

Article 2.5. Registration--Asbestos- Related Work

§341.13. Denial of Registration.

(a) The Division shall deny the issuance of a registration if in its opinion, based on available facts, including the information provided by employer in the application for registration, the employer has failed to show that the conditions, practices, means, methods, operations or processes used or proposed to be used will provide a safe and healthful place of employment. A relevant factor in the Division's determination will be the employer's compliance history with the Division. In denying the registration to an applicant employer, the Division shall immediately notify the employer, in writing, specifying the reasons for such denial and shall send a copy thereof to the Director.

~~(b) Any employer denied a registration by the Division may appeal such denial to the Director. The Director shall hold a hearing at such place designated by the Director or his authorized designee for the convenience of the attending parties within two working days of the employer's appeal. Employer shall have the burden of establishing that it qualifies for the registration.~~

~~The hearing shall be presided by the director or his authorized designee and shall also be open to employees or employees' representative. The employer shall notify the employees or employees' representatives of such hearing a reasonable time prior to the holding of such hearing. Proof of such notification by the employer shall be made at the hearing.~~

~~(c) Following the hearing, the Director shall issue a decision. The Director's decision shall be final except for any rehearing or judicial review provided for by law. All requests for rehearings shall be filed with the Director within 10 days from the date of the Director's decision.~~

~~(b) All procedures for denial shall follow the General Rules of Practice and Procedures in sections 340.40 through 340.52.~~

~~(c) The affected party may appeal the action of the Division following the General Rules of Practice and Procedures in sections 340.40 through 340.52.~~

NOTE: Authority cited: Sections 60.5, 6308 and 6501.5, Labor Code.

Reference: Sections 6308, 6308.5 and 6501.5, Labor Code.

**Chapter 3.2. California Occupational Safety and Health Regulations (CAL/OSHA)
Subchapter 2. Regulations of the Division of Occupational Safety and Health**

Article 2.5. Registration--Asbestos- Related Work

§341.14. Revocation or Suspension of Registration.

~~(a) The Division may at any time, upon a showing of good cause and after notice and an opportunity to be heard, revoke or suspend any registration issued pursuant to this article.~~

~~(b) Notice shall be in writing and served upon the employer at least 24 hours in advance of the hearing. Service shall be by personal service or certified mail to the employer's address as shown on the registration application form. The notice shall specify the reasons for the action taken by the Division in order that the employer may prepare for the hearing. The Division shall also include within the notice of revocation or suspension specific conditions which must be met before the employer will be entitled to apply for a new registration or continue asbestos related work under an existing registration.~~

~~(c) The hearing shall be held as soon as possible at the Division's headquarter offices or at such other location as may be designated by the Director and shall be presided by the Chief of the Division or his authorized designee and shall also be open to any affected employees or their representatives.~~

~~The employer shall notify the employees or employees' representative, a reasonable time prior to such hearing. Proof of such notification by the employer shall be made at the hearing.~~

~~(d) At the hearing the Division shall establish good cause for the action taken by it. Good cause is deemed to exist if the Division establishes that the employer has failed to comply with the requirements of the issuance of the registration, and that to permit the continuance of the asbestos related work activity under the circumstances could cause serious injury or illness to employees.~~

~~The employer may appeal such revocation or suspension to the Director in the same manner specified in Section 341.13 of this article. The filing of an appeal shall not stay the revocation or suspension, and such action shall remain in effect until such time as the employer presents proof that the specified written conditions required by the Division are met or until otherwise ordered after resolution of the appeal.~~

~~(b) All procedures for suspension or revocation shall follow the General Rules of Practice and Procedures in sections 340.40 through 340.52.~~

~~(c) The affected party may appeal the action of the Division following the General Rules of Practice and Procedures in sections 340.40 through 340.52.~~

NOTE: Authority cited: Sections 60.5, 6308, 6501.5 and 6505.5 Labor Code.

Reference: Sections 6308, 6308.5, 6501.5 and 6505.5, Labor Code.

**Chapter 3.2. California Occupational Safety and Health Regulations (CAL/OSHA)
Subchapter 2. Regulations of the Division of Occupational Safety and Health**

Article 2.6. Asbestos Consultants and Site Surveillance Technicians

§341.15. Certification of Asbestos Consultants and Site Surveillance Technicians.

(a) Scope and Application.

