



HAZWOPER Hands-on Simulator®

OSHA Acceptance





3812 Shoal Creek Court
Martinez, Georgia 30907-9431
Phone: 706.650.0871 (local)
1.888.877.7130 (toll free)
Fax: 888.877.7196
Email: cab@natlenvtrainers.com
www.nationalenvironmentaltrainers.com

HAZWOPER Mania

Update

OSHA Accepts Our HAZWOPER Hands-on Simulator®

In an interpretation letter dated February 4, 2009 OSHA stated that our exclusive HAZWOPER Hands-on Simulator® is acceptable when used in conjunction with site specific training. Site specific hands-on training on the actual equipment an employee will be using is required for both online training and public seminar (open enrollment) classroom training. (If you thought you met the OSHA requirements by sending your employees offsite to a public seminar training class, please read the detailed explanation below). Employers can now train their employees online for the 40 or 24 hour HAZWOPER courses and then conduct site specific hands-on training on the actual equipment an employee will be using in their job.



Since July 11, 2008 we've had communication (several phone calls and interpretation letter) with the U.S. OSHA Directorate of Enforcement Programs (DEP) in Washington, D.C. The discussion centered on hands-on training for the 40 hour HAZWOPER Course. They are specific in their expectation of what is to be used in the training and how it is conducted. OSHA regulation 29 CFR 1910.120 Appendix E (Non-Mandatory Guidelines) states that hands-on training should be used in conjunction with the 40 hour course. Although the Appendix E hands-on training requirement was not promulgated in the mandatory regulations, they have a specific expectation of what is acceptable. Also, a number of interpretation letters were issued over the years. Many people found some language to be in a "grey area".

The expectation being conveyed to the field enforcement offices is that individuals must be trained on the actual model and type of PPE that they will be using in their job. It was also conveyed to us that classroom/seminar training on a respirator in general does not meet their expectation. In a class with students from a dozen different employers, what is the chance the instructor will have the actual and exact PPE your worker uses on the job? The individual must be trained using the actual equipment and PPE that they will be utilizing in the field. Therefore, this expectation is not met in the classroom nor use of a simulator but can only be fulfilled by the employer conducting site-specific hands-on training on the actual equipment the employee will be using.

The actual HAZWOPER certification comes from both the instructor and the employer - it has always been a joint responsibility. Since the employer is responsible for their employee's health and safety, and the employer actual equipment - that will be utilized by the employee. Likely, this is what you have already been doing.

There is a difference between generic hands-on training (public seminar) and site-specific hands-on training.

If you have been sending your employees to a public 40 Hour HAZWOPER seminar/class and relied solely on this training for hands-on (assuming hands-on training was conducted), then you are not meeting the OSHA standard. Site-specific hands-on training must be performed. We realize this might come as a surprise to you as some classroom providers of this training will tell you they conduct hands-on training and this might make you think you have met the OSHA requirements. Well, they might conduct hands-on training, but they cannot perform site-specific hands-on training in a seminar open to anyone. Please do your due diligence and check them out first. The deal is, you are the one with the most at stake. OSHA holds the employer liable not the trainer provider. Don't risk it, it's not worth it! This will help you avoid any potential OSHA HAZWOPER violation/fine.

We are proud to work with some of the most diligent Health and Safety managers in the industry, and know that foremost in their minds is the safety of their workers. We feel very fortunate that many companies and individuals have come to us for their training needs. The safety and well being of all is our utmost priority. We are also thankful there is clarification to the question of hands-on training.

What if my current training provider tells me their public seminar hands-on training is all that is needed or makes me believe this is all that is needed?

Talk with your current provider and stress to them the OSHA requirement for site-specific hands-on training and that training on PPE in general does not fully meet the OSHA requirements. Site-specific training on the actual equipment an employee will be using is the OSHA requirement. Unfortunately, there are some websites that will tell you they offer OSHA required hands-on training and this might make you think you have met the OSHA requirements. If they do not provide site-specific hands-on training with the actual equipment, then you have not fully met the OSHA requirements and maybe subject to fines and penalties. Your best move in protecting your employees and your company is to call the U.S. OSHA Directorate of Enforcement Programs (DEP) in Washington, D.C., at 202.693.2190 and ask them any questions you may have.

Questions?

Should you have any questions about HAZWOPER Training, please email or call us toll free at 1.888.877.7130. Or if you would like to speak with the U.S. OSHA Directorate of Enforcement Programs (DEP) in Washington, D.C., please call 202.693.2190.

HAZWOPER Training Note: The enrollment of federal and state officials in our courses, or use of the OSHA logo does not constitute endorsement or approval. OSHA's policy is not to approve or endorse any training from any training provider.

Thank you for your time and please be safe.



Reply to the attention of:

FEB 04 2009

Mr. Clay Bedmarz
National Environmental Trainers, Inc.
3812 Shoal Creek Court
Martinez, GA 30907-9431

Dear Mr. Bedmarz:

This is in response to your inquiry regarding a letter from our office sent to you on July 2, 2008. You specifically were concerned about a particular paragraph in that letter that described the use of your "HAZWOPER Hands-On Simulator®" on-line training program.

The paragraph states in part, "If a customer of yours were to follow your counterstatements or use your "HAZWOPER Hands-on Simulator®," as part of their training program, the customer would not be in compliance with our standard."

After reviewing the July 2 letter, we are providing further clarification on the statement. As always, the use of interactive and video training programs as a part of an employer's overall HAZWOPER training program is acceptable. However, an employer may not rely solely on the use of an interactive or video training program to be in compliance with the 40- or 24-hour HAZWOPER training requirements. As was stated in our July 2 letter, "OSHA expects, as part of the 40-hour (or 24-hour) training requirement, that a trainee be able to don, doff, touch, feel and otherwise manipulate a particular piece of personal protective equipment that an employer of a specific site may require or provide to protect their employees to prevent injury or illness." Therefore, if the "HAZWOPER Hands-on Simulator®" is used as part of an employer's overall 40 or 24-hour HAZWOPER training program, in addition to ensuring that the trainee don, doff, and otherwise manipulate the particular piece(s) of personal protective equipment being used at a specific site, its use would be acceptable.

We thank you for bringing this to our attention. We hope this clarification is helpful to you and your company. If you have any questions, please contact Sven Rundman at 202-693-2190.

Sincerely,

A handwritten signature in blue ink that reads "Richard E. Fairfax". The signature is written in a cursive style with a large, stylized "F".

Richard E. Fairfax
Director
Directorate of Enforcement Programs