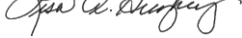


From: Lisa A. Hughey, CHMM, Director 

To: Tennessee Approved Asbestos and Lead-Based Paint Training Providers

Date: April 16, 2021

Subject: **Temporary Waiver to Conduct Instructor-Led Online Approved Asbestos and/or Lead-Based Paint Refresher Training Courses via Zoom, WebEx, or Similar Web-Based Technologies Through December 31, 2021**

This correspondence is being sent to address concerns regarding gatherings of students for asbestos and lead-based paint activities refresher training courses during the spread of COVID-19. One of the Tennessee Department of Environment and Conservation Solid Waste Management Toxic Substances Program (Department), section goals are to support accredited asbestos and lead-based paint activities training providers in offering refresher training courses while also maintaining appropriate physical distancing as necessary in these times. The Department acknowledges the paradox this poses and values your continued partnership in protecting public health through your training classes.

To help balance training needs with the physical distancing requirements during this emergency, the Department will grant temporary approvals allowing accredited training providers to add instructor-led online asbestos and lead-based paint activities refresher training course(s) to their currently approved traditional classroom refresher course(s). Training providers shall follow all requirements of the federal Model Accreditation Plan (40 CFR 763, Appendix C to Subpart E and Rule 1200-01-20 for asbestos) and federal Lead-Based Paint Abatement (40 CFR 745.220 and Rule 1200-1-18) along with other requirements as outlined in this memo.

Instructor-led online refresher training shall be facilitated by a Tennessee accredited approved instructor (in the appropriate approved discipline(s)) and shall allow students and instructors to interact and discuss the training materials in a group setting. Instructor-led online training will require the use of video conferencing technologies for the reception and transmission of audio-video signals by users at different locations in real-time. The instructor(s) shall teach the class in real-time and the students will be involved by monitoring the instructions and relaying their questions and comments.

Tennessee Dept. of Environment and Conservation accredited certified training providers shall adhere to the following requirements to be granted a temporary approval for online refresher training:

1. Only current Tennessee Dept. of Environment and Conservation accredited certified training providers will be able to apply for approval to add instructor-led online courses for refresher disciplines in which they are currently accredited. Training Providers shall maintain their accreditation in those discipline(s) in order to be granted such waiver.
2. Only Tennessee-approved instructors in those discipline(s) shall teach the specific instructor-led online asbestos and/or lead-based paint refresher courses, except instructors approved to conduct the supervisor training in the respective program may also instruct worker courses. The Tennessee Department of Environment and Conservation asbestos and lead-based paint abatement rules require pre-approval

of an instructor's credentials for that individual to provide instructions in a specific discipline.

3. A Tennessee Department of Environment and Conservation accredited training provider shall submit a written request to the Department asking for temporary approval for each discipline they wish to offer as an instructor-led online course. The request shall address the following criteria:
 - a. The training providers shall have systems in place to authenticate the students taking the class.
 - b. Training providers shall have systems in place to ensure that only students who have access to the technology required to participate in online-led courses can enroll in classes. Training providers shall specify minimum technology requirements for each class offered online.
 - c. Training providers shall systems in place to ensure students are focusing on the training material and remaining at their computers. Examples include video proctoring or having additional instructors or support staff monitor students through video links.
 - d. Training providers shall have systems in place to administer and monitor all course examinations. The training provider assumes responsibility for the security of exam contents and shall ensure that the participant passes the exam on his/or own merit with a score of 70% or above. Students are shall complete their course exam during the allowed instructor-led course timeframe.
 - e. Training providers shall describe if and/or how course materials have been changed from the approved accredited in-class course material or make a statement that no change has been made. Training providers shall describe how students will receive additional course materials (i.e. manuals).
 - f. Training providers shall have a system in place to receive and answer questions from students. This could be accomplished through a phone conference line, online question (chat) box, or video conferencing system.
 - g. 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. In addition, that student also should be required to make up that portion of the training missed.
4. These classes shall be held at set times. Training providers shall submit class notifications in accordance as outlined in the TN Asbestos Accreditation Rule and/or TN Lead-based Paint Abatement Rule. Instead of including the location of the class, training providers shall indicate that it is an instructor-led online class. The class notification shall also include a link to enable Department unrestricted access to the online course at any time for auditing purposes.
5. Training providers shall submit post-class notifications to the Department including a roster of the students, their grade, and the name(s) of the instructor(s). The post-class notification for lead shall be sent by email to LBP.notify@tn.gov, or they can be faxed to (615) 532 – 0938. The asbestos post-class notifications should be emailed to Grace.Buchanan@tn.gov, Jackie.Manuel@tn.gov, or faxed to (615) 532-0938.
6. Training providers shall include verbiage on the training certificates indicating the course was taken as an instructor-led online course.
7. Training providers will not be required to pay an accreditation fee(s) for the temporary addition of an instructor-led online option to currently accredited refresher course(s). The Department will process temporary approval requests in the order in which they are received. Since this is an exceptional situation, the

Department does not have a time estimate on the Department's review and approval process for the temporary approval requests.