Any individual performing services as an asbestos consultant or site surveillance technician as referenced and defined in section 1529~~(b)~~(q) of Title 8 of the California Code of Regulations must apply for and obtain a certification pursuant to this article. Note: This does not apply to individuals who perform preliminary site assessments or other such building inspection activities which may identify asbestos-containing construction materials but which are not for the primary purpose of finding asbestos-containing construction materials in buildings and evaluating the materials for the need of asbestos abatement.

(b) Application for Examination and Certification.

(1) Any individual desiring to be certified as set forth in subsection (a) of this section must submit an application for examination and certification as set forth herein. The application and all information and attachments shall be submitted under penalty of perjury, and accompanied by all applicable fees as set forth herein. No application will be accepted for processing by the Division unless accompanied by all required fees as set forth in subsection (c) herein.

Applications may be obtained from any District Office for the Division and shall be filed by mailing the completed application to the following address:

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
P.O. BOX 420603
SAN FRANCISCO, CA 94142
ATTENTION: ASBESTOS CONSULTANT CERTIFICATION

The application shall include:

- (A) Type of certification desired: Asbestos Consultant or Site Surveillance Technician.
- (B) Full name of the applicant including the name under which the individual will be conducting business under the certification, and any other names the applicant has used to conduct business as an asbestos consultant within five years previous to the date of the application.
- (C) Birthdate and Social Security Number.
- (D) Address (Employment and Home).
- (E) Telephone Number (Work and Home).
- (F) 2 copies of 1 1/2" x 1 1/2" current color photograph of applicant (passport type taken within the past 30 days).
- (G) Copies of valid certificates from AHERA training providers approved by the Division.

Note: The Division will publish a list of approved AHERA training providers.

(1) Asbestos consultant applicants shall submit copies of AHERA training certificates for management planner, abatement project designer, abatement contractor and supervisor,

and all subsequent annual refresher courses. ~~The complete abatement project designer course certificate will be required only for applications submitted after July 1, 1994. Note: The project designer refresher course will be sufficient for applications submitted prior to July 1, 1994.~~

(2) Site surveillance technician applicants shall submit copies of AHERA training completion certificates for inspector, and abatement contractor and supervisor, and all subsequent annual refresher courses. Certificates for abatement worker and abatement project designer may be submitted in lieu of the abatement contractor and supervisor certificate.

(i) Denial, Suspension, or Revocation of Certification.

(1) The Division may for good cause deny certification to an applicant. Good cause shall be deemed to exist when the applicant does not satisfy the qualification requirements of this article or has failed the written examination.

(2) The Division may for good cause and after notice ~~and hearing~~ suspend or revoke the certification of a person certified pursuant to this section. Good cause shall be deemed to exist if the person certified has committed gross negligence or fraud, or engaged in repeated acts of negligence during the performance of activities subject to the certification.

~~Note: Revocation proceedings shall comply with the procedural requirements of Chapter 5 (commencing with section 11500) of Division 3 of Part 1 of Title 2 of the Government Code applicable to administrative adjudication.~~

~~(3) For denial or suspension of a certification, notice shall be given in writing and served upon the person certified at least 24 hours in advance of the hearing to suspend or revoke the certification. Service shall be by personal service or certified mail to the person's address as shown on the certification application or other address known to the Division. The notice shall specify the reasons for the action taken by the Division in order that the person may prepare for the hearing.~~

~~(4) Any applicant may appeal the denial, suspension or revocation to the Director. The appeal shall be in writing and made within 5 business days of receipt of the notification of the decision regarding the certification.~~

~~(5) The Director or authorized representative shall schedule a hearing within 5 business days of receipt of an appeal. The applicant shall have the burden of establishing that he/she qualifies for the certification at the hearing.~~

~~(6) Following the hearing the Director shall issue a decision. The Director's decision shall be final except for any rehearing or judicial review provided for by law. Requests for rehearings shall be filed with the Director within 5 business days of the Director's decision.~~

(3) All procedures for denial, suspension or revocation will follow the General Rules of Practice and Procedure in sections 340.40 through 340.52.

(4) The affected party may appeal the action of the Division following the General Rules of Practice and Procedures in sections 340.40 through 340.52.

Note: Authority cited: Section 7180, Business and Professions Code; and Sections 60.5, 6308, and 9021.5 Labor Code. Reference: Sections 7184 and 7185, Business and

Professions Code; Sections 9021.5, 9021.6 and 9021.8, Labor Code; and Section 1529, Title 8, California Code of Regulations.

