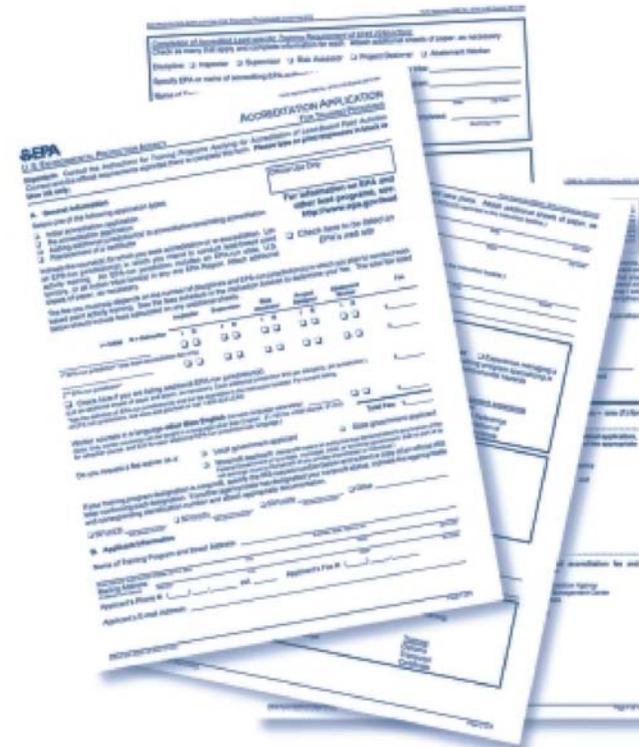




Instructions for Training Providers

Applying for Accreditation of Lead-Based Paint Activity Training Programs



IMPORTANT MAILING ADDRESSES

Mail application and a photocopy of fee payment to:	U.S. Environmental Protection Agency OPPTS (MC 74040T) LBP Activities Accred./Cert. Request 1200 Pennsylvania Avenue, NW Washington, DC 20460
Mail a check or money order for the fees to:	U.S. Environmental Protection Agency Washington Financial Management Center* Lead Program User Fees P.O. Box 360277M Pittsburgh, PA 15251

*This address does not accept applications or application materials; it accepts only fees.

FEES SCHEDULE

Course	Accreditation Fee	Re-accreditation Fee [every 4 years, see 40 CFR 745.225(f)(1)]
Initial Course		
Inspector	\$2,500	\$1,600
Supervisor	\$3,250	\$2,050
Risk Assessor	\$1,760	\$1,150
Project Designer	\$1,010	\$710
Abatement Worker in English	\$1,760	\$1,150
In language other than English*	\$1,760	\$1,150
Refresher Course		
Inspector	\$1,010	\$710
Supervisor	\$1,010	\$710
Risk Assessor	\$1,010	\$710
Project Designer	\$640	\$490
Abatement Worker in English	\$1,010	\$710
In language other than English*	\$1,010	\$710
Multi-jurisdictional Accreditation Fee**	\$35 per discipline for each additional EPA-run jurisdiction***	
Replacement Certificate	\$15	

*Applies to Abatement Worker courses only.

**Multi-jurisdictional accreditation applies to an applicant applying in more than one EPA-run jurisdiction.

***An EPA-run jurisdiction includes an EPA-run state, a U.S. territory, or all Indian tribal land(s) in any one EPA Region. (For current listing of EPA-run jurisdictions, see www.epa.gov/lead or call 1-800-424-LEAD.)

(Fee examples are included on page 5 of this booklet.)

Instructions for Training Programs Applying for Accreditation of Lead-Based Paint Activities Courses

You may apply to the U.S. Environmental Protection Agency (EPA) for accreditation or re-accreditation of a lead-based paint activities initial course(s) and/or refresher course(s) in any of the following disciplines: **Inspector, Supervisor, Risk Assessor, Project Designer, or Abatement Worker** in states, U.S. territories, and all Indian tribal land(s) in any one EPA Region where EPA implements the lead-based paint accreditation program. If EPA does not administer the accreditation program in an area where you wish to offer training, you must apply directly to that state, territory, or Indian tribe for accreditation.

These instructions supplement EPA form 8500-25 (Rev 08/02), *Accreditation Application For Training Programs*. Please note that you must use a separate application form for each application type. For example, if you are applying for initial and re-accreditation in two disciplines, you must use two separate application forms.

