

NOTICE OF RECODIFICATION
TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 18. DEPARTMENT OF ENVIRONMENTAL QUALITY - EMERGENCY PLANNING AND
HAZARDOUS MATERIALS TRAINING

1. A list of the Subchapters, Articles, Parts, and Sections being recodified along with their respective headings:

- 8 A.A.C. 4, Article 1. Emergency Planning and Community Right to Know
 - R8-4-101. Definitions
 - R8-4-102. General Provisions
 - R8-4-103. Responsibilities of an LEPC
 - R8-4-104. Emergency Planning and Preparedness
 - R8-4-105. Local Emergency Response Plan
 - R8-4-106. Reportable Release Notification
 - R8-4-107. Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting
 - R8-4-108. Compliance Procedures
 - R8-4-109. Community Right-to-know Procedures
 - R8-4-110. Grants
- 8 A.A.C. 2, Article 6. Hazardous Materials Training Program, Student and Instructor Evidence of Completion
 - R8-2-601. Definitions
 - R8-2-602. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum
 - R8-2-603. Instructor Authorization and Renewal
 - R8-2-604. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Division Requirements
 - R8-2-605. Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence of Completion

2. A list of the Subchapters, Articles, Parts, and Sections as recodified along with their respective headings:

- 18 A.A.C. 18, Article 1. Emergency Planning and Community Right to Know
 - R18-18-101. Definitions
 - R18-18-102. General Provisions
 - R18-18-103. Responsibilities of an LEPC
 - R18-18-104. Emergency Planning and Preparedness
 - R18-18-105. Local Emergency Response Plan
 - R18-18-106. Reportable Release Notification
 - R18-18-107. Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting
 - R18-18-108. Compliance Procedures
 - R18-18-109. Community Right-to-know Procedures
 - R18-18-110. Grants
- 18 A.A.C. 18, Article 2. Hazardous Materials Training Program, Student and Instructor Evidence of Completion
 - R18-18-201. Definitions
 - R18-18-202. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum
 - R18-18-203. Instructor Authorization and Renewal
 - R18-18-204. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Department Requirements
 - R18-18-205. Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence of Completion

3. A conversion table between the two numbering schemes:

<u>Old Numbering Scheme</u>	<u>New Numbering Scheme</u>
Title 8, Chapter 4-Arizona Emergency Response Commission	Title 18, Chapter 18, Emergency Planning and Hazardous Materials
8 A.A.C. 4, Article 1. Emergency Planning and Community Right to Know	18 A.A. C. 18, Article 1. Emergency Planning and Community Right to Know
R8-4-101	R18-18-101
R8-4-102	R18-18-102

R8-4-103	R18-18-103
R8-4-104	R18-18-104
R8-4-105	R18-18-105
R8-4-106	R18-18-106
R8-4-107	R18-18-107
R8-4-108	R18-18-108
R8-4-109	R18-18-109
R8-4-110	R18-18-110
8 A.A.C. 2, Article 6. Hazardous Materials Training Program, Student and Instructor Evidence of Completion	18 A.A. C. 18, Article 2. Hazardous Materials Training Program, Student and Instructor Evidence of Completion
R8-2-601	R18-18-201
R8-2-602	R18-18-202
R8-2-603	R18-18-203
R8-2-604	R18-18-204
R8-2-605	R18-18-205

4. The name and address of agency personnel with whom persons may communicate regarding the recodification:

Name: Mark Lewandowski
Address: Department of Environmental Quality
Waste Programs Division
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-2230
Fax: (602) 771-4272
E-mail: lewandowski.mark@azdeq.gov

5. Changes to Section References under A.A.C. R1-1-1001(C):

ARTICLE 1. EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW

R8-4-101, R18-18-101. Definitions

- A. The definitions in A.R.S. § 26-341 apply to this Chapter.
- B. In this Article, unless specified otherwise:
 1. "Emergency planning district" means an area that the Commission designates to facilitate preparing and implementing an emergency response plan.
 2. "EPA" means the United States Environmental Protection Agency.
 3. "EPCRA" means the Emergency Planning and Community Right-to-Know Act of 1986, commonly known as SARA Title III.
 4. "FD" means local fire department or the fire district with jurisdiction for a particular facility.
 5. "Hazardous substance" means a substance on the list that appears at 40 CFR 302.4.
 6. "LEPC" means "Committee," as prescribed at A.R.S. § 26-341(2).
 7. "MSDS" means material safety data sheet and has the same meaning as prescribed at 40 CFR 370.02.
 8. "NIMS" means National Incident Management System.
 9. "Reportable release" means a release that is not excluded under 40 CFR 355.40.
 10. "TPQ" means threshold planning quantity and has the same meaning as prescribed at 40 CFR 355.20.