**3.2. California Occupational Safety and Health Regulations (CAL/OSHA)
Subchapter 2. Regulations of the Division of Occupational Safety and Health**

Article 2.7. Approval of Courses and Course Providers

§341.16. Approval of Asbestos Training and Course Providers for Training Requirements Relating to Asbestos-Related Work and AHERA.

(a) Scope and Application.

(b) Requirements for Asbestos Course Approval.

(1) General Requirements.

(A) The course provider shall inform the Division in writing of the starting date, time and location for each training course scheduled at least 15 days prior to each starting date. In cases where the 15-day notice cannot be provided, FAX or telephone with written follow-up notification may be made as soon as possible before commencement of the training, but in no case later than 24 hours prior to commencement.

(B) The Asbestos Abatement Worker courses, including the course materials and examinations, shall be given in a language that is understood by both the course instructor and trainees.

(C) The instructor directing each course shall have at least one year of experience in teaching courses of a similar nature or other professional teaching qualifications in areas related to occupational safety and health issues. The instructor for the hands-on portion of the course shall have at least one year of relevant work experience in asbestos-related work.

(D) The course provider shall update the information submitted to the Division whenever a substantive change is made to information previously submitted for Division approval. Examples of substantive changes include a change in course instructor, instructional materials, personnel, or course offerings. Such notification shall be made in writing to the Division at the address given in (d)(1) of this Section no later than 24 hours after the change is instituted.

(E) ~~Only individuals who have successfully completed an initial training course shall be allowed to take the corresponding refresher training course.~~ To obtain and maintain the required training certificate in an AHERA discipline, an individual must successfully complete an initial class in that discipline. Refresher classes in that discipline must be taken annually thereafter. Only holders of a certificate which is less than one year past the expiration date shown on the certificate shall be permitted to take the refresher training course.

(F) Training attendance is required for at least the duration specified for each course as set forth below. Breaks, including a lunch break, may be included in each eight hours of training.

(G) Except for AHERA courses, a course provider may combine trainees of various crafts for training on common curricula when appropriate, and then separate the trainees for the specific training for each craft.

(H) Training providers shall comply with the minimum recordkeeping requirements in Subpart F of Appendix A of Section 341.16.

(2) Specific Course Requirements

(A) Initial Course for Construction Craft Worker: the initial Construction Craft Worker course shall include the following:

1. The course curriculum and the course length in hours shall meet the requirements in Section 1529 for Class I, II, or III work or other federal requirements.
2. Hands-on training that is specific to the asbestos-related work for the construction craft of each employee attending the course.

~~Note: Except for AHERA courses, a course provider may combine trainees of various crafts for training on the common parts of the curricula involved when appropriate, and separate the trainees after the common training for the specific training peculiar to each craft involved.~~

(B) Refresher Course for Construction Craft Worker: the annual refresher shall include at least two hours of review of the important elements covered in the corresponding initial course, any changes in federal and state asbestos regulations, and the latest developments in the state of the art practices for asbestos-related work involving the specific construction craft.

(C) Initial AHERA Course: The initial course for each AHERA craft or discipline shall include and conform with the AHERA training course curriculum and required hours of instruction specified in the USEPA Model Accreditation Plan found in 40 CFR Part 763, Subpart E, Appendix C. The Model Accreditation Plan is included as Appendix A of this section.

1. When hands-on training is specified, the hands-on training must allow contractors, supervisors and workers to have actual experience performing tasks associated with asbestos abatement. Simulated asbestos materials shall be used instead of actual asbestos during the hands-on training.
2. The training course shall include a review of applicable federal and state regulations, including but not limited to, Sections 341.6, et seq. and Sections 1529 and 5208 of Title 8 of the California Code of Regulations.

(D) Annual AHERA Refresher Course: The refresher AHERA course shall include and conform with the AHERA training course curriculum described in the USEPA Model Accreditation Plan found in 40 CFR Part 763, Subpart E, Appendix C and shall be specific to each AHERA discipline.

1. The refresher training course shall include a review of the important elements covered in the initial course, any changes in federal, state, and local regulations, and the latest developments in state of the art practices.
2. A minimum of eight (8) hours training shall be given for the refresher training course for Asbestos Abatement Worker, Abatement Contractor/Supervisor and Abatement Project Designer. A minimum of four (4) hours training shall be given for the refresher training course for Inspector. Only the rightful holder of a valid, current AHERA Inspector and Management Planner certificates shall be allowed to take the Management Planner refresher accreditation training.

(E) Course Examinations.

