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WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

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MEMORANDUM

SUBJECT: EPA Guidelines for States Regarding Online Asbestos Model Accreditation Plan (MAP) Annual Refresher Training

FROM: Lynn Vendinello, Chief *Lynn Vendinello*  
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TO: EPA Regional Asbestos Coordinators, State Regulatory Stakeholders

On April 17, 2007, we provided via e-mail a summary of comments received from State regulatory stakeholders on our draft guidelines for online Asbestos Model Accreditation Plan (MAP) (40 CFR Part 763, Appendix C to Subpart E) annual refresher training. After considering and, where appropriate, incorporating these comments into the guidelines, today EPA is issuing the final guidelines, also available at the EPA asbestos website at <http://www.epa.gov/asbestos>. The major comments received included, among others:

- Online systems should authenticate the identity of the students taking the course.
- Appropriate protections should be implemented to prevent fraud.
- Training providers should not be able to get approval from one state and then offer the course nationwide based on that specific state's approval.
- The course instructor should be available to answer student questions while the course is being taken.
- Personal interaction between course attendees during traditional (i.e., classroom-based) annual refresher training is important and should be facilitated via online training as well.
- There should be a statement on the training certificate that the MAP annual refresher training was taken online.
- If a test is given in connection with the online annual refresher training, it should be proctored or, alternatively, taken at a testing center.

EPA has revised the guidelines to address these key comments, as well as some others not specifically highlighted above. We wish to recognize the assistance and support of both the EPA Regions and the States in developing this new guidance. The guidelines are now comprised of two distinct sections: (1) a summary of relevant asbestos MAP requirements, and (2) recommendations for states with a MAP at least as stringent as the EPA MAP to consider when evaluating proposed online annual refresher training courses. EPA believes that these guidelines will enable states to properly evaluate a proposed online annual refresher training course. EPA may update this document in the future based on input from the states as further experience is gained in this area.

Attached, please find EPA's *Guidelines for States Regarding Online Asbestos MAP Annual Refresher Training*. Any state wishing to implement this new guidance may at their discretion proceed by directly notifying its accredited training organizations of any specific procedures, requirements or restrictions that it will apply. For further information, or for questions regarding these guidelines, please contact Robert Courtnage of my staff at (202) 566-1081.

Attachment

# **EPA Guidelines for States Regarding Online Asbestos Model Accreditation Plan (MAP) Annual Refresher Training**

## **Background**

In response to an inquiry from a training course provider, EPA concluded that the Asbestos MAP does not require hands-on, in-person annual refresher training, and that annual refresher training requirements can therefore be satisfied through online training. However, because EPA no longer approves training courses directly, EPA will not approve individual online MAP annual refresher training courses. As required under the Asbestos Hazard Emergency Response Act (AHERA), the majority of states today have in place a MAP program that is at least as stringent as the EPA MAP. At their discretion, states with such a MAP program may choose to approve online annual refresher training.

## **Existing MAP Requirement Highlights:**

- 1) Accredited annual refresher training courses may be conducted online only by states with a MAP that is at least as stringent as the EPA MAP or by third parties accredited by such states to provide this training. Initial training courses, on the other hand, cannot be conducted online as they require hands-on, in-person training. (40 CFR Part 763, Subpart E, App. C, Unit I.B)
  
- 2) A pre-existing approval for a standard (i.e., classroom-based) annual refresher training course does not extend to cover an online annual refresher training course, even if it is based upon the same syllabus or instructional materials. Instead, each online annual refresher training course must be separately approved (by states with a MAP that is at least as stringent as the EPA MAP) as an “online annual refresher course.” (40 CFR Part 763, Subpart E, App. C, Unit I.D)
  
- 3) As stated in the MAP, training providers are to submit their instructors’ credentials (including the credentials of those who conduct and/or develop the online annual refresher training course) to the state and provide updates of any subsequent changes in course instructors. (40 CFR Part 763, Subpart E, App. C, Unit I. B and F)
  
- 4) As stated in the MAP, annual refresher training, whether online or not, must include the key topics/aspects covered in the initial training for the particular MAP discipline, discuss any changes in Federal, state, or local regulations, and discuss developments in state-of-the-art procedures. In addition, annual refresher training courses must be specific to each MAP discipline and conducted as separate and distinct courses (i.e., not combined with any other training for any other discipline during the period of the refresher course). (40 CFR Part 763, Subpart E, App. C, Unit I.D)
  
- 5) As is the case for classroom-based annual refresher training courses, the minimum information listed at 40 CFR Part 763, Subpart E, App. C., Unit III.B, must be submitted by a training provider to a state as part of its application for approval for an online annual refresher training course.

