



## Ohio Administrative Code

Rule 3701-32-04 General application procedures, provisions, and qualifications for clearance technician, lead inspector, lead risk assessor, lead abatement contractor, lead abatement worker or lead abatement project designer.

Effective: August 6, 2015

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(A) To apply for a license as a clearance technician, lead inspector, lead risk assessor, lead abatement contractor, lead abatement worker, or lead abatement project designer an individual shall:

(1) Submit a complete application to the director, on forms prescribed by the director, for each discipline in which the applicant desires to receive a license;

(2) Individuals that submit with their applications, proof that they are a service member or veteran, or the spouse or surviving spouse of a service member or veteran will receive priority expedited licensure processing. Their applications will be reviewed within five business days of receipt and before all other applications for licensure.

(a) The acceptable proof of service member/veteran status documents are:

(i) Department of defense identification card (active, retired, temporary disability retirement list (TDRL));

(ii) DD214 military discharge certificate indicating disposition of discharge;

(iii) Report of separation from the national archives national personnel records center in St. Louis, Missouri; or

(iv) Veterans identification card from the department of veterans affairs.

(b) All acceptable proof documents, except veterans identification card, must show the veteran status as honorable, general, general under honorable conditions, or discharged or released under conditions other than dishonorable.



(3) Pay to the director the following non-refundable, biennial license fee by check or money order payable to "Treasurer, State of Ohio":

(a) For a clearance technician license, two hundred fifty dollars;

(b) For a lead inspector license, two hundred fifty dollars;

(c) For a lead risk assessor license, two hundred fifty dollars;

(d) For a lead abatement worker license, fifty dollars;

(e) For a lead abatement contractor license, five hundred dollars; or

(f) For a lead abatement project designer license, five hundred dollars.

(4) Pass any required examination; and

(5) Comply with any procedure the director has in place to implement a system under which a license contains picture identification.

(B) An individual who is licensed, certified, or otherwise approved under the laws of another state to perform functions substantially similar to those of a lead abatement contractor, lead inspector, clearance technician, lead risk assessor, lead abatement project designer, or lead abatement worker may apply to the director for licensure.

(1) The director shall license the applicant upon a determination that the standards for licensure or approval in the other state are substantially equivalent to those established by Chapter 3742. of the Revised Code and Chapter 3701-32 of the Administrative Code, and upon payment of the fee set forth in paragraph (A)(3) of this rule.

(2) The director may require the applicant to pass an examination before licensing the applicant under this paragraph.



(3) Individuals licensed under this paragraph are subject to the same duties and requirements for renewal as other individuals licensed pursuant to Chapter 3742. of the Revised Code and Chapter 3701-32 of the Administrative Code.

(C) In the case of an applicant for an initial lead activity license, the director shall:

(1) Notify the applicant of any deficiency, or needed modification to the application, or both; and

(2) Notify the applicant of the approval of the application for licensure within thirty calendar days of the date the applicant complies with the requirements of Chapter 3701-32 of the Administrative Code.

(D) To qualify for an initial lead activity license, an individual shall:

(1) Successfully complete the initial course of instruction specific to the license for which the individual is applying. An individual is exempt from taking the course of instruction, approved by the director pursuant to section 3742.08 of the Revised Code and rule 3701-82-01 of the Administrative Code, if the individual meets one of the following:

(a) The individual is certified by the American board of industrial hygiene as an industrial hygienist or as an industrial hygienist-in-training; or

(b) The individual is registered as a sanitarian or sanitarian-in-training pursuant to Chapter 4736. of the Revised Code.

(2) Meet any of the following experience requirements:

(a) If applying for a lead risk assessor license, the individual shall meet or exceed one of the following:

(i) Be certified, licensed, or registered as an industrial hygienist, engineer, architect, or possess certification in a related field;



(ii) Have a bachelor's degree from an accredited college or university and two years experience in lead, asbestos, other environmental remediation work, or building construction;

(iii) Have an associates degree from an accredited college or university and two years experience in lead, asbestos, other environmental remediation work, or building construction; or

(iv) Have a high school diploma or equivalent and three years experience in lead, asbestos, other environmental remediation or building construction.

(b) If applying for a lead abatement contractor license, the individual shall have:

(i) At least one year experience as a lead abatement worker; or

(ii) At least two years experience in asbestos, lead abatement, radon or other environmental remediation or building construction.