1. As indicated in the table of examination requirements below an initial training course shall include an examination administered as a final part of the training course. The examination shall adequately cover the topics of the training course. Demonstration testing may be included as a part of the examination. The minimum number of multiple choice questions, each question having at least 4 choices for an answer, and the minimum passing score required for each type of training course are shown in Table 1.

TABLE 1

Course Examination Specifications		
Craft/Discipline	Number of Questions	Passing Score
Construction Craft Worker:	20	70%
Inspector (closed book exam):	50	70%
Management Planner (closed book exam)	50	70%
Asbestos Project Designer: (closed book exam)	100	70%
Asbestos Contractor/Supervisor: (closed book exam)	100	70%
Asbestos Abatement Worker: (closed book exam)	50	70%

2. Any trainee failing the examination may retake an equivalent but different examination one time; the course provider shall allow the trainee to retake the examination as soon as practicable after notifying the trainee of the exam results but no later than thirty (30) days after such date. If the trainee fails the second examination, the trainee must retake the course in order to take the examination again.

(F) Course Certificates.

1. The training provider shall issue certificates to trainees who complete a training course and pass the examination.

2. The certificate shall be issued within 15 business days after the course completion date. Compliance with this requirement may be delayed until the course provider receives payment for the course. The certificate shall be valid for one year after the successful completion of the examination. Certificates may be renewed annually by successfully completing annual refresher courses as long as the refresher training is taken within a year of the previous expiration date.

3. Each certificate shall contain the following information:

A. The name, address and telephone number of the training provider that issued the certificate. The name of the training course with an indication that it is approved by the Division.

B. The Course Approval Number issued by the Division and a unique certificate number issued by the training course provider. If the certificate is for a Construction Craft Worker, also include on the certificate a designation of the type of craft and the class of asbestos work as described in Section 1529; e.g., Roofer - Class II, General Building Maintenance Worker - Class III, etc.

C. The name of the trainee.

D. The dates when the training course started and ended, and the date of the examination if applicable.

E. The certificate expiration date.

F. The name and signature of an authorized officer of the training course provider with a written statement that the person receiving the certificate has completed the required training and passed the examination (if one is required). In the case of training for AHERA disciplines (but not for Construction Craft Workers), the written statement shall also indicate that the training completed is that required for asbestos accreditation under Toxic Substances Control Act, Title II.

(c) Division Roster of Certificate Holders.

(1) The course provider shall provide the following information to the Division on forms provided by the Division with the appropriate fee specified in subsection (e) for each certificated trainee within 15 business days after each course examination.

(A) The name of the training course and its State of California course approval number.

(B) Full name of certificated trainee.

(C) The unique certificate number issued by the training course provider. If the certificate is for a Construction Craft Worker, also include a designation of the type of craft and the class of asbestos work.

(D) Home address of trainee.

(E) The expiration date of the certificate.

(F) The name of the approved instructor.

(2) The Division will utilize this information to develop a roster of individuals who have received a certificate of training from an approved course provider. Only those individuals who appear on the roster will be considered in compliance with the training requirements of AHERA or subsections 1529(k)(9) for employees engaged in asbestos-related work requiring employer registration. ~~Note: To provide an orderly transition, individuals who possess valid and current AHERA certificates issued by USEPA approved or USEPA state approved course providers will be considered in compliance with this provision until December 31, 1999. After December 31, 1999, these individuals must appear on the Division roster showing initial or refresher AHERA certificates issued by Division approved AHERA course providers.~~

(d) Application for Course Approval.

(1) Any individual or organization that desires to become a course provider and satisfies the requirements of this article shall apply to the Division for approval of an asbestos training course. The course provider shall complete a separate application for each training course for which approval is being sought using the following forms which are hereby incorporated by reference: Worker initial course, Form W-I 8/28/98; Contractor/Supervisor initial course, Form CS-I 8/28/98; Building Inspector initial course, Form BI-I 8/28/98; Project Designer initial course, Form PD-I 8/28/98; Management Planner initial course, Form MP-I 8/28/98; Construction Craft Worker

initial course, Form CCW-I 8/28/98; Worker refresher course, Form W-R 8/28/98; Contractor/Supervisor refresher course, Form CS-R 8/28/98; Building Inspector refresher course, Form BI-R 8/28/98; Project Designer refresher course, Form PD-R 8/28/98; Management Planner refresher course, Form MP-R 8/28/98; Construction Craft Worker refresher course, Form CCW-R 8/28/98. Requests for application information and completed applications shall be sent to:

