

## Summary of Changes to Renovate, Repair, and Paint (RRP) Rule Draft, v3.0

MDH made a number of modification to the Renovate, Repair, and Paint rule draft, version 3.0 (9/20/2017).

Many of the changes corrected internal inconsistencies, involved renumbering or other form edits, eliminated redundant provisions, and clarified certain requirements.

Substantive changes are described below. All edits and modifications are contained in the mark-up that follows. These changes are incorporated into the RRP rule draft v4.0 (12/15/2017).

Page 1, lines 4 – 11. Applicability.

MDH revised the applicability provision to include a renovation that is “performed for compensation”. This change is consistent with EPA’s RRP regulation.

Page 2, lines 12 – 13. Affected property.

MDH revised the definition of “affected property” so that it aligns with the EPA definitions of *target housing* and *child-occupied facilities*.

Page 5, line 11. Paint.

MDH provided a full definition of “paint” instead of referencing the definition in the lead abatement rules in M Rules, chapter 4761.

Page 6, lines 1 – 3. Surface coating.

MDH deleted the definition of “surface coating” because the term was only used once in the rules and the definition was very similar to the definition of “paint”.

Page 8, line 17. Denial of renovation firm certification application.

MDH clarified that an applicant for renovation firm certification does not have to submit an additional fee when resubmitting corrected materials for an application that was initially denied. The same clarification is made to the “denial of training course permit application” subpart on page 35.

Page 24, line 3. USE OF WATER.

MDH replaced “wetting” with “misting” to conform with the use of “misting” in part 4620.6425.

## SUMMARY OF CHANGES TO RRP RULE DRAFT V3.0

### Page 28, lines 22 – 23. Dust clearance sampling.

MDH clarified that only those building components that do not meet dust sample clearance level standards must be recleaned.

### Page 31, line 15. Sign-in sheet.

MDH changed a training course provider's "sign-in sheet" (used to document training course participant attendance) to "attendance log" to eliminate confusion. The term "sign-in and sign-out sheet" is also used to document workers on a renovation site. Conforming changes also appear on pages 37, 40, and 47.

### Page 32, lines 19 – 20. Application approval; permit required.

MDH added a subpart to clarify that a training course provider may not hold training course until the commissioner approves the training course materials and issues a permit for the training course.

### Page 34, lines 1 – 18. 4620. 6525 PERMIT ISSUANCE.

MDH deleted subparts 1 and 2 of this part because they are redundant. MDH added the remaining subpart with the previous part governing application for training course permit.

### Page 36. ADVANCE NOTICE AND AMENDMENTS.

MDH revised this part using subparts to improve readability. MDH also added additional due process provisions when submitting new or revised training course material that requires approval by the commissioner in subpart 5.

### Page 44, line 21. Renovator hands-on training required.

MDH reduced the number of required renovator hands-on training hours from four to two.

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1.1 **Department of Health**

1.2 **Proposed Permanent Rules Governing Lead Renovation, Repair, and Paint**

1.3 **4620.6000 GENERAL.**

*See Page 1A*

1.4 Subpart 1. **Applicability.** Parts 4620.6000 to 4620.6750 apply to the following  
1.5 activities:

1.6 A. a renovation that disrupts more than six square feet of paint in an interior room  
1.7 or 20 square feet on exterior surfaces;

1.8 B. a renovation that involves window replacement; or

1.9 C. a renovation area that is less than six square feet in an interior room or 20  
1.10 square feet on exterior surfaces and involves the use of prohibited practices under part  
1.11 4620.6250:

1.12 Subp. 2. **Exemptions.** The following activities are exempt from parts 4620.6000 to  
1.13 4620.6750:

1.14 A. a renovation in an affected property where:

1.15 (1) a licensed lead inspector or a licensed lead risk assessor makes a written  
1.16 determination that the building components affected by the renovation are free of lead-based  
1.17 paint; and

1.18 (2) a person performing the renovation has obtained a copy of the written  
1.19 determination;

1.20 B. a renovation in an affected property where a lead renovator tests each component  
1.21 affected by the renovation using a recognized test kit and determines that all components  
1.22 are free of lead-based paint;

1.23 C. a project that involves the complete demolition of the affected property;

**Page 1A**

Page 1, line 1, delete everything after "**Applicability.**" and insert:

"A renovation is subject to parts 4620.6000 to 4620.6725 if a renovation is performed for compensation and:

- A. disrupts more than six square feet of paint in an interior room;
- B. disrupts more than 20 square feet of paint on an exterior surface;
- C. is less than six square feet in an interior room and involves the use of prohibited practices under part 4620.6250;
- D. is less than 20 square feet on exterior surfaces and involves the use of prohibited practices under part 4620.6250; or
- E. involves window replacement.

Page 1, delete lines 3 to 11

2.1 D. a work area involving asbestos abatement that is regulated under parts  
2.2 4620.3000 to 4620.3724;

(2.3) E. ~~work performed as~~ an emergency renovation until the cause of the emergency  
2.4 is controlled; and

2.5 F. a renovation performed by a domiciled homeowner.

(2.6) Subp. 3. **Renovation work; lead hazard.** All renovation work involving a lead hazard  
2.7 identified during a risk assessment must be performed by a certified lead firm according to  
2.8 parts 4761.2000 to 4761.2700.

2.9 **4620.6025 DEFINITIONS.**

(2.10) Subpart 1. **Scope.** The terms used in parts 4620.6000 to 4620.6750 have the meanings  
2.11 given them in this part.

(2.12) Subp. 2. **Affected property.** "Affected property" has the meaning given in part  
(2.13) 4761.2000, subpart 4.

2.14 Subp. 3. **Area preparation.** "Area preparation" means:

2.15 A. removing objects from the work area;

(2.16) B. installing <sup>work area</sup> barriers to isolate objects from the work area; and

2.17 C. covering objects and structures in the work area.

(2.18) Subp. 4. **Building component or component.** "Building component" or "component"  
2.19 means specific design elements, structural elements, or fixtures of an affected property that  
2.20 are distinguished from each other by form, function, and location.

2.21 Subp. 5. **Certified renovation firm.** "Certified renovation firm" has the meaning  
2.22 given in Minnesota Statutes, section 144.9501, subdivision 6e.

**Page 2A**

Page 2, line 12, delete everything after "Affected property" and insert:

"Affected property" means any property constructed before 1978 and includes:

- A. a building used as single-family habitation, including attached structures such as porches, stoops, and all other structures located within the same lot;
  
- B. a dwelling unit within a building used as multifamily habitation, including common areas located within the same building and exterior structures; and
  
- C. a child-occupied facility in a building, or portion of a building, that is visited by the same child who is under 6 years of age and:
  - (1) the combined weekly visits last at least six hours; and
  - (2) the combined annual visits last at least 60 hours.

Page 2, delete line 13

3.1 Subp. 6. **Cleaning verification card.** "Cleaning verification card" means a card that  
 3.2 is developed, distributed, and approved by the EPA and used for determining if  
 3.3 postrenovation cleaning is complete by comparing the card with wet and dry disposable  
 3.4 cleaning cloths.

3.5 Subp. 7. **Commissioner.** "