HOW TO APPLY FOR INITIAL ACCREDITATION

To apply for accreditation of a training program(s), you must:

- Complete, sign, and date EPA form 8500-25 (Rev 08/02).
- Calculate the appropriate fee using the fees schedule listed on the inside front cover.
- Provide education, experience, and other documents for the Training Program Manager and Principal Course Instructor.
- Enclose the following materials with your application:
 - ▶ Description of training facilities and hands-on training equipment;
 - ▶ Course test blueprint;
 - ▶ Description of activities and procedures for conducting the hands-on skills assessment; and
 - ▶ Quality control plan(s), described in 40 CFR §745.225(c)(9).

- Indicate whose course materials you will use:
 - ▶ EPA-recommended;
 - ▶ EPA-authorized state or Indian tribe approved (for all course materials that are approved by an EPA-authorized state or Indian tribe, you must also enclose a copy of the authorized program approval of the course); or
 - ▶ Your own (for all course materials that are your own, that is, are not EPA-recommended or approved by an EPA-authorized state or Indian tribe, you must also enclose a complete course packet, including an agenda, student and instructor manuals, course tests, and other materials).
- Submit a complete course packet for each discipline. If a document is used in multiple courses, a copy of the document must be included in each course packet. Submitting incomplete sets of course materials will delay the review of all materials submitted for accreditation.
- Print “*Lead Program User Fees*” on the check or money order for the fee and mail it to the EPA address in Pittsburgh, PA listed on the inside front cover.
- Mail the completed application and a photocopy of the check or money order to the EPA Headquarters address in Washington, D.C. listed on the inside front cover.

HOW TO APPLY FOR RE-ACCREDITATION

All training course accreditations expire every four (4) years. To ensure that your training program will be re-accredited before your current accreditation expires, you must submit your re-accreditation application no later than 180 days before the expiration date.

For re-accreditation, complete only sections A (General Information), B (Applicant Information), F (Re-Accreditation Applicants Only), and H (Certification Statement) of the application and follow the mailing instructions for the application and fee.

AMENDED APPLICATION

Amended applications must be sent to EPA Headquarters in Washington D.C. EPA will distribute the amended information to the appropriate Regional offices.

REPLACEMENT OF A CERTIFICATE

To replace a certificate, complete only sections A (General Information), B (Applicant Information), and H (Certification Statement) of the application and follow the mailing instructions for the application and fee.

FEES

The fee for applying for accreditation, re-accreditation, and other requests is listed on the inside front cover. It is important that you:

- Calculate fee based on the number of discipline(s) and EPA-run jurisdiction(s) in which you plan to operate.
- Submit one \$35 fee for all Indian tribal land(s) in any one EPA Region, if applying for accreditation in multiple Indian tribal lands, and list each tribe by name and include their address(es).
- Include a list of the courses and EPA-run jurisdiction(s) with your fee, if you are applying for accreditation for more than one course.
- Write your total fee amount in section A of the application, even if you attach additional sheets of paper listing additional EPA-run jurisdictions.
- Make the check or money order payable to **U.S. Environmental Protection Agency**. Other methods of payment include wire transfer, electronic funds transfer, and, for government payers only, on-line payment agency collection (OPAC).

- Print "*Lead Program User Fees*" on your check or money order for the fee and mail it to the EPA address in Pittsburgh, PA listed on the inside front cover.
- Include a photocopy of the check or money order with the application and send the application to the EPA Headquarters address in Washington, D.C. listed on the inside front cover.

Detach and include this perforated fee payment stub with your fee payment:

Lead Program User Fees

Name _____

Disciplines applying for: _____

EPA-run jurisdiction(s): _____

Fee total (includes base fee and additional jurisdictions): _____

*If you need additional space, this stub may be copied.

FEE EXAMPLES

- 1) If training program is applying for initial Worker course accreditation in two states:

Initial Worker accreditation fee	\$ 1760
One additional state fee*	<u>\$ 35</u>
Total Amount Due:	\$ 1795

- 2) If training program is applying for initial Worker Spanish and initial Worker Polish courses accreditation in two states:

Initial Worker Spanish accreditation fee	\$ 1760
Initial Worker Polish accreditation fee	\$ 1760
One additional state fee* (2 disciplines)	<u>\$ 70</u>
Total Amount Due:	\$ 3590

- 3) If training program is applying for refresher Worker course accreditation in two states and all Indian tribes in one EPA Region:

Refresher Worker accreditation fee	\$ 1010
One additional state fee*	\$ 35
All Indian tribes in one EPA Region fee*	<u>\$ 35</u>
Total Amount Due:	\$ 1080

- 4) If training program is applying for initial Inspector and initial Supervisor re-accreditation in two states:

Initial Inspector re-accreditation fee	\$ 1600
Initial Supervisor re-accreditation fee	\$ 2050
One additional state fee* (2 disciplines)	<u>\$ 70</u>
Total Amount Due:	\$ 3720

*Each accreditation request includes the fee for one EPA-run jurisdiction.

