



NATIONAL ENVIRONMENTAL TRAINERS, INC.
3812 SHOAL CREEK COURT
MARTINEZ, GEORGIA 30907
1.888.877.7130

WWW.NATIONALENVIRONMENTALTRAINERS.COM

The Official Site of Environmental Health & Safety Training®

HAZWOPER Hands-On Simulator®

29 CFR 1910.120

OSHA Interpretation Letter (OSHA Acceptance Letter)

2017

HAZWOPER Hands-on Simulator®

OSHA Accepts Our HAZWOPER Hands-on Simulator®

(This OSHA letter is a milestone letter-reflecting acceptance of an online system. No other HAZWOPER training provider has received acceptance for any HAZWOPER training component. The online training industry considers our letter monumental. Our company has led the way in developing not only effective health and safety solutions but also regulatory compliant programs.)

Our exclusive HAZWOPER Hands-on Simulator® provides a realistic and stunning presentation of donning and doffing Personal Protective Equipment (PPE), and a decontamination sequence for each PPE level of protection (Level A, Level B and Level C). The simulator uses high definition 3D graphics along with a highly intuitive navigation system that guides a student through the process of using PPE.

The simulator provides an engaging, gorgeous full screen presentation with professional voiceovers and is available in Spanish and English.

Did You Know? Many clients elect to use the simulator during the site-specific hands-on training session. (OSHA requires site-specific hands-on training on the **actual equipment** an employee will be using at a particular job site). With the use of our simulator, a qualified and properly trained site supervisor guides an employee through site-specific hands-on training on the actual PPE. An employee is able to don, doff, and manipulate the actual PPE used at a particular job site while using our simulator as a guide. This satisfies the OSHA requirement that employees receive site-specific hands-on training on the actual equipment the employee will be using. **The simulator has greatly reduced cost for many leading companies while providing OSHA compliant training.** This is a win-win situation for companies and is one of the reasons why we are the leading provider of HAZWOPER training today. Note: The simulator covers PPE only and not any additional site-specific equipment unique to a particular site.

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 with our simulator 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., regarding HAZWOPER training. 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 training 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 knows the specific tasks that the employee will be performing and has direct knowledge of the site conditions, it makes sense that OSHA expects the employer to conduct the hands-on/PPE component of the training.

What does this mean for the employer?

Actually, it is no different than what a prudent employer has been doing all along as the HAZWOPER training standard is performance based. We continue to offer the academic portion of the training online, and the employer will train on the specific make and model - the 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 training 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. Your training provider should already know this key fact. *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.

What if my prospective training provider tells me that a respirator fit test can be done at a public seminar course open to everyone? I will have my actual respirator for the fit test.

There is more training required for a respirator than just a fit test. Even though you may have the actual respirator you will be using, the trainer cannot provide site-specific training for you in an open enrollment or public seminar. You would not meet the OSHA requirements.

Added Assurance of OSHA Compliance

We offer the added assurance that our 40 Hour HAZWOPER course complies with the OSHA regulations. No other online company has such a letter from OSHA. So, for almost the same price as other companies that provide no assurance, you also receive added assurance from us that you are in compliance with OSHA. We are the only HAZWOPER training provider with an interpretation letter accepting any component for HAZWOPER training. We thank you in advance for selecting us as your training provider.

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.

We hope you have found this information to be of benefit to you. Thank you for your time.

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.

HAZWOPER Hands-on Simulator®

OSHA Acceptance

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



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:

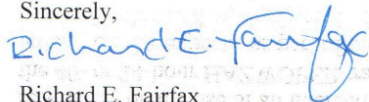
This is in response to your inquiry regarding a letter from our office sent to you on July 2, 2008. You specifically were concerned about a particular paragraph in that letter that described the use of your "HAZWOPER Hands-On Simulator®" on-line training program.

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,

Handwritten signature of Richard E. Fairfax in blue ink.

Richard E. Fairfax
Director
Directorate of Enforcement Programs

Notes