

11. Discussion and possible action regarding proposed rule changes to title 37 TAC, Chapter 453, Hazardous Materials Technician Certification, including but not limited to, §453.1, Hazardous Materials Technical Certification, §453.3, Minimum Standards for Hazardous Materials Technician Certification, §453.5, Examination Requirements, §453.7, International Fire Service Accreditation Congress (IFSAC) Seal.

Chapter 453

HAZARDOUS MATERIALS

~~[Minimum Standards For Hazardous Materials Technician]~~

Subchapter A

MINIMUM STANDARDS FOR HAZARDOUS MATERIALS TECHNICIAN

§453.1. Hazardous Materials Technician Certification.

- (a) A Hazardous Materials Technician is defined as an individual who performs emergency response to an occurrence which results in, or is likely to result in, an uncontrolled release of a hazardous substance where there is a potential safety or health hazard (i.e., fire, explosion, or chemical exposure). A Hazardous Materials Technician responds to such occurrences and is expected to perform work to handle and control (stop, confine, or extinguish) actual or potential leaks or spills. The Hazardous Materials Technician assumes a more aggressive role than a first responder at the operations level, in that the Hazardous Materials Technician will approach the point of release. The Hazardous Materials Technician is expected to use specialized Chemical Protective Clothing (CPC) and specialized control equipment.
- (b) All individuals holding a Hazardous Materials Technician Certification shall be required to comply with the continuing education requirements in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).

§453.3. Minimum Standards for Hazardous Materials Technician Certification.

- (a) In order to be certified as a Hazardous Materials Technician an individual must:
 - (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel and;
 - (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Hazardous Materials Technician; or
 - (3) complete a **commission** [Commission-]approved Hazardous Materials Technician program and successfully pass the **commission**[Commission] examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Technician program must consist of one of the following:
 - (A) completion of a **commission** [Commission-]approved Hazardous Materials Technician Curriculum as specified in Chapter 6 of the **commission's**[Commission's] Certification Curriculum Manual.
 - (B) completion of an out-of-state and/or military training program that has been submitted to the Commission for evaluation and found to be equivalent to, or exceeds the **commission** [Commission-]approved Hazardous Materials Technician Curriculum.
- (b) Out-of-state or military training programs which are submitted to the **commission**[Commission] for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 6 (pertaining to Hazardous Materials Technician) of the **commission's**[Commission's] Certification Curriculum Manual are met.

§453.5. Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Technician Certification.
- (b) Individuals will be permitted to take the **commission**[Commission] examination for Hazardous Materials Technician by documenting completion of the NFPA 472 Awareness and Operations level training and completing a **commission** [Commission-]approved Hazardous Materials Technician curriculum.

§453.7. International Fire Service Accreditation Congress (IFSAC) Seal.

- (a) Individuals holding a current commission[Commission] Hazardous Materials Technician certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Hazardous Materials Technician by making application to the commission[Commission] for the IFSAC seal and paying applicable fees.
- (b) Individuals completing a commission [Commission-]approved Hazardous Materials Technician program, documenting an IFSAC seal for Hazardous Materials Awareness Level Personnel;[;] and
 - (1) Hazardous Materials Operations Level Responders, including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or
 - (2) NFPA 472 Hazardous Materials Operations prior to the 2008 edition;[;] and
 - (3) upon passing the applicable state examination, may be granted an IFSAC seal as a Hazardous Materials Technician by making application to the commission[Commission] for the IFSAC seal and paying applicable fees.

Subchapter B

MINIMUM STANDARDS FOR HAZARDOUS MATERIALS INCIDENT COMMANDER

§453.201. Hazardous Materials Incident Commander Certification

The hazardous materials incident commander is defined as that person responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources.

§453.203. Minimum Standards for Hazardous Materials Incident Commander

(a) In order to be certified as Hazardous Materials Incident Commander an individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Hazardous Materials Incident Commander; or
- (3) complete a commission approved Hazardous Materials Incident Commander program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Incident Commander program must consist of one of the following:

(A) completion of a commission approved Hazardous Materials Incident Commander curriculum as specified in Chapter 6 of the commission's Certification Curriculum Manual.

(B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to, or exceeds the commission approved Hazardous Materials Incident Commander Curriculum.

- (4) Special temporary provision: Within one year following the effective date of this subchapter, an individual is eligible to take the commission examination for Hazardous Materials Incident Commander upon documentation to the commission that the individual has completed training that covers the requirements of NFPA 472, Chapter 8. The documentation must be a certificate of completion from a nationally recognized training provider. During the one-year period, the commission examination shall consist of a written exam. The examination requirements in §453.205(b) must still be met. This paragraph expires one year from the effective date of this subchapter.
- (5) The application processing fee for the initial examination is waived for individuals in subsection (a) paragraph (3) of this section who have completed the training requirement and submit the application for the commission examination for one year from the effective date of this subchapter. After this date, the application processing fee for examinations will be required.

(b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 6 (pertaining to Hazardous Materials Incident Commander) of the commission's Certification Curriculum Manual are met.

§453.205 Examination Requirements

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Incident Commander certification.
- (b) Individuals will be permitted to take the commission examination for Hazardous Materials Incident Commander by documenting completion of NFPA 472 Awareness and Operations level training and completing a commission approved Hazardous Materials Incident Commander program.