EPA's Accreditation Fees Refund Policy

Training programs having submitted an application and associated fees for accreditation or re-accreditation who wish to withdraw their application prior to Agency approval will receive a fee refund based upon the schedule listed below. **Training programs who request a refund more than 10 days after the Agency receives the application will not receive a 100 percent refund.**

Number of Days Following Agency Receipt of Application	Percent Reimbursable (based upon total fees submitted for a particular discipline)
up to 10 days	100%
11 to 60 days	75%
61 to 120 days	50%
121 or more days	25%

Note: Refunds will only be made after EPA verifies fee receipt and deposit by the U.S. Treasury.

Training programs must notify the Agency in writing in order to qualify for a refund. The date of withdrawal is the date on which the Agency received the withdrawal notification.

EPA will not refund fees after granting a training program accreditation or re-accreditation. Refunds are granted only on a per discipline basis. Therefore, training programs must withdraw their application for a particular discipline in all EPA-run jurisdiction(s) included on the application. If your application is disapproved, EPA will not refund fees.

Refunds are not available for replacing a certificate.

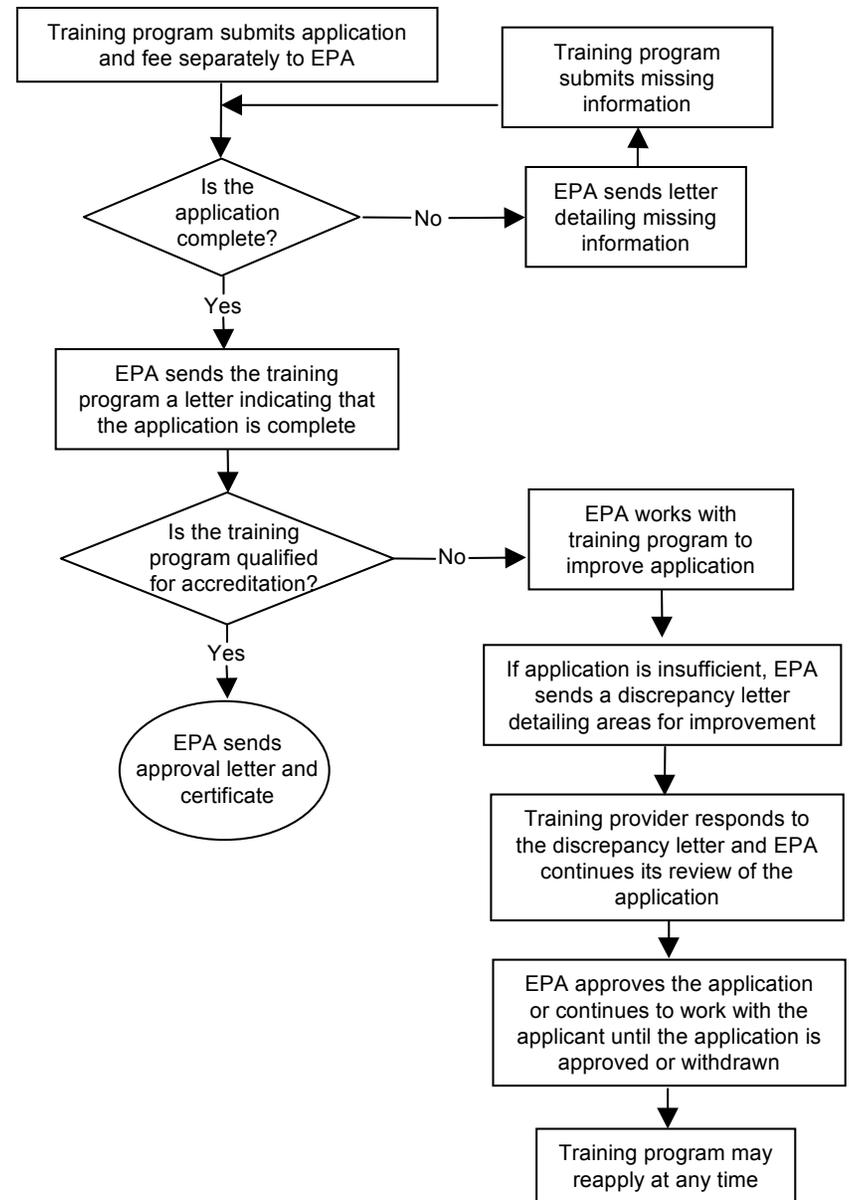
APPLICATION PROCESS

EPA processes applications on a first-come, first-served basis. The flowchart on the following page depicts the application process for training program accreditation. EPA has up to 180 days after receiving a complete request for accreditation to approve or disapprove the application.

INCOMPLETE APPLICATION

If your application is incomplete, EPA will not process your application. If any components of your application are missing, your application will become inactive for a period not to exceed 30 days until the application is made complete. If you do not complete your application, EPA will return the application package. You may apply again with a complete package. Please call 1-800-424-LEAD to see if your application is complete.

APPLICATION PROCESS FOR TRAINING PROGRAM ACCREDITATION



40 CFR Part 745

Lead; Lead-Based Paint Poisoning Prevention in Certain Residential Structures

§ 745.225 Accreditation of training programs: target housing and child-occupied facilities.

(a) *Scope.* (1) A training program may seek accreditation to offer lead-based paint activities courses in any of the following disciplines: inspector, risk assessor, supervisor, project designer, and abatement worker. A training program may also seek accreditation to offer refresher courses for each of the above listed disciplines.

(2) Training programs may first apply to EPA for accreditation of their lead-based paint activities courses or refresher courses pursuant to this section on or after August 31, 1998.

(3) A training program shall not provide, offer, or claim to provide EPA-accredited lead-based paint activities courses without applying for and receiving accreditation from EPA as required under paragraph (b) of this section on or after March 1, 1999.

(b) *Application process.* The following are procedures a training program shall follow to receive EPA accreditation to offer lead-based paint activities courses:

(1) A training program seeking accreditation shall submit a written application to EPA containing the following information:

(i) The training program's name, address, and telephone number.

(ii) A list of courses for which it is applying for accreditation.

