

10A NCAC 41C .0802 CERTIFICATION OF INDIVIDUALS

(a) No person shall perform lead-based paint activities until that person has been certified by the Program in the appropriate certification category, except as provided for in G.S. 130A-453.03(b).

(b) An applicant for certification shall successfully complete applicable training courses accredited by the Program or accredited by a state, tribe, or territory that has a written reciprocating agreement with the Program, and shall successfully complete the examination specified in Rule .0804 of this Section. Successful completion includes attendance of at least 95 percent of the course, passing the course exam with a minimum score of 70% and passing the hands-on skills assessment. An applicant for initial certification shall have successfully completed an accredited initial training course for a specific discipline within the 12 months immediately preceding application. If initial training was completed more than 12 months prior to application, the applicant shall have successfully completed an accredited refresher course for the specific discipline at least every 24 months from the date of completion of initial training and within 12 months prior to applying for certification. However, an applicant who completed training prior to the effective date of this Rule and applies for certification prior to December 31, 1998, shall meet the following requirements:

- (1) Training taken prior to July 1, 1995, shall be recognized for certification if the applicant has completed a refresher course at least every 24 months from the date of initial training; if the applicant has not attended a refresher course at least every 24 months from the date of initial training, the applicant shall complete an accredited initial training course; or
- (2) Applicants for certification who have successfully completed an initial training course for a specific discipline between July 1, 1995, and July 1, 1998, shall successfully complete an accredited refresher course for the specific discipline by December 31, 1998, or by date of application whichever is first and within 12 months prior to applying for certification.

(c) In addition to the requirements in Paragraph (b) of this Rule, an applicant, other than those for the worker category, shall meet the following:

- (1) a risk assessor shall meet the training requirements for inspector and the examination requirements pursuant to Rule .0804 of this Section for inspector and risk assessor, and shall have:
 - (A) a Bachelor's degree and one year experience in a related field that demonstrates skills directly transferable to the job activities for risk assessor; or
 - (B) an Associate's degree and two years experience in a related field that demonstrates skills directly transferable to the job activities for risk assessor; or
 - (C) certification as an industrial hygienist, professional engineer, registered architect; or
 - (D) a high school diploma or equivalent and at least three years of experience in a related field that demonstrates skills directly transferable to the job activities for risk assessor.
- (2) a supervisor shall meet the examination requirements pursuant to Rule .0804 of this Section for supervisor and shall have:
 - (A) one year experience as a certified lead abatement worker; or
 - (B) at least two years experience in a related field that demonstrates skills directly transferable to the job activities for supervisor.
- (3) a project designer shall meet the training requirements for supervisor and project designer and the examination requirements pursuant to Rule .0804 of this Section for supervisor and shall have:
 - (A) a Bachelor's degree in engineering, architecture, or related profession, and one year of experience in building construction and design; or
 - (B) an Associate's degree and two years experience in a related field that demonstrates skills directly transferable to the job activities for designer; or
 - (C) certification as an industrial hygienist, professional engineer, or registered architect; or
 - (D) a high school diploma or equivalent, and four years experience in building construction and design or a related field that demonstrates skills directly transferable to the job activities for designer.
- (4) an inspector shall meet the examination requirements pursuant to Rule .0804 of this Section for inspector.

(d) To obtain certification, the applicant shall submit to the Program:

- (1) a completed application with the following information:
 - (A) full name and social security number of applicant;
 - (B) address, including city, state, zip code, and telephone number;
 - (C) date of birth, sex, height, and weight;
 - (D) discipline applied for;

- (E) name, address, and telephone number of employer;
 - (F) training agency attended;
 - (G) name of training course completed; and
 - (H) dates of course attended;
- (2) two current, identical, 1 1/4 inch x 1 1/4 inch color photographs of the applicant;
 - (3) confirmation of completion of accredited initial and refresher training courses, as applicable, from the training agency; the confirmation shall be in the form of an original certificate of completion of the accredited training course bearing the training agency's official seal, or an original letter from the training agency, on training agency letterhead, confirming completion of the course; however, if an applicant is certified in a state, tribe, or territory that has a reciprocating agreement with the Program, the applicant shall submit a copy of the state issued certification and meet the requirements of Paragraphs (b), (d)(1) and (2) of this Rule;
 - (4) when education is a requirement, a copy of the diploma or other written documentation; and
 - (5) when work experience is a requirement, work history documenting lead or other related experience including employer name, address, and telephone number; positions held and a description of work duties performed; and dates when the positions were held.
- (e) All certifications shall expire at the end of the twelfth month after the certification is issued.
- (f) An applicant for renewal of certification shall successfully complete the required accredited refresher training course within 12 months prior to applying for certification renewal, and shall meet the requirements of Paragraphs (d)(1), (2), and (3) of this Rule. If a person fails to obtain the required refresher training within 24 calendar months of the date of last training, that person may be re-certified only by meeting the requirements of Subparagraphs (b), (c), and (d) of the Rule.
- (g) All certified persons shall be assigned a unique certification number by the Program.
- (h) In accordance with G.S. 130A-23, the Program may suspend or revoke certification for any violation of G.S. 130A, Article 19A or these Rules, or upon finding that its issuance was based upon incorrect information or misrepresentations that materially affected the decision to issue certification. The Program may also suspend or revoke certification upon finding that the certified person has violated any requirement referenced in Rule .0808(h) of this Section. A person whose certification is revoked shall repeat the initial training course and meet the requirements set out in Paragraphs (b), (c), and (d) of this Rule. A person whose certification is revoked because of fraudulent misrepresentations or because of violations that create a significant public health hazard shall not reapply for certification before 12 months after the revocation, and shall repeat the initial training course and meet the requirements set out in Paragraphs (b), (c), and (d) of this Rule.
- (i) Certification for persons who were certified under the Interim Lead Abatement Certification Program and who were conducting specified lead-based paint activities, as defined in the Interim Lead Abatement Certification Program, prior to the effective date of these Rules, shall remain valid until the completion of the project begun prior to the effective date of these Rules.

*History Note: Authority G.S. 130A-453.03; 130A-453.11; 150B-21.1(a)(3);
Temporary Adoption Eff. July 7, 1997;
Eff. July 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February
16, 2019.*