(c) If applying for lead abatement project designer license, the individual shall meet or exceed one of the following:

(i) Have a bachelor's degree in engineering, architecture, or a related profession, and one year experience in building construction and design or a related field; or

(ii) Have four years experience in building construction and design or a related field.

(E) Any individual approved for licensure pursuant to this rule, shall comply with the deadline for obtaining their license according to this paragraph or their approval for licensure shall expire. The deadline for obtaining the license is as follows:

(1) For any individual who has successfully completed an approved training course in the past twelve-month period, one year after the last day of the required training course;

(2) For any individual who is exempt from the training requirements, one year from the date the application is approved by the director; or



(3) For any candidate applying for licensure pursuant to paragraph (E) of this rule, the expiration date of the other state's license.

(F) At the exam, the applicant shall provide photographic proof of identity, and any other identification that the director chooses to require, to the director or the director's designated examination administrator upon request.

(G) To renew a license, all individuals, except for clearance technicians, shall:

(1) Successfully complete the appropriate Ohio-approved refresher course within two years of the date of initial or previous refresher training. If refresher training is not completed within two years the initial course must be repeated.. Clearance technicians shall complete a refresher course every fourth year from the date of their initial license.

(a) A lead abatement worker may take a lead abatement contractor refresher course in lieu of a lead abatement worker refresher course;

(b) A lead abatement project designer may take a lead abatement contractor refresher in lieu of a lead abatement project designer refresher; and

(c) A lead inspector may take a lead risk assessor refresher course in lieu of a lead inspector refresher course.

(2) Submit a copy of the Ohio-approved refresher course completion certificate, as required;

(3) Submit a complete application, on forms prescribed by the director, specific for renewal, and pay the biennial fee set forth in paragraph (A)(3) of this rule; and

(4) Comply with any procedure that the director has in place to establish proof of identity.

(H) To replace a license, an individual shall:



(1) Submit a complete application to the director, on forms prescribed by the director, specific for a replacement license; and

(2) The individual shall pay the fee for replacement of proof of licensure by check or money order payable to the "Treasurer, State of Ohio" as follows:

(a) For a lead abatement contractor license, one hundred dollars;

(b) For a lead abatement project designer license, one hundred dollars;

(c) For a lead inspector license, fifty dollars;

(d) For a lead risk assessor license, fifty dollars;

(e) For a lead abatement worker license, twenty-five dollars; or

(f) For a clearance technician license, fifty dollars.

(I) Subject to Chapter 119. of the Revised Code, the director may refuse to issue or renew, or may suspend or revoke a license, if the licensee or applicant for the license:

(1) Has obtained or attempted to obtain:

(a) Training documentation through fraudulent means;

(b) Admission to or completion of an approved training program through misrepresentation of admission requirements;

(c) A license by misrepresenting his or her qualifications to meet licensure requirements;

(d) A license by misrepresenting related documents pertaining to education, training, professional registration, or experience; or by submitting fraudulent or deceptive information on an application for licensure;



- (e) A license without payment of the licensing examination fee; or
- (f) A license by cheating on the licensure examination;
- (2) Fails at any time to meet the qualifications for a license;
- (3) Violates or has violated any provision of Chapter 3742. of the Revised Code, Chapter 3701-32 of the Administrative Code, or federal or local lead-based paint or lead hazard statutes or regulations;
- (4) Permits another individual to duplicate or use his or her proof of identity or licensure, evidence of training or examination documents;
- (5) Performs lead activities without the appropriate license, or without having proof of licensure available for inspection at the job-site;
- (6) Fails to maintain required records pursuant to Chapter 3701-32 of the Administrative Code;
- (7) Interferes with an investigation conducted pursuant to section 3742.35 of the Revised Code; or
- (8) Employs or authorizes use of lead abatement personnel that are not licensed pursuant to this chapter.
- (J) Each license or license renewal issued pursuant to Chapter 3701-32 of the Administrative Code expires two years after the date of issuance.
- (K) The director shall issue only one license for each licensing discipline to any individual.
- (L) Anyone licensed pursuant to rules 3701-32-05 to 3701-32-09 of the Administrative Code shall notify the director of any change to the information submitted on the initial or renewal application within two weeks after the change.
- (M) Anyone licensed pursuant to rules 3701-32-05 to 3701-32-09 of the Administrative Code shall



carry proof of licensure on their person, or have proof of licensure available on site when performing a lead activity.