



U.S. Environmental Protection Agency Applicability Determination Index

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Category: Asbestos
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Title: Training Requirements
Recipient: Reed, Kenneth
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Subparts: Part 61, M, Asbestos

Abstract:

Q. What is the basis for EPA's training requirements for asbestos work?

A. EPA's regulations are a result of Congressional mandates. The Toxic Substances Control Act establishes the following requirements: (1) workers must be accredited by a state or by a program approved by the Administrator, (2) State training plans must be as stringent as the Administrator's model plan and must include a final examination, and (3) workers must meet continuing education requirements. The regulations are designed to ensure that public exposure to asbestos is minimized.

Letter:

Mr. Kenneth P. Reed Ph.D., CIH
3027 Dixie Highway, Suite 117
Edgewood, KY 41017

Dear Dr. Reed:

Your November 17, 1994 letter to Vice President Gore was forwarded to the Environmental Protection Agency's (EPA), Manufacturing, Energy, and Transportation Division in the Office of Compliance for response. In your letter, you expressed a concern about the training requirements specified under various rules and specifically for the asbestos regulations. This response deals specifically with your concerns as they relate to the asbestos regulations, but the general principles apply to other regulated areas as well.

While it is true that EPA regulations require training for asbestos projects, EPA's regulations are a result of Congressional mandates. The Toxic Substances Control Act (TSCA) section 2646 states that a person may not inspect for asbestos-containing material, or design or conduct response actions (other than operations and maintenance programs as specified) in a school or in a public or commercial building unless such person is accredited by a State or accredited pursuant to an Administrator-approved course. Additionally, the State plan shall be at least as stringent as the model plan developed by the Administrator. The statute requires that the plan shall include a requirement that any person listed must achieve a passing grade on a final examination. Finally, participation in continuing education to stay informed about current asbestos inspection and response action technology is also required.

The training courses were set up to ensure that anyone involved in asbestos work has a certain minimum understanding of the work, and knows how to comply with the regulations governing the work. Compliance with the regulations is the best way to ensure that public exposure to asbestos is minimized. Having a professional degree may help a person understand the technologies behind asbestos inspections and abatement, but that does not mean that the person knows the requirements of the regulations or how to properly analyze and safely remove any asbestos-containing material.

I appreciate this opportunity to be of service to you and trust that this information will be helpful.

Sincerely,

John B. Rasnic
Manufacturing, Energy, and Transportation Division Office of Compliance

cc: Tom Ripp