(iii) A statement signed by the training program manager certifying that the training program meets the requirements established in paragraph (c) of this section. If a training program uses EPA-recommended model training materials, or training materials approved by a State or Indian Tribe that has been authorized by EPA under subpart Q of this part, the training program manager shall include a statement certifying that, as well.

(iv) If a training program does not use EPA-recommended model training materials or training materials approved by an authorized State or Indian Tribe, its application for accreditation shall also include:

(A) A copy of the student and instructor manuals, or other materials to be used for each course.

(B) A copy of the course agenda for each course.

(v) All training programs shall include in their application for accreditation the following:

(A) A description of the facilities and equipment to be used for lecture and hands-on training.

(B) A copy of the course test blueprint for each course.

(C) A description of the activities and procedures that will be used for conducting the assessment of hands-on skills for each course.

(D) A copy of the quality control plan as described in paragraph (c)(9) of this section.

(2) If a training program meets the requirements in paragraph (c) of this section, then EPA shall approve the application for accreditation no more than 180 days after receiving a complete application from the training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. Prior to disapproval, EPA may, at its discretion, work with the applicant to address inadequacies in the application for accreditation. EPA may also request additional materials retained by the training program under paragraph (i) of this section. If a training program's application is disapproved, the program may reapply for accreditation at any time.

(3) A training program may apply for accreditation to offer courses or refresher courses in as many disciplines as it chooses. A training program may seek accreditation for additional

courses at any time as long as the program can demonstrate that it meets the requirements of this section.

(4) A training program applying for accreditation must submit the appropriate fees in accordance with § 745.238.

(c) *Requirements for the accreditation of training programs.* For a training program to obtain accreditation from EPA to offer lead-based paint activities courses, the program shall meet the following requirements:

(1) The training program shall employ a training manager who has:

(i) At least 2 years of experience, education, or training in teaching workers or adults; or

(ii) A bachelor's or graduate degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration or program management or a related field; or

(iii) Two years of experience in managing a training program specializing in environmental hazards; and

(iv) Demonstrated experience, education, or training in the construction industry including: lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

(2) The training manager shall designate a qualified principal instructor for each course who has:

(i) Demonstrated experience, education, or training in teaching workers or adults; and

(ii) Successfully completed at least 16 hours of any EPA-accredited or EPA-authorized State or Tribal-accredited lead-specific training; and

(iii) Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

(3) The principal instructor shall be responsible for the organization of the course and oversight of the teaching of all course material. The training manager may designate guest instructors as needed to provide instruction specific to the lecture, hands-on activities, or work practice components of a course.

