



ADMINISTRATIVE RULES OF MONTANA

17.74.364 TRAINING PROVIDER REQUIREMENTS

- (1) Pursuant to 75-2-511, MCA, a person may not offer a training course in Montana for accreditation of persons to engage in an asbestos-related occupation in Montana unless the department has approved the course. A person offering a training course outside Montana also may apply to the department for course approval.
- (2) The department shall approve a training course if it meets the requirements under this rule and ARM 17.74.365.
- (3) For department approval of a training course, instructors' qualifications must include:
 - (a) significant academic and/or field experience in asbestos control; and
 - (b) a cumulative total of three years accreditation in Montana to include current accreditation in Montana for the asbestos-related occupation related to the course to be taught.
 - (i) An instructor who is accredited as an asbestos contractor/supervisor may teach the asbestos worker course without current accreditation as an asbestos project worker.
- (4) Except for the asbestos worker course and the refresher courses, at least two approved instructors shall conduct all training courses.
- (5) All training course materials and examinations must be submitted to the department for the department's approval. Upon department approval, the training course is approved for a two-year period, beginning January 1 of the year following approval. The department may not accept applications for training course approval before October 1 of the year preceding the two-year training course approval period. A person may apply for approval as a training course provider beginning January 1 of the year following training course approval by submitting the following to the department by November 15 of the preceding year:
 - (a) a completed written application on a form provided by the department;
 - (b) a curriculum that includes the course topics specified in this subchapter;
 - (c) a copy of the course examination and all course materials (written and visual);
 - (d) a copy of the certification of satisfactory completion to be used for certification at the end of the course;
 - (e) a list of the proposed instructors who will teach the course along with their written documentation specifying how each instructor meets the qualifications under (3);
 - (f) a description of hands-on training to be provided in the course;
 - (g) a course schedule indicating the time allotted for each topic;

- (h) the appropriate fee for approval of the course, specified in ARM 17.74.408; and
 - (i) documentation of EPA course approval if the course has been approved by EPA.
- (6) Training course providers may, at the time of application, request to present refresher courses through an online format at no additional fee. Online refresher courses are subject to the following requirements:
- (a) the course must be presented on a free-to-use virtual platform that utilizes both visual and audio communication, with the instructor present in both visual and audio formats throughout the course;
 - (b) the training course provider may excuse students from keeping their cameras or microphones on throughout the class, but periodic check-ins are required to verify course participation;
 - (c) notification by the course provider required under (7) shall indicate the course will be conducted virtually; and
 - (d) the training provider shall, no later than 24 hours prior to the class, provide the department with online access information to enter the virtual classroom.
- (7) At least ten working days before a course commences, the person providing the training course shall notify the department of the date, time, and location of the course.
- (8) A training course provider shall notify the department at least 45 days in advance of implementing any changes in the content of approved training courses, examinations, or instructors during the two-year course approval period in (5). The department shall approve, deny, or request additional information regarding any proposed change in training course, examination contents, or change in instructor(s) within 45 working days of receiving the notification. Updates to course content made to reflect changes in state or federal regulations must be made as soon as practicable and do not require prior department approval; however, training course providers shall provide notice of such updates to the department within 45 days.
- (9) Guest speakers at a training course, such as physicians, attorneys, or other asbestos experts, do not need to be accredited in the discipline being taught. However, their presentation must be supervised by the course instructor and the course instructor remains responsible for ensuring that all required information is taught.
- (10) Department personnel may evaluate any training course offered for accreditation in an asbestos-related occupation without paying tuition or the cost of materials.
- (11) Within two working days of completing a course, the training course provider shall submit a course roster to the department. The course roster must identify:
- (a) the name and address of the training provider who provided the course;
 - (b) the name of the asbestos-related occupation course completed;
 - (c) the date(s) of the class;
 - (d) the printed name and signature of at least one course instructor;
 - (e) each course participant's signature and printed name;
 - (f) each course participant's course certificate number;

- (g) a statement that each person receiving a certificate has completed the training required for accreditation under this subchapter; and
- (h) whether each participant's instruction was online or in-person.

Authorizing statute(s): 75-2-503, MCA

Implementing statute(s): 75-2-511, MCA

History: NEW, 2006 MAR p. 1876, Eff. 6/23/06; AMD, 2011 MAR p. 2264, Eff. 10/28/11; AMD, 2020 MAR p. 1325, Eff. 6/27/20; AMD, 2024 MAR p. 723, Eff. 4/13/24.