

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF OCCUPATIONAL SAFETY & HEALTH**ASBESTOS CONSULTANT AND TRAINER UNIT**

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July 29, 2003

NOTICE OF PROPOSED MODIFICATIONS**Title 8. Industrial Relations****Division 1. Department of Industrial Relations****Chapter 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****341.17. Approval of Asbestos Cement Pipe Training and Asbestos Cement Pipe Course Providers for the purpose of Employer Exemption from Registration Requirements.**

Pursuant to Government Code section 11346.8(c), the Division of Occupational Safety and Health (the Division) gives notice of the opportunity to submit written comments on the above-described proposed regulations.

On October 21, 2002, the Division conducted a hearing in which the public was given an opportunity to provide written comments on the above-referenced regulation.

The Division is now proposing modifications to the above-referenced regulation.

Attached is a copy of the full text of the proposed regulatory text as originally proposed and a copy of the modified text, showing the modifications to the proposal since it was released for public consideration during the October 21, 2002 hearing. In the attached modified text, the original text is shown underlined with the currently-proposed deletions to the text are indicated by strikeouts, and currently-proposed additions are indicated by highlighted double underlines.

Written comments on the proposed modifications must be received by the Division at its office listed below not later than 5:00 p.m. on August 18, 2003.

The Division's rulemaking file on the proposed action is open to public inspection Monday through Friday, 8:00 a.m. to 4:30 p.m. at the Division's Asbestos Consultant and Trainer Approval Unit which is located at the address shown below. Inquiries concerning the Proposed Regulations may be addressed to the following agency contact person:

Rick Axe or Steve Smith
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PROPOSED MODIFICATIONS
(Modifications are indicated by
bold double underline text for new language and
bold strikeout text for deleted language.)

**PROPOSED 15-Day Amendments to REGULATIONS OF
THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
CALIFORNIA CODE OF REGULATIONS**

**Title 8. Industrial Relations
Division 1. Department of Industrial Relations
Chapter 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**

Amend section 341.17 to read:

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

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(e) Process of Application.

- (1) Within ~~30~~ 25 business days of receipt of an application, the Division shall notify the applicant in writing that the application is approved and issue a Division Course Approval Number, or that the application is deficient. The notice shall specify what additional information or documentation is necessary when the application is found to be deficient.
- (2) Within ~~20~~ 15 business days of receipt of the requested additional information or documentation, the Division shall notify the applicant in writing that the application is approved and issue a Division Approval Number, or that the application is still deficient and denied.
- (3) An applicant whose application is denied may submit a new application with another application fee. ~~of \$200.~~

(f) Training Records.

- (1) To maintain the course approval, the course provider shall maintain records which give the names of the trainees, the dates that the training was provided, the name(s) of the instructor(s) giving the training, and the Division issued Course Approval Number. This applies whether or not the course provider is also the employer.
- (2) The course provider shall provide a copy of the training records to the Division when requested.
- (3) Training records shall be maintained for a minimum of three years.

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