(4) The following documents shall be recognized by EPA as evidence that training managers and principal instructors have the education, work experience, training requirements or demonstrated experience, specifically listed in paragraphs (c)(1) and (c)(2) of this section. This documentation need not be submitted with the accreditation application, but, if not submitted, shall be retained by the training program as required by the recordkeeping requirements contained in paragraph (i) of this section. Those documents include the following:

(i) Official academic transcripts or diploma as evidence of meeting the education requirements.

(ii) Resumes, letters of reference, or documentation of work experience, as evidence of meeting the work experience requirements.

(iii) Certificates from train-the-trainer courses and lead-specific training courses, as evidence of meeting the training requirements.

(5) The training program shall ensure the availability of, and provide adequate facilities for, the delivery of the lecture, course test, hands-on training, and assessment activities. This includes providing training equipment that reflects current work practices and maintaining or updating the equipment and facilities as needed.

(6) To become accredited in the following disciplines, the training program shall provide training courses that meet the following training hour requirements:

(i) The inspector course shall last a minimum of 24 training hours, with a minimum of 8 hours devoted to hands-on training activities. The minimum curriculum requirements for the inspector course are contained in paragraph (d)(1) of this section.

- (ii) The risk assessor course shall last a minimum of 16 training hours, with a minimum of 4 hours devoted to hands-on training activities. The minimum curriculum requirements for the risk assessor course are contained in paragraph (d)(2) of this section.
- (iii) The supervisor course shall last a minimum of 32 training hours, with a minimum of 8 hours devoted to hands-on activities. The minimum curriculum requirements for the supervisor course are contained in paragraph (d)(3) of this section.
- (iv) The project designer course shall last a minimum of 8 training hours. The minimum curriculum requirements for the project designer course are contained in paragraph (d)(4) of this section.
- (v) The abatement worker course shall last a minimum of 16 training hours, with a minimum of 8 hours devoted to hands-on training activities. The minimum curriculum requirements for the abatement worker course are contained in paragraph (d)(5) of this section.
- (7) For each course offered, the training program shall conduct either a course test at the completion of the course, and if applicable, a hands-on skills assessment, or in the alternative, a proficiency test for that discipline. Each individual must successfully complete the hands-on skills assessment and receive a passing score on the course test to pass any course, or successfully complete a proficiency test.
- (i) The training manager is responsible for maintaining the validity and integrity of the hands-on skills assessment or proficiency test to ensure that it accurately evaluates the trainees' performance of the work practices and procedures associated with the course topics contained in paragraph (d) of this section.
- (ii) The training manager is responsible for maintaining the validity and integrity of the course test to ensure that it accurately evaluates the trainees' knowledge and retention of the course topics.
- (iii) The course test shall be developed in accordance with the test blueprint submitted with the training accreditation application.
- (8) The training program shall issue unique course completion certificates to each individual who passes the training course. The course completion certificate shall include:
- (i) The name, a unique identification number, and address of the individual.
- (ii) The name of the particular course that the individual completed.
- (iii) Dates of course completion/test passage.
- (iv) Expiration date of interim certification, which shall be 6 months from the date of course completion.
- (v) The name, address, and telephone number of the training program.
- (9) The training manager shall develop and implement a quality control plan. The plan shall be used to maintain and improve the quality of the training program over time. This plan shall contain at least the following elements:
- (i) Procedures for periodic revision of training materials and the course test to reflect innovations in the field.
- (ii) Procedures for the training manager's annual review of principal instructor competency.
- (10) The training program shall offer courses which teach the work practice standards for conducting lead-based paint activities contained in § 745.227, and other standards developed by EPA pursuant to Title IV of TSCA. These standards shall be taught in the appropriate courses to provide trainees with the knowledge needed to perform the lead-based paint activities they are responsible for conducting.
- (11) The training manager shall be responsible for ensuring that the training program complies at all times with all of the requirements in this section.
- (12) The training manager shall allow EPA to audit the training program to verify the contents of the application for accreditation as described in paragraph (b) of this section.
- (d) *Minimum training curriculum requirements.* To become accredited to offer lead-based paint courses instruction in the specific disciplines listed below, training programs must

