provider upon a finding that the training course provider has issued one or more certificates to an individual who did not actually attend the course, successfully complete the hands-on exercises, and pass the examination. When course accreditation is revoked for improper issuance of certificates, the training course provider is not eligible for reaccreditation for a period of 36 months from the date of revocation.

History Note: Authority G.S. 130A-453.26; 130A-453.31; 130A-23; Temporary Adoption Eff. January 1, 2010; Eff. November 1, 2010; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019.