6) Online annual refresher training courses must have adequate material to satisfy the minimum training hour requirements for each specific MAP discipline, including breaks and lunch. (40 CFR Part 763, Subpart E, App. C., Unit I.D.)

7) All other MAP requirements discussed in 40 CFR Part 763, Subpart E, App. C, applying to annual refresher training, apply to online annual refresher training.

### **Recommendations for States\* to Consider When Evaluating Proposed Online Annual Refresher Training Courses:**

1) Training providers should have systems in place that authenticate the students taking the training and their eligibility to enroll in the course. Student authentication could be obtained by the student submitting personal and sensitive information to the training provider such as social security number, date of birth, state asbestos license number, and/or special question and answer combination. That information could then be requested prior to beginning the online annual refresher training, and at intermittent, designated intervals during the training. EPA strongly recommends that appropriate encryption technologies be employed to protect sensitive user information. Such systems will help to deter fraud, including the falsification of student identity.

2) Training providers should have systems in place that ensure students are focusing on the training material throughout the entire training period. For instance, online educational technology could provide a strong interactive component to ensure continued student focus through threaded discussion between students and the instructor and via interactive video clips.

3) Training providers should have systems in place that prevent students from prematurely skipping ahead. One approach could be to make sure that there are minimum time allotments for each section of the training. In addition, the students actual time spent online, including applicable breaks, should be monitored and recorded, and these records retained.

4) Training providers should have course instructors available to answer questions that students have while they are taking the online annual refresher training. This could be facilitated via online threaded discussion and message boards. Another option would be to have a toll-free telephone number available during the training periods for students to call with questions for the course instructor regarding the course material.

5) Technical support—e.g., via a toll-free telephone number—should be available to the students during the training periods to address any technical problems that arise, for instance, with their computers or with the online application. If a student is inadvertently logged out of an online session due to technical difficulties, the student should be given credit for the portion of the course already completed. At the same time, that student also should be required to make-up that portion of the training missed.

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\* with a MAP at least as stringent as the EPA MAP.

6) For those states that require a test for annual refresher training, the identity of the students taking the exam online should be verified in some manner to prevent fraud. Alternately, states could consider requiring training providers to either have a testing center or proctor-based exam for the examination portion of the online training.

7) States that require tests for annual refresher training also could consider requiring that test questions be randomized from course to course so that the same test is not given repeatedly. An item bank (or a pool of questions used to vary the questions asked) could be used so that the same questions are not used repeatedly. Controls also could be instituted to ensure that test screens can not be saved, copied, or printed.

8) Training providers should have systems in place that reduce opportunities for document fraud. One suggestion in this regard is the issuance of distinct, online annual refresher training certificates with the information required under 40 CFR Part 763, Subpart E, App. C, Unit I.C. In addition, EPA recommends that students successfully completing online refresher training courses be provided with a printed certificate that contains an original signature, rather than a computer-generated signature, and that specifically mentions that the course was taken online. States may also wish to be notified automatically and electronically by the training course provider whenever a student completes such online training. For auditing purposes, the approving state also should require unrestricted access to the online course at any time that the course is being provided.

9) Because the required curriculum for an annual refresher course necessarily includes a review and discussion of “changes in Federal, state and local regulations,” states may wish to require training providers to clearly identify the particular state the online course is specifically applicable to and approved by when advertising the course, or when registering students for the course.

10) States should consider requiring training providers to issue course evaluations for their online courses to help determine the strengths and weaknesses of such courses and to promote continuous improvement.

11) The MAP requires 8 hours of annual refresher training, including breaks and lunch, for most course disciplines (4 hours for inspector training). As is the case already for classroom-based annual refresher training, training providers may break up the training over a two-week period so that the class meets together online at specific intervals (e.g., two-hour time intervals) to complete the training. Meeting at specific designated class times will allow the course instructor to interact with the students online in real time, as well as facilitate interaction between students via threaded discussion.