- ensure that their courses of study include, at a minimum, the following course topics. Requirements ending in an asterisk (*) indicate areas that require hands-on activities as an integral component of the course.
- (1) *Inspector.* (i) Role and responsibilities of an inspector.
- (ii) Background information on lead and its adverse health effects.
- (iii) Background information on Federal, State, and local regulations and guidance that pertains to lead-based paint and lead-based paint activities.
- (iv) Lead-based paint inspection methods, including selection of rooms and components for sampling or testing.*
- (v) Paint, dust, and soil sampling methodologies.*
- (vi) Clearance standards and testing, including random sampling.*
- (vii) Preparation of the final inspection report.*
- (viii) Recordkeeping.
- (2) *Risk assessor.* (i) Role and responsibilities of a risk assessor.
- (ii) Collection of background information to perform a risk assessment.
- (iii) Sources of environmental lead contamination such as paint, surface dust and soil, water, air, packaging, and food.
- (iv) Visual inspection for the purposes of identifying potential sources of lead-based paint hazards.*
- (v) Lead hazard screen protocol.
- (vi) Sampling for other sources of lead exposure.*
- (vii) Interpretation of lead-based paint and other lead sampling results, including all applicable State or Federal guidance or regulations pertaining to lead-based paint hazards.*
- (viii) Development of hazard control options, the role of interim controls, and operations and maintenance activities to reduce lead-based paint hazards.
- (ix) Preparation of a final risk assessment report.
- (3) *Supervisor.* (i) Role and responsibilities of a supervisor.
- (ii) Background information on lead and its adverse health effects.
- (iii) Background information on Federal, State, and local regulations and guidance that pertain to lead-based paint abatement.
- (iv) Liability and insurance issues relating to lead-based paint abatement.
- (v) Risk assessment and inspection report interpretation.*
- (vi) Development and implementation of an occupant protection plan and abatement report.
- (vii) Lead-based paint hazard recognition and control.*
- (viii) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices.*
- (ix) Interior dust abatement/cleanup or lead-based paint hazard control and reduction methods.*
- (x) Soil and exterior dust abatement or lead-based paint hazard control and reduction methods.*
- (xi) Clearance standards and testing.
- (xii) Cleanup and waste disposal.
- (xiii) Recordkeeping.
- (4) *Project designer.* (i) Role and responsibilities of a project designer.
- (ii) Development and implementation of an occupant protection plan for large scale abatement projects.
- (iii) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices for large-scale abatement projects.
- (iv) Interior dust abatement/cleanup or lead hazard control and reduction methods for large-scale abatement projects.

- (v) Clearance standards and testing for large scale abatement projects.
- (vi) Integration of lead-based paint abatement methods with modernization and rehabilitation projects for large scale abatement projects.
- (5) *Abatement worker.* (i) Role and responsibilities of an abatement worker.
- (ii) Background information on lead and its adverse health effects.
- (iii) Background information on Federal, State and local regulations and guidance that pertain to lead-based paint abatement.
- (iv) Lead-based paint hazard recognition and control.*
- (v) Lead-based paint abatement and lead-based paint hazard reduction methods, including restricted practices.*
- (vi) Interior dust abatement methods/cleanup or lead-based paint hazard reduction.*
- (vii) Soil and exterior dust abatement methods or lead-based paint hazard reduction.*
- (e) *Requirements for the accreditation of refresher training programs.* A training program may seek accreditation to offer refresher training courses in any of the following disciplines: inspector, risk assessor, supervisor, project designer, and abatement worker. To obtain EPA accreditation to offer refresher training, a training program must meet the following minimum requirements:
 - (1) Each refresher course shall review the curriculum topics of the full-length courses listed under paragraph (d) of this section, as appropriate. In addition, to become accredited to offer refresher training courses, training programs shall ensure that their courses of study include, at a minimum, the following:
 - (i) An overview of current safety practices relating to lead-based paint activities in general, as well as specific information pertaining to the appropriate discipline.
 - (ii) Current laws and regulations relating to lead-based paint activities in general, as well as specific information pertaining to the appropriate discipline.
 - (iii) Current technologies relating to lead-based paint activities in general, as well as specific information pertaining to the appropriate discipline.
 - (2) Each refresher course, except for the project designer course, shall last a minimum of 8 training hours. The project designer refresher course shall last a minimum of 4 training hours.
 - (3) For each course offered, the training program shall conduct a hands-on assessment (if applicable), and at the completion of the course, a course test.
 - (4) A training program may apply for accreditation of a refresher course concurrently with its application for accreditation of the corresponding training course as described in paragraph (b) of this section. If so, EPA shall use the approval procedure described in paragraph (b) of this section. In addition, the minimum requirements contained in paragraphs (c) (except for the requirements in paragraph (c)(6)), and (e)(1), (e)(2) and (e)(3) of this section shall also apply.
 - (5) A training program seeking accreditation to offer refresher training courses only shall submit a written application to EPA containing the following information:
 - (i) The refresher training program's name, address, and telephone number.
 - (ii) A list of courses for which it is applying for accreditation.
 - (iii) A statement signed by the training program manager certifying that the refresher training program meets the minimum requirements established in paragraph (c) of this section, except for the requirements in paragraph (c)(6) of this section. If a training program uses EPA-developed model training materials, or training materials approved by a State or Indian Tribe that has been authorized by EPA under § 745.324 to develop its refresher training course materials, the training manager shall include a statement certifying that, as well.

