



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.

Richard E. Fairfax  
Director  
Directorate of Enforcement Programs