Division of Occupational Safety and Health

P. O. Box 420603
San Francisco, CA 94142

(2) The application shall include:

- (A) The name of the training course.
 - (B) The name of the course provider, the name and title of the person whom the Division will contact regarding course approval matters, address, phone number, and the name and title of the person completing the application with his or her signature and a statement certifying that the information in the application is correct.
 - (C) The appropriate fee specified in subsection (e).
 - (D) Evidence of any previous approval from USEPA or another state for the training course.
 - (E) Materials describing the contents and parameters of the training course.
 - (F) Copies of all training documents and visual training aids (projection transparencies, etc.) used in the training course.
 - (G) A sample copy of the examination to be administered for the training course, including the test key.
 - (H) A description of and a sample copy of the certificate to be issued for the training course.
 - (I) The name(s) of instructors and documentation showing that each has academic credentials and/or field experience in asbestos abatement.
 - (J) A list of the equipment which is used in the training course with a description of each type of equipment and the quantity of each type available on site for training.
- (3) Course approvals may not be transferred.
- (4) Worker and Craft Worker courses may be approved in languages other than English.

(h) Denial, Suspension and Revocation of Course Approval and of Training Certificates.

(1) The Division may at any time, upon a showing of good cause and after notice ~~and an opportunity to be heard,~~ deny any application for course approval or certificate; or, suspend or revoke any course approval or training certificate issued pursuant to this section.

~~(2) Notice shall be in writing and served upon the party receiving adverse action from the Division at least 24 hours in advance of the hearing. Service shall be by personal service or certified mail to the course provider's address as shown on the course approval~~

application. The notice shall specify the reasons for the action proposed by the Division in order that the notified party may prepare for the hearing.

(3) The hearing shall be held as soon as possible at the Division's headquarters offices or at such other location as may be designated by the Division and shall be presided over by the Chief of the Division or his authorized designee.

(4) At the hearing the Division shall establish good cause for the action proposed by it. Good cause is deemed to exist if the Division establishes that the course provider issued a certificate, but did not provide the corresponding required training.

(5) The adversely affected party receiving a suspension or revocation from the Division may appeal such action to the Director. The Director shall hold a hearing at such place designated by the Director or his authorized designee for the convenience of the attending parties within two working days of the receipt of the course provider's appeal. The course provider shall have the burden of establishing that the suspension or revocation is not justified. The hearing shall be presided over by the Director or his authorized designee.

(6) Following the hearing, the Director shall issue a decision. The Director's decision shall be final except for any rehearing or judicial review provided for by law. All requests for rehearing shall be filed with the Director within 10 business days from the date of the Director's decision by mailing or personally serving a request for rehearing to the Director.

(2) Good cause shall be deemed to exist if the Division establishes that a course provider:

- (A) Misrepresented the extent of a training course's approval by a State or EPA;
- (B) Failed to submit required information, notifications or fees in a timely manner;
- (C) Failed to establish and maintain records of the training course materials, instructor qualifications, examinations, accreditation certificates, procedures to verify student fulfillment of prerequisites, and other records required by this section and Appendix A;
- (D) Failed to confirm that their students possess valid accreditation before granting course admission for refresher training courses, or for courses with prerequisites;
- (E) Falsified instructor qualifications, accreditation records, or other information;
- (F) Issued a certificate, but did not provide the corresponding required training; or
- (G) Failed to adhere to all requirements of the Model Accreditation Plan in Appendix A.

(3) Good cause shall be deemed to exist if the Division establishes that an individual:

- (A) Performed asbestos work requiring accreditation without being in physical possession of initial and current accreditation certificates;
- (B) Permitted the duplication or use of one's own accreditation certificate by another;
- (C) Performed work for which accreditation has not been received;
- (D) Obtained accreditation from a training provider that does not have approval to offer training for the particular discipline from either EPA or from a State that has a contractor accreditation plan at least as stringent as the EPA MAP;
- (E) Obtained accreditation through fraudulent representation of training or examination documents;
- (F) Obtained training documentation through fraudulent means;
- (G) Gained admission to and completed refresher training through fraudulent representation of initial or previous refresher training documentation; or

- (H) Obtained accreditation through fraudulent representation of accreditation requirements such as education, training, professional registration, or experience.
- (4) All procedures for denial, suspension, or revocation shall follow the General Rules of Practice and Procedures in Sections 340.40 through 340.52.
- (5) The affected party may appeal the action of the Division following the General Rules of Practice and Procedures in Sections 340.40 through 340.52.