- (iv) If the refresher training course materials are not based on EPA-developed model training materials or training materials approved by an authorized State or Indian Tribe, the training program's application for accreditation shall include:
 - (A) A copy of the student and instructor manuals to be used for each course.
 - (B) A copy of the course agenda for each course.
- (v) All refresher training programs shall include in their application for accreditation the following:
 - (A) A description of the facilities and equipment to be used for lecture and hands-on training.
 - (B) A copy of the course test blueprint for each course.
 - (C) A description of the activities and procedures that will be used for conducting the assessment of hands-on skills for each course (if applicable).
 - (D) A copy of the quality control plan as described in paragraph (c)(9) of this section.
- (vi) The requirements in paragraphs (c)(1) through (c)(5), and (c)(7) through (c)(12) of this section apply to refresher training providers.
- (vii) If a refresher training program meets the requirements listed in this paragraph, then EPA shall approve the application for accreditation no more than 180 days after receiving a complete application from the refresher training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. Prior to disapproval, EPA may, at its discretion, work with the applicant to address inadequacies in the application for accreditation. EPA may also request additional materials retained by the refresher training program under paragraph (i) of this section. If a refresher training program's application is disapproved, the program may reapply for accreditation at any time.
- (f) *Re-accreditation of training programs.* (1) Unless re-accredited, a training program's accreditation (including refresher training accreditation) shall expire 4 years after the date of issuance. If a training program meets the requirements of this section, the training program shall be re-accredited.
 - (2) A training program seeking re-accreditation shall submit an application to EPA no later than 180 days before its accreditation expires. If a training program does not submit its application for re-accreditation by that date, EPA cannot guarantee that the program will be re-accredited before the end of the accreditation period.
 - (3) The training program's application for re-accreditation shall contain:
 - (i) The training program's name, address, and telephone number.
 - (ii) A list of courses for which it is applying for re-accreditation.
 - (iii) A description of any changes to the training facility, equipment or course materials since its last application was approved that adversely affects the students ability to learn.
 - (iv) A statement signed by the program manager stating:
 - (A) That the training program complies at all times with all requirements in paragraphs (c) and (e) of this section, as applicable; and
 - (B) The recordkeeping and reporting requirements of paragraph (i) of this section shall be followed.
 - (v) A payment of appropriate fees in accordance with § 745.238.
 - (4) Upon request, the training program shall allow EPA to audit the training program to verify the contents of the application for re-accreditation as described in paragraph (f)(3) of this section.
- (g) *Suspension, revocation, and modification of accredited training programs.* (1) EPA may, after notice and an opportunity for hearing, suspend, revoke, or modify training program accreditation (including refresher training accreditation) if a training program, training manager, or other person with supervisory authority over the training program has:

