

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AUG 17 1990

Chairman Quentin N. Burdick
 Committee on Environment and Public Works
 United States Senate
 Washington, DC 20510

Dear Mr. Chairman:

This is in response to your recent letter of July 17 concerning the Environmental Protection Agency's (EPA) policy for refresher training courses under the Asbestos Hazard Emergency Response Act (AHERA).

Specifically, you were wondering why the Agency does not allow training providers to combine the "worker" refresher requirements with the "contractor/supervisor" refresher requirements into a combined refresher course. Since the adoption of the EPA Model Accreditation Plan (40 CFR Part 763, Subpart E, Appendix C) on April 30, 1987, the Agency has maintained a consistent policy. In Part I.3, the Model Plan states that "...refresher course(s) shall be specific to each discipline," and that "For all disciplines except inspectors, an accreditation program shall include a 1-day annual refresher training course for re-accreditation."

Clarifying guidance reiterating this position was subsequently issued to the EPA Regional Offices on September 28, 1988, and again to the EPA Regions, State Program Offices and Training Providers on April 18, 1990. The former stated that "Refresher courses must be specific for each discipline," and the latter held that "Each refresher course shall correspond to only one AHERA discipline." Based upon this long-standing policy, EPA has not approved combined "worker" and "contractor/supervisor" refresher training courses.

Our position rests upon the fundamental differences in function and role that exist between the "worker" and the "contractor/supervisor." The prescribed training curriculum for "contractor/supervisor" covers a number of key topics which are not addressed in the "worker" curriculum (e.g. insurance and liability issues, recordkeeping requirements, contract

CONCURRENCES

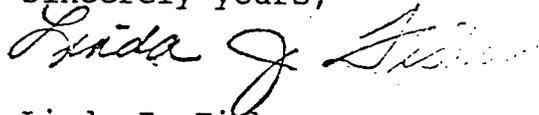
SYMBOL	GRIM	TAYLOR	YOUNG	Eckerson	CARRA	HEFTER	FISHER	OCLA
SURNAME	<i>ay</i>	<i>ay for</i>	<i>JW for</i>	<i>WZ</i>	<i>Stute</i>	<i>Heft</i>		<i>McCready</i>
DATE	8-6-90	8-6-90	8/7/90	8/7/90	8/16/90	8/18/90		8/15

specifications and supervisory techniques). Other topics common to both disciplines should properly be taught in a manner which not only recognizes, but emphasizes, the different functional orientation of each. A course instructor should allot greater time and emphasis in a particular course to those areas that are essential to competency in that discipline. For example, where a "worker" would only need a general review of relevant regulations, a "contractor/supervisor" would need to acquire an in-depth knowledge of this same material. Even where the same course material may be involved, the orientation in presenting such material should directly correspond to the basic responsibilities of the job. When attempts are made to combine, or merge, these distinct orientations into a combined curriculum (and only 8 hours of total training time is involved), the inevitable outcome is that both disciplines are compromised.

We recognize that the Agency's position may present economic limitations for AHERA training providers in certain areas, but feel that our policy is justified on the basis of public safety considerations.

We appreciate your interest in the program and hope that we have been able to more clearly explain the basis for Agency policy in this matter. If you have further questions, your staff may contact Michael M. Stahl, Director of the Environmental Assistance Division, at (202) 382-3949.

Sincerely yours,



Linda J. Fisher
Assistant Administrator