



Ohio Administrative Code

Rule 3701-82-01 Application procedures for lead training programs.

Effective: August 7, 2014

(A) A person shall submit an application for approval of a training program on a form prescribed by the director. A separate application shall be submitted for each program for which the person is seeking approval. An application for approval of a training program shall contain:

(1) The applicant's statement setting forth the intent to offer an initial or refresher program and, except for the state of Ohio and local political subdivisions, a non-refundable fee of seven hundred fifty dollars for an initial program and two hundred fifty dollars for a refresher program, payable to the "Treasurer, State of Ohio" for the following programs:

- (a) Initial clearance technician program;
- (b) Initial lead inspector program;
- (c) Initial lead risk assessor program;
- (d) Initial lead abatement contractor program;
- (e) Initial lead abatement project designer program;
- (f) Initial lead abatement worker program;
- (g) Refresher clearance technician program;
- (h) Refresher lead inspector program;
- (i) Refresher lead risk assessor program;
- (j) Refresher lead abatement contractor program;



(k) Refresher lead abatement project designer program; and

(l) Refresher lead abatement worker program.

(2) As separate attachments:

(a) A statement signed by the training program manager certifying that:

(i) The training program meets the minimum requirements set forth in Chapter 3701-82 of the Administrative Code;

(ii) Each instructor meets the qualifications set forth in rule 3701-82-01.1 of the Administrative Code;

(iii) The program will use either the model training materials developed by the United States environmental protection agency, United States department of housing and urban development, if available, or materials approved by the director; and

(iv) The applicant is in compliance and will remain in compliance with the reporting and record-keeping requirements of paragraphs (A)(3) and (A)(4) of rule 3701-82-1.2 of the Administrative Code.

(b) The course agenda with an allocation of time spent on each topic;

(c) The course quality control plan and certification that the applicant will comply with the requirements of paragraph (B) of rule 3701-82-01.2 of the Administrative Code;

(d) An example of a course completion certificate, as described in paragraph (A)(2) in rule 3701-82-01.2 of the Administrative Code;

(e) A copy of all program examinations with answer keys in accordance with paragraph (K) of rule 3701-82-01.3 of the Administrative Code;



- (f) A copy of the student manuals and instructor manuals to be used for each program; and
 - (g) Documentation of the training manager's and instructor's qualifications required by rule 3701-82-01.1 of the Administrative Code.
- (B) A person shall submit an application for renewal of approval of a training program on a form prescribed by the director. A person shall submit a separate application for each program for which the person is seeking approval. An application for renewal shall include the fee as specified in paragraph (A)(1) of this rule. As part of the application, the individual shall also submit:
- (1) A statement signed by the training program manager certifying that:
 - (a) The training program continues to meet the minimum requirements set forth in Chapter 3701-82 of the Administrative Code;
 - (b) Each instructor continues to meet the qualifications set forth in rule 3701-82-01.1 of the Administrative Code, and a list of the topics or skill areas that each instructor will teach;
 - (c) The program continues to use the model training materials developed by the United States environmental protection agency, United States department of housing and urban development, if available, or materials approved by the director; and
 - (d) The applicant is in compliance and will remain in compliance with the reporting and record-keeping requirements of paragraphs (A)(3) and (A)(4) of rule 3701-82-1.2 of the Administrative Code.
 - (2) A statement from the training manager indicating whether any of the following have changed:
 - (a) Program examination and answer key;
 - (b) Facilities or equipment available for lecture;



(c) Program agenda with an allocation of time spent on each topic;

(d) Program quality control plan;

(e) Program completion certificate and an example of the changed certificate; or

(f) Student manuals or instructor manuals to be used for each program.

(C) The director shall notify the applicant of any deficiency or needed modification to the application. Six months after written notification, the application shall no longer be maintained. An application that is no longer maintained shall not be subject to appeal pursuant to Chapter 119. of the Revised Code.

(D) The director may refuse to issue or renew an approval, or may suspend or revoke the approval of an approved training program if the approved training program, training manager, or any other person with supervisory authority over the training program has:

(1) Misrepresented the contents of a training program to the director or trainees;

(2) Failed to submit required information or notifications in a timely manner;

(3) Falsified accreditation records, instructor qualifications, or any other approval-related information or documentation;

(4) Failed to comply with any requirement of this rule, Chapter 3742. of the Revised Code, or any federal, state, or local statutes or regulations as they pertain to lead-based paint or lead hazards;

(5) Failed to maintain required records; or

(6) Made false or misleading statements to the director in its application for approval or its application for renewal.

(E) Approval to conduct a training program expires three years from the date the director issues



approval.

(F) An approved training program or instructor cannot transfer its approval.

(G) The director may perform an on-site audit at any time during regular business hours to document and verify the statements and the contents of an application for approval. The training manager shall allow the director to audit the training program at any time at no charge to the director.

(H) Any person who is aggrieved by the director's refusal to issue or renew an approval, or to suspend or revoke an approval to conduct a training program pursuant to this rule may request a hearing on the matter in accordance with Chapter 119. of the Revised Code.