8. The Department may deny, suspend, or revoke the temporary approval at any time. The Department may withdraw the approval from providers who fail to accurately portray their Tennessee Dept. of Environment and Conservation accreditation in advertisements, who fail to ensure the security of examinations, who fail to ensure that each student passes the exam on his/her own merit, or who issues improper certifications. The Department may revoke or suspend the approval of any course subject if alterations in the course causes it to fail the Department's accreditation criteria.
9. Training providers may submit their request for waiver to Jackie.Manuel@tn.gov, or mail request with supporting documents to:

State of Tennessee
Department of Environment and Conservation
Toxic Substances Program
Attention: Jackie Manuel
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Ave., 14th Floor
Nashville, TN 37243

In no way shall temporary approvals granted per this letter during the COVID-19 outbreak be misconstrued as full accreditation of an online refresher course. The accreditation of asbestos online courses is separate from in-class courses. And note Tennessee Dept. of Environment and Conservation currently does not approve online lead-based paint activities refresher courses.

Any temporary approvals granted per this process are a temporary extension of an existing in-class full-course accreditation. All temporary approvals will expire on December 31, 2021, regardless of when the Department approved the request. The Department will evaluate the need to extend the temporary approval. Granted extensions will be extended through the revised expiration date of this notice.

The Department expects that during the temporary approval period some training providers may develop online refresher courses. For online course accreditation, the Department references Rule 1200-01-20-.01 Asbestos Accreditation Requirement, which can be accessed at:

<https://publications.tnsosfiles.com/rules/1200/1200-01/1200-01-20.20090623.pdf>

The Lead-Based Paint Abatement Rule can be accessed at:

<https://publications.tnsosfiles.com/rules/1200/1200-01/1200-01-18.pdf>

If you have any questions, you may contact Jackie Manuel by telephone at (615) 532-9291 or by email at Jackie.Manuel@tn.gov. Thank you for your attention and cooperation in this matter.



March 10, 2021

During the Covid-19 Pandemic, the Asbestos Program is processing accreditations using emergency measures. It is necessary for the accredited community to continue to apply for re-accreditation following the normal application procedures. Providing an email address on your application is essential to receiving Asbestos Program information.

Three training providers are currently offering online asbestos refresher training courses that are approved by the State of Tennessee:

1. **Asbestos Online Training** offers refresher courses for Worker, Spanish Worker, Supervisor, Inspector, Project Designer, and Management Planner disciplines. Expiration Dates: Project Designer-R accredited through April 30, 2022; Spanish Worker-R and Worker-R accredited through November 30, 2022; Inspector-R, Manager Planner-R, and Supervisor-R accredited through February 28, 2023.

Asbestos Online Training, LLC.

17452 2nd Street East
Redington Shores, FL 33708
727-837-6442
727-366-1676
<https://asbestoschool.com/>

2. **CHC Training** offers refresher courses for Worker, Supervisor, and Inspector disciplines. Expiration Dates – Worker-R, Supervisor-R accredited through January 31, 2022; Inspector-R accredited through January 31, 2023.

CHC Training, LLC.

1775 West 55th Avenue
Denver, CO 80221
303-412-6360
<https://chctraining.com/>

3. **Tennessee Environmental Services, LLC. (TES)** offers refresher courses for Worker, Spanish Worker, and Supervisor disciplines. Expiration Dates - All courses accredited through June 30, 2022.

Tennessee Environmental Services

7106 Crossroads Blvd., Suite 204
Brentwood, TN 37027
615-377-0881
<http://www.tesprotraining.com/>

4. **Active Environmental Training, LLC.** offers refresher courses for Worker, Spanish Worker, and Supervisor disciplines. Expiration Dates - All courses accredited through July 31, 2022.

Active Environmental Training, LLC.

P. O. Box 707
Loughman, FL 33858
407-860-0369
Roberto@activeet.com

As new online training courses are approved, updated information will be available at the following website under the training provider tab:

http://tdec.tn.gov:8080/pls/enf_reports/f?p=35001:600:13327820748380

Two training providers are currently approved to conduct instructor-led accredited asbestos and/or lead-based paint refresher training courses via Zoom, WebEx, or Similar Web-Based Technologies through December 31, 2021:

- 1. The Environmental Institute** (A division of ATC Group Services, LLC) offers refresher instructor-led asbestos courses for Inspector, Management Planner, Project Designer, Project Monitor, Supervisor, and Worker disciplines. TEI is also approved to offer lead-based paint refresher instructor-led courses for Inspector, Risk Assessor, and Supervisor disciplines:

The Environmental Institute
A division of ATC Group Services, LLC
1395 South Marietta Parkway
Building 100, Suite 124
Marietta, GA 30067
770-427-3600
<http://www.tei-atl.com>

- 2. Mayhew Environmental Training Associates, Inc.** offers asbestos refresher instructor-led courses for Inspector, Management Planner, Project Designer, Project Monitor, Supervisor, Worker, and Spanish Worker disciplines:

Mayhew Environmental Training Associates, Inc.
2200 West 25th Street
Lawrence, KS 66047
865-842-6382
mayhew@metaworldwide.com