R8-4-102, R18-18-102. General Provisions

- A. The Commission shall make all forms referenced in this Chapter available on its internet site.
- B. The owner or operator of a facility that is required to submit information under this Article may submit the information electronically to the Commission and LEPC and to the FD if, as indicated on the Commission's web site, the FD has entered into an agreement with the Commission regarding electronic submission.
- C. When the chair of an LEPC forwards to the Commission an item requiring action by the Commission before its next meeting, the Executive Director of the Commission shall respond to the LEPC on behalf of the Commission until the Commission takes action at its next meeting.

R8-4-103, R18-18-103. Responsibilities of an LEPC

- A. Members of an LEPC shall fulfill the responsibilities listed at 42 U.S.C. 11001(c), October 17, 1986, which is incorporated by reference, contains no future editions or amendments, and is available from the Commission and the U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250.
- B. In addition to the responsibilities under subsection (A), members of an LEPC shall:
 1. Establish procedures for access to the Local Emergency Response Plan;

2. Evaluate the resources needed to develop and implement the Local Emergency Response Plan and make recommendations to the County Board of Supervisors and the Commission regarding mechanisms to provide the resources needed;
3. Ensure that newly appointed LEPC members participate in training provided by the Commission regarding the responsibilities of LEPC members; and
4. Ensure that LEPC members are aware of and have the opportunity to attend Commission-sponsored meetings regarding matters related to emergency planning and preparedness.

~~R8-4-104, R18-18-104.~~ R18-18-104. Emergency Planning and Preparedness

- A. If a facility is required to comply with 40 CFR 355.30, the owner or operator of the facility shall also comply with the emergency planning and preparedness requirements in this Section.
- B. If a facility is designated by the Commission under A.R.S. § 26-347(B), the owner or operator of the facility shall comply with the emergency planning and preparedness requirements in this Section and the reporting requirements of ~~R8-4-107 R18-18-107.~~
- C. No later than 60 days after a facility first becomes subject to the emergency planning and preparedness requirements of this Section, the owner or operator of the facility shall submit a facility emergency response plan according to A.R.S. § 26-347(D). The owner or operator of the facility may submit the facility emergency response plan by completing and submitting an Emergency Response Plan Questionnaire, which is available from the Commission.
- D. The owner or operator of a facility that submits an Emergency Response Plan Questionnaire under subsection (C) may also submit a Hazard Analysis Worksheet for each extremely hazardous substance at the facility that equals or exceeds the TPQ.
- E. On or before March 1 of each year, the owner or operator of a facility described in subsection (A) or (B) shall:
 1. Review and determine whether the facility emergency response plan submitted under subsection (C) is still accurate and, if changes are needed to ensure that the facility emergency response plan is accurate, submit information regarding the relevant changes. If information regarding relevant changes to the facility emergency response plan is submitted, the owner or operator of the facility may revise and submit the Hazard Analysis Worksheet previously submitted under subsection (D); and
 2. Comply with ~~R8-4-107(C)~~ R18-18-107(C).

~~R8-4-105, R18-18-105.~~ R18-18-105. Local Emergency Response Plan

- A. Within 12 months after the Commission designates a new emergency planning district and appoints members of an LEPC for the newly designated emergency planning district, the LEPC shall prepare an emergency response plan that complies with the requirements at A.R.S. § 26-345(E) and complies with NIMS.
- B. On or before December 31 of each year and when there are changed circumstances in the community or at a facility, an LEPC shall review and update the emergency response plan for its emergency planning district.
- C. An LEPC shall submit a copy of the emergency response plan prepared under subsection (A) or (B) to the Commission.
- D. Within 60 days after the Commission receives a copy of an emergency response plan under subsection (C), the Commission staff shall:
 1. Review the emergency response plan and make recommendations for revisions necessary to ensure that the emergency response plan complies with law and coordinates with the emergency response plans of adjoining emergency planning districts; and
 2. Return the emergency response plan and recommendations to the LEPC.
- E. An LEPC shall ensure that the emergency response plan prepared under subsection (B) and reviewed and amended under subsection (D) is incorporated into the county's emergency operations plan in accordance with county procedures.
- F. At least biennially and after providing at least 30 days notice to the Commission, an LEPC shall conduct an exercise of its emergency response plan.
- G. On or before December 31 of each year, an LEPC shall survey its emergency planning district to determine how many copies of the U.S. Department of Transportation Emergency Response Guidebook are needed and forward the information regarding the number of copies needed to the Commission.