- (i) Misrepresented the contents of a training course to EPA and/or the student population.
 - (ii) Failed to submit required information or notifications in a timely manner.
 - (iii) Failed to maintain required records.
 - (iv) Falsified accreditation records, instructor qualifications, or other accreditation-related information or documentation.
 - (v) Failed to comply with the training standards and requirements in this section.
 - (vi) Failed to comply with Federal, State, or local lead-based paint statutes or regulations.
 - (vii) Made false or misleading statements to EPA in its application for accreditation or re-accreditation which EPA relied upon in approving the application.
- (2) In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes, for purposes of this section, evidence of a failure to comply with relevant statutes or regulations.
- (h) Procedures for suspension, revocation or modification of training program accreditation.*
- (1) Prior to taking action to suspend, revoke, or modify the accreditation of a training program, EPA shall notify the affected entity in writing of the following:
- (i) The legal and factual basis for the suspension, revocation, or modification.
 - (ii) The anticipated commencement date and duration of the suspension, revocation, or modification.
 - (iii) Actions, if any, which the affected entity may take to avoid suspension, revocation, or modification, or to receive accreditation in the future.
 - (iv) The opportunity and method for requesting a hearing prior to final EPA action to suspend, revoke or modify accreditation.
 - (v) Any additional information, as appropriate, which EPA may provide.
- (2) If a hearing is requested by the accredited training program, EPA shall:
- (i) Provide the affected entity an opportunity to offer written statements in response to EPA's assertions of the legal and factual basis for its proposed action, and any other explanations, comments, and arguments it deems relevant to the proposed action.
 - (ii) Provide the affected entity such other procedural opportunities as EPA may deem appropriate to ensure a fair and impartial hearing.
 - (iii) Appoint an official of EPA as Presiding Officer to conduct the hearing. No person shall serve as Presiding Officer if he or she has had any prior connection with the specific matter.
- (3) The Presiding Officer appointed pursuant to paragraph (h)(2) of this section shall:
- (i) Conduct a fair, orderly, and impartial hearing within 90 days of the request for a hearing.
 - (ii) Consider all relevant evidence, explanation, comment, and argument submitted.
 - (iii) Notify the affected entity in writing within 90 days of completion of the hearing of his or her decision and order. Such an order is a final agency action which may be subject to judicial review.
- (4) If EPA determines that the public health, interest, or welfare warrants immediate action to suspend the accreditation of any training program prior to the opportunity for a hearing, it shall:
- (i) Notify the affected entity of its intent to immediately suspend training program accreditation for the reasons listed in paragraph (g)(1) of this section. If a suspension, revocation, or modification notice has not previously been issued pursuant to paragraph (g)(1) of this section, it shall be issued at the same time the emergency suspension notice is issued.
 - (ii) Notify the affected entity in writing of the grounds for the immediate suspension and why it is necessary to suspend the entity's accreditation before an opportunity for a suspension, revocation or modification hearing.
 - (iii) Notify the affected entity of the anticipated commencement date and duration of the immediate suspension.

- (iv) Notify the affected entity of its right to request a hearing on the immediate suspension within 15 days of the suspension taking place and the procedures for the conduct of such a hearing.
- (5) Any notice, decision, or order issued by EPA under this section, any transcripts or other verbatim record of oral testimony, and any documents filed by an accredited training program in a hearing under this section shall be available to the public, except as otherwise provided by section 14 of TSCA or by part 2 of this title. Any such hearing at which oral testimony is presented shall be open to the public, except that the Presiding Officer may exclude the public to the extent necessary to allow presentation of information which may be entitled to confidential treatment under section 14 of TSCA or part 2 of this title.
- (6) The public shall be notified of the suspension, revocation, modification or reinstatement of a training program's accreditation through appropriate mechanisms.
- (7) EPA shall maintain a list of parties whose accreditation has been suspended, revoked, modified or reinstated.
- (i) Training program recordkeeping requirements.* (1) Accredited training programs shall maintain, and make available to EPA, upon request, the following records:
- (i) All documents specified in paragraph (c)(4) of this section that demonstrate the qualifications listed in paragraphs (c)(1) and (c)(2) of this section of the training manager and principal instructors.
 - (ii) Current curriculum/course materials and documents reflecting any changes made to these materials.
 - (iii) The course test blueprint.
 - (iv) Information regarding how the hands-on assessment is conducted including, but not limited to:
 - (A) Who conducts the assessment.
 - (B) How the skills are graded.
 - (C) What facilities are used.
 - (D) The pass/fail rate.
 - (v) The quality control plan as described in paragraph (c)(9) of this section.
 - (vi) Results of the students' hands-on skills assessments and course tests, and a record of each student's course completion certificate.
 - (vii) Any other material not listed above in paragraphs (i)(1)(i) through (i)(1)(vi) of this section that was submitted to EPA as part of the program's application for accreditation.
- (2) The training program shall retain these records at the address specified on the training program accreditation application (or as modified in accordance with paragraph (i)(3) of this section for a minimum of 3 years and 6 months.
- (3) The training program shall notify EPA in writing within 30 days of changing the address specified on its training program accreditation application or transferring the records from that address.

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