



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 3 1993

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Ms. Leah Alejo
18702 La Guardia Street
Rowland Heights, CA 91748

Dear Ms. Alejo:

Your letter to Mr. Joseph Schechter dated February 17 has been referred to me for reply. Mr. Schechter has moved to a new position, and is no longer assigned to the asbestos program office.

I understand your two questions to be as follows:

- 1) Is it permissible to complete in-house training for purposes of AHERA/ASHARA accreditation?
- 2) Given your job responsibilities as an Asbestos Program Manager with the Long Beach Naval Shipyard, is it required that you be an accredited Contractor/Supervisor and certified by the State of California?

Although the potential for a conflict-of-interest can exist where a firm or agency trains its own personnel in-house for asbestos accreditation purposes, current EPA policy does permit and even encourage this. Our greatest concern is that asbestos control professionals receive the quality training they need from a properly approved training entity. Large agencies and corporations with many employees who work with asbestos will sometimes provide accredited in-house training as a means of increasing its availability and lowering its cost. This is acceptable so long as the training entity has approval for each of its accredited courses from either EPA or an EPA-approved State Program. These training programs, however, are subject to audit by EPA and/or the State in the same way that any other approved training programs are. Since 1989, EPA has no longer accepted new training course applications for review and approval. Accordingly, training courses must now apply to an EPA-approved State Program to obtain their accreditation approval.



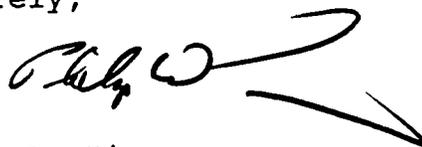
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With respect to your duties as an Asbestos Program Manager, you would only be subject to AHERA/ASHARA accreditation if you were directly performing activities which are subject to accreditation requirements. If you serve as the on-site supervisor of workers performing regulated abatement, you must be accredited to do so. Alternatively, if you serve as a second-line supervisor to an abatement supervisor, or, if you contract with a full-service abatement firm which then designs, directs and supervises its own on-site activities, you would probably not be subject to accreditation. In general, you are subject to accreditation requirements for your work at the Naval Shipyard only if you inspect for asbestos-containing material, or design or conduct response actions with respect to friable asbestos-containing material, in a public or commercial building regulated under ASHARA.

You may however, also be subject to different and/or more stringent licensing or certification requirements imposed under the laws or regulations administered by the State of California. To the extent that they are applicable to federal facilities, these State requirements would be in addition to the federal accreditation standards described in the paragraph above.

I hope this will answer your questions. Should you need further assistance, please call me at (202) 260-7849.

Sincerely,



Philip W. King
Field Programs Branch (TS-798)
Chemical Management Division

Leah Alejo
18702 La Guardia Street
Rowland Heights, CA 91748
February 17, 1993

Joseph Schechter, Chief
Technical Assistance Section
Environmental Assistance Division (TS-799)
U.S. Environmental Protection Agency
Washington, D.C. 20480

Dear Mr. J. Schechter

Per Model Accreditation Plan (40 CFR Part 763, Appendix C to Subpart E) mandated changes under section 15 (a) (3) of the 1990 Asbestos School Hazard Abatement Reauthorization Act (ASHARA) (Public Law 101-637) are indicated.

Pursuant to ASHARA, persons performing asbestos-related work in all public and commercial buildings must be accredited to perform asbestos-related categories and be categorized as one of the following, worker, supervisor, inspector, or project designer. This requirement also applies to all Federal and Government owned and operated facilities.

It is to my understanding to achieve accreditation one must complete a prescribed EPA accredited training course, successfully pass an examination, and participate in a continuing education program. Does an in-house training program constitute as such. Taking into consideration that we are a Federal facility is it required that I, as Asbestos Program Manager take the California State Asbestos Consultant Certification Examination. My job description requires that I review, manage, and supervise asbestos-related activities within the Long Beach Naval Shipyard. I do not act as a consultant. All asbestos-related activities involve only in-house personnel and programming.

Request that you advise me on this matter and provide any supporting documentation that may clarify these training requirements. Thank you for your time and support. Hoping to receive an immediate response.

Sincerely,


Leah Alejo