~~R8-4-106, R18-18-106.~~ R18-18-106. Reportable Release Notification

The owner or operator of a facility at which a reportable release occurs shall:

1. Comply with the notification requirements of A.R.S. § 26-348(A);
2. Submit the written follow-up emergency notice required under A.R.S. § 26-348(B); and
3. Update the notice provided under subsection (2) as required under A.R.S. § 26-348(C).

~~R8-4-107, R18-18-107.~~ R18-18-107. Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting

- A. The owner or operator of a facility shall comply with the extremely hazardous substance and hazardous chemical reporting requirements of 40 CFR 370, Subpart B, July 1, 2007, which is incorporated by this reference, contains no later amendments or editions, and is available from the Commission and the U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250.
- B. As required by A.R.S. § 26-350, an owner or operator described in subsection (A) shall submit a Tier Two Emergency and Hazardous Chemical Inventory Form, using a form available from the Commission, by March 1 of each year. All facilities subject to this reporting requirement shall be subject to the Tier II Emergency and Hazardous Chemical Inventory Reporting fee schedule:

1. Each owner or operator of a facility required to file a hazardous chemical inventory report(s) (Tier II Reports) under the provisions of 42 U.S.C. § 11022 will be assessed a report filing fee of seventy-five dollars (\$75.00) for the first required facility report and an additional fee of twenty dollars (\$20.00) for each additional required facility report up to a maximum limit of five hundred dollars (\$500) per annual reporting period.
2. Owners or operators of facilities meeting the following conditions are exempt from the reporting fee(s):
 - a. Any business or other outlet that primarily reports or sells gasoline, diesel and other motor fuel only at retail to the public.
 - b. Any business or other outlet that only files a Tier II report to claim lead acid batteries.
 - c. Any business or other outlet that only files a Tier II report to claim diesel or gasoline.
 - d. Any business or other outlet that resides on tribal lands or a tribal Nation and must report to a Tribal Emergency Response Commission (TERC) or Chemical-Tribal Emergency Response Commission (C-TERC).
- C. If a facility ceases to meet the minimum reporting thresholds of 40 CFR 370, Subpart B, for EHS and hazardous chemical reporting with regard to a specific EHS or hazardous chemical, the owner or operator of the facility may submit a notice to the Commission, LEPC, and FD indicating that the specific EHS or hazardous chemical is no longer present in a quantity that meets the minimum reporting threshold.

R8-4-108, R18-18-108. Compliance Procedures

- A. The Commission shall make information regarding the EPCRA available to the owner or operator of a facility.
- B. The owner or operator of a facility may obtain guidance, but not legal advice, regarding complying with the EPCRA by contacting the Commission.

R8-4-109, R18-18-109. Community Right-to-know Procedures

- A. To obtain information regarding a specific hazardous chemical or extremely hazardous substance at a specific facility, local emergency response plan, or notice regarding a reportable release, a person shall submit a written request to the Commission or LEPC. If a request is submitted to an LEPC, the LEPC may forward a copy of the request to the Commission so Commission staff can coordinate a response to the request. To obtain a copy of a Form R relating to toxic chemical releases, a person shall submit a written request to the Commission.
- B. As required by 42 U.S.C. 11022, the Commission or LEPC shall respond to a written request for information. The response shall advise the person making the request of one of the following:
 1. The time and location at which the person may inspect and copy the requested information,
 2. That additional information is needed to process the request,
 3. That the requested information is not available but the Commission or LEPC will ask the owner or operator of the facility to provide the information, or
 4. That the request is denied because:
 - a. The requested information does not exist,
 - b. The owner or operator of the facility is not required to provide the information,
 - c. The Commission or LEPC determined that disclosing the information will impair its ability to protect public health or safety and the public interest in nondisclosure outweighs the public interest in disclosure, or
 - d. The information is exempt by law from disclosure.
- C. Before releasing information, the Commission or LEPC shall advise the owner or operator of a facility of the request for information regarding the facility.
- D. Under A.R.S. § 39-121, the Commission or LEPC shall charge the person making a request under this Section the cost of reproducing the information requested. The Commission shall deposit the funds received under this subsection in accordance with A.R.S. § 26-343(G).