NOTE: Authority cited: Sections 60.5, 6308, and 9021.9 of the Labor Code; and 40 CFR Part 763. Reference: 6501.5 and 6501.8(c) Labor Code; Sections 7184 and 7185, ~~Government~~ Business and Professions Code; and Section 15 of the Asbestos School Hazard Abatement Reauthorization Act.

**Chapter 3.2. California Occupational Safety and Health Regulations (CAL/OSHA)
Subchapter 2. Regulations of the Division of Occupational Safety and Health**

Article 2.6. Asbestos Consultants and Site Surveillance Technicians

§341.17. Approval of Asbestos Cement Pipe Training and Asbestos Cement Pipe Course Providers for the Purpose of Employer Exemption from Registration Requirements.

(a) Scope and Application.

Any course provider (individual or business entity) desiring to provide asbestos cement pipe training for the purpose of employer exemption from requirements for “asbestos-related work” as provided by Section 1529(r) and Labor Code Section 6501.8(c) shall apply for and obtain approval pursuant to this section.

(b) Criteria for Asbestos Cement Pipe Course Approval.

(1) Initial course. The course shall consist of a minimum of four (4) hours training for workers and for supervisors, and shall include, but is not limited to the following topics:

(A) The physical characteristics and health hazards of asbestos.

(B) The types of asbestos cement pipe an employee may encounter in his or her specific work assignments.

(C) Safe practices and procedures for minimizing asbestos exposures from operations involving asbestos cement pipe.

(D) A review of general industry and construction safety orders relating to asbestos exposure.

(E) Hands-on instruction using pipe and the tools and equipment employees will use in the work place.

(2) Refresher course. Annual re-training must be provided in accordance with Section 1529(k)(9)(B). The annual refresher shall include at least two hours of review of the important elements covered in the initial course, any changes in federal and state asbestos regulations, and the latest developments in state of the art practices for work involving asbestos cement pipe.

(c) Applying for Course Approval.

Any individual or entity that desires to provide Division approved asbestos cement pipe training may apply to the Division at this address:

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
AC PIPE TRAINING APPROVAL
P.O. BOX 420603
SAN FRANCISCO, CA 94142

The following information shall be provided:

(1) The name and address of the individual or entity providing the training, the name and title of the person submitting the application with his or her signature and a statement certifying that the information and material submitted will be used in the course for which approval is being sought, and the name, title, and telephone number of the person whom the Division should contact regarding course approval matters.

(2) A written description of the training topics and hands-on practices that will be taught, and a copy of any training documents and visual training aids that will be used.

(g) Denial, Suspension and Revocation of Course Approval and of Training Certificates.

(1) The Division may at any time, upon showing of good cause and after notice ~~and an opportunity to be heard~~, revoke any course approval or training certificate issued pursuant to this section.

~~(2) Notice shall be in writing and served upon the course provider at least 24 hours in advance of the hearing. Service shall be by personal service or certified mail to the course provider address as shown on the course approval application. The notice shall specify the reasons for the action taken by the Division in order that the course provider may prepare for the hearing.~~

~~(3) The hearing shall be held as soon as possible at the Division's headquarters office or at such other location as may be designated by the Division and shall be presided over by the Chief of the Division or authorized designee.~~

~~(4) At the hearing the Division shall establish good cause for the action taken by it. Good cause is deemed to exist if the Division establishes that the course provider did not provide the required training.~~

~~(5) The course provider receiving a revocation from the Division may appeal such revocation to the Director. The Director shall hold a hearing at such place designated by the Director or authorized designee for the convenience of the attending parties within two working days of the course provider's appeal. The course provider shall have the burden of establishing that the revocation is not justified. The hearing shall be presided over by the Director or authorized designee.~~

~~(6) Following the hearing, the Director shall issue a decision. The Director's decision shall be final except for any rehearing or judicial review provided for by law. All requests for hearing shall be filed with the Director within 10 days from the date of the Director's decision.~~

(2) All procedures for denial, suspension, or revocation shall follow the General Rules of Practice and Procedures in sections 340.40 through 340.52.

(3) The affected party may appeal the action of the Division following the General Rules of Practice and Procedures in sections 340.40 through 340.52.

NOTE

Authority cited: Sections 60.5, 6308 and 9021.9, Labor Code. Reference: Sections 6501(e) and 9021.9, Labor Code; and Section 1529, Title 8, California Code of Regulations.