R8-4-110, R18-18-110. Grants

- A. On or before September 1 of each year, the Commission shall provide notice that is consistent with A.R.S. § 41-2702 to all LEPCs regarding grants that are available from the Commission.
- B. To receive funds that are awarded on a non-competitive basis, an LEPC shall submit a "Certification and Request for Funding" form in which the LEPC certifies that it:
 1. Is in compliance with all applicable law, including NIMS;
 2. Will use the funds in the manner intended;
 3. Will keep separate funds from the Emergency Response Fund and funds from other sources; and
 4. Will submit all required reports.
- C. To receive grant funds that are awarded on a competitive basis, an LEPC shall submit to the Commission a proposal that specifies:
 1. The goal that the LEPC intends to accomplish with any grant funds received,
 2. Where the grant funds will be spent,
 3. The amount of grant funds needed to accomplish the goal,
 4. The time needed to accomplish the goal, and
 5. Other information that the Commission requests to assist the Commission to evaluate the grant proposal.
- D. On behalf of the Commission, Commission staff shall meet at least annually with members of the LEPCs to establish the criteria used to evaluate a grant proposal. Commission staff, on behalf of the Commission, shall evaluate each proposal that

is timely received using the criteria established. The Commission shall ensure that the criteria used include consideration of both the qualification of and need for an LEPC to receive a grant.

1. The criteria regarding qualification of an LEPC to receive a grant may include:
 - a. The extent to which the LEPC fulfilled the responsibilities listed in ~~R8-4-103~~ R18-18-103;
 - b. Whether the LEPC complied with all provisions of ~~R4-8-104~~ R18-18-104;
 - c. Whether the LEPC submitted all reports required for grant funds previously received;
 - d. Whether previously received grant funds were used in a manner that achieved the goal established;
 - e. Attendance by LEPC members at Commission-sponsored meetings; and
 - f. The number of training sessions provided by LEPC members to emergency responders in the emergency planning district; and
 2. The criteria regarding need for an LEPC to receive a grant may include:
 - a. The number of facilities required to report to the LEPC under this Chapter;
 - b. The population represented by the LEPC; and
 - c. The number of reportable releases during the past year in the area represented by the LEPC.
- E. Within 60 days after the grant-proposal deadline specified in the notice of grant availability, the Commission shall provide written notice to each LEPC that applies for grant funds regarding whether grant funds will be awarded and if so, the amount awarded.
- F. An LEPC that receives grant funds shall submit progress reports to the Commission on dates prescribed by the Commission. The LEPC shall include in each progress report a summary of the work done to accomplish the goal stated in the grant proposal and a detailed accounting of the expended and remaining grant funds.

ARTICLE 6. 2. HAZARDOUS MATERIALS TRAINING PROGRAM, STUDENT AND INSTRUCTOR EVIDENCE OF COMPLETION

~~R8-2-601, R18-18-201.~~ Definitions

The following definitions apply in this Article, unless the context requires otherwise:

1. "Authorized instructor" means an individual who the Division determines meets the criteria at ~~R8-2-602~~ R18-18-202.
2. "Director" means the director of the Division.
3. "Division" means the Arizona Division of Emergency Management.
4. "Evidence of Completion" means a document issued by the Division to an individual who successfully completes a standardized course of instruction.
5. "Hazmat First Responder Awareness Level personnel" means individuals who are likely to witness or discover a hazardous material release and who are trained to initiate an emergency response sequence by notifying the proper authorities of the release.
6. "Hazmat First Responder Operations Level operatives" means individuals who are trained to respond in a defensive fashion without actually trying to stop a hazardous material release.
7. "Hazardous materials" means:
 - a. Any material designated under the hazardous materials transportation act of 1974 (49 U.S.C. 1801);
 - b. Any element, compound, mixture, solution, or substance designated under the comprehensive environmental response, compensation, and liability act of 1980 (42 U.S.C. 9602);
 - c. Any substance designated in the emergency planning and community right-to-know act of 1986 (42 U.S.C. 11002).
 - d. Any substance designated in the water pollution control act (33 U.S.C. 1317(a) and 1321(b)(2)(A));
 - e. Any hazardous waste having the characteristics identified under or listed under A.R.S. § 49-922;
 - f. Any imminently hazardous chemical substance or mixture with respect to which action is taken under the toxic substances control act (15 U.S.C. 2606);
 - g. Any material or substance determined to be radioactive under the atomic energy act of 1954 (42 U.S.C. 2011);
 - h. Any substance designated as a hazardous substance under A.R.S. § 49-201; and
 - i. Any highly hazardous chemical or regulated substance as listed in the clean air act of 1963 (42 U.S.C. 7401-7671).
8. "Hazardous materials incident" means an uncontrolled, unpermitted release or potential release of hazardous materials that presents an imminent and substantial danger to the public health or welfare or to the environment.
9. "Hazardous materials response experience" means knowledge and skills gained by responding to hazardous materials incidents.
10. "Instructor requirements" means the criteria listed at ~~R8-2-602~~ R18-18-202 for authorization as an instructor by the Division.
11. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, but excludes:
 - a. Release that results in exposure to persons solely within a workplace, with respect to a claim that the persons may assert against their employer;
 - b. Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine;

- c. Release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if the release is subject to financial protection requirements established by the Nuclear Regulatory Commission under section 170 of the Act, or for the purposes of section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act or any other response action, any release of source, byproduct, or special nuclear material from any processing site designated under section 102(a)(1) or 302(a) of the Uranium Mill Tailings Radiation Control Act of 1978; and
- d. Normal application of fertilizer.

~~R8-2-602, R18-18-202.~~ Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum

- A. An authorized instructor shall conduct a Hazmat First Responder Awareness Level course or a Hazmat First Responder Operations Level course in accordance with the standardized curriculum maintained by the Division. The Division shall promptly notify all authorized instructors of any change in the curriculum.
- B. Topics covered in the Hazmat First Responder Awareness Level course are:
 - 1. What hazardous materials are and the risks associated with a hazardous materials incident;
 - 2. Potential outcomes associated with an emergency created when hazardous materials are present;
 - 3. How to recognize the presence of hazardous materials in an emergency;
 - 4. How to identify different hazardous materials, and
 - 5. Role of a first responder awareness individual in an employer's emergency response plan, including site security and control, and use of current resource materials.
- C. Topics covered in the Hazmat First Responder Operations Level course are:
 - 1. Basic hazard and risk assessment techniques;
 - 2. How to select and use proper protective equipment;
 - 3. Basic hazardous materials terms;
 - 4. How to perform basic control, containment, or confinement operations with the resources and personal protective equipment available;
 - 5. How to implement basic decontaminating procedures; and
 - 6. Standard operating and terminating procedures.

~~R8-2-603, R18-18-203.~~ Instructor Authorization and Renewal

- A. Instructor authorization:
 - 1. An instructor authorized by the Division shall teach each Hazmat First Responder Awareness Level and Hazmat First Responder Operations Level course.
 - 2. To be authorized as an instructor, an individual shall submit the following to the Division:
 - a. A "Participant Application" form obtained from the Division, located at the Department of Emergency and Military Affairs, 5636 E. McDowell Road, Bldg. 101, Phoenix, Arizona 85008. The applicant shall provide the following information to take an instructor workshop:
 - i. Course number;
 - ii. Course date;
 - iii. Course title;
 - iv. Applicant's name;
 - v. SSN;
 - vi. Applicant's employer;
 - vii. Applicant's position or title;
 - viii. Phone number;
 - ix. Fax number, if any;
 - x. Work mailing address, city, state, zip code, and county;
 - xi. Electronic mail address, if any;
 - xii. Brief description of current duties and how training as an instructor will be used;
 - xiii. Applicant's signature and date; and
 - xiv. Supervisor's signature, if applicable, and date;
 - b. Evidence of two years' experience in hazardous materials incident response;
 - c. Evidence of Completion of at least 80 hours for Awareness Level or at least 240 hours for Operations Level of hazardous materials training, and a signed copy of attendance and performance records;
 - d. A letter of recommendation to take instructor training from the applicant's employer, local emergency planning committee chair, county emergency management director, or coordinator; and
 - e. A brief summary of the applicant's experience in hazardous materials response and as an instructor of adult-level courses.
 - 3. After an applicant submits to the Division the documentation described in subsection (A)(2)(a), the applicant shall:
 - a. Attend the instructor workshop,
 - b. Attain a score of at least 90% on the written exam, and
 - c. Successfully complete a teach back to demonstrate appropriate educational methodology and instructional techniques during an oral presentation.

4. The Division shall issue Evidence of Completion to an individual who successfully completes the instructor workshop.
 5. The Division shall maintain records of instructor authorization.
 6. Instructor authorization is valid for two calendar years.
- B.** To renew instructor authorization obtained from the Division, an authorized instructor shall:
1. Submit a "Participant Application" form as described in subsection (A) to take an instructor refresher workshop;
 2. Attend an instructor refresher workshop sponsored by the Division before expiration of the current instructor authorization; and
 3. Provide evidence of having taught either a Hazmat First Responder Awareness Level course or refresher, or a Hazmat First Responder Operations Level course or refresher, two times in the current authorization period.
- C.** An instructor who fails to comply with subsection (B), may obtain instructor authorization by applying and meeting the requirements as a new instructor under subsection (A).

~~R8-2-604, R18-18-204.~~ Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Division Requirements

- A.** An instructor authorized by the Division shall teach each Hazmat First Responder Awareness Level course and Hazmat First Responder Operations Level course. An instructor shall notify the Division at least 30 days before course delivery by submitting a "Course Request Form" obtained from the Division, located at the Department of Emergency and Military Affairs, 5636 E. McDowell Road, Bldg. 101, Phoenix, Arizona 85008. The instructor shall provide the following information:
1. Name of requestor;
 2. Date;
 3. Agency of requestor;
 4. Mailing address, city, state, zip code and county;
 5. Phone number;
 6. Fax number, if any;
 7. Name of agency head;
 8. Applicant signature;
 9. Electronic mail address;
 10. Type of course;
 11. Course name;
 12. Course number;
 13. Date course is offered;
 14. Training site address and county;
 15. Intended audience;
 16. Estimated number of participants;
 17. Name and signature of requestor; and
 18. County emergency management director or local emergency planning committee chairperson endorsement: name, signature, title, and date,
- B.** Within two weeks following completion of either the Hazmat First Responder Awareness Level course or refresher, or the Hazmat First Responder Operations Level course or refresher, the instructor shall provide the Division with all course records, including student application forms, course roster, completed pre- and post-exam answer sheets, and instructor and course evaluations. In addition, the instructor shall return all unused course materials to the Division.

~~R8-2-605, R18-18-205.~~ Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence of Completion

- A.** To receive Evidence of Completion as Hazmat First Responder Awareness Level personnel or as Hazmat First Responder Operations Level operative, an individual shall:
1. Submit a "Participant Application" form as described in ~~R8-2-603(A)~~ R18-18-203(A) for Division-sponsored courses. For non-Division-sponsored courses, the individual shall submit the course application contained in the student manual:
 - a. Course number: U100 (First Responder Awareness Course) or U200 (First Responder Operations Level Course);
 - b. Course date;
 - c. Course name: First Responder Awareness Course or First Responder Operations Level Course;
 - d. Applicant's name;
 - e. SSN;
 - f. Title;
 - g. Phone number;
 - h. Fax number, if any;
 - i. Organization;
 - j. Electronic address; and
 - k. Work mailing address, city, state, zip and county; and
 2. Successfully complete the Hazmat First Responder Awareness Level course, or the Hazmat First Responder Operations Level course, and attain a score of at least 75% on the written exam.

- B.** The Division shall issue Evidence of Completion to an individual who successfully completes the Hazmat First Responder Awareness Level course or the Hazmat First Responder Operations Level course. The employer of an individual issued Evidence of Completion shall maintain evidence of the individual's competency under 29 CFR 1910.120(Q)(6) and (Q)(8)(ii), published by the United States Government Printing Office and revised July 1, 2001, with no later editions or amendments. This regulation is incorporated by reference and on file with the Division and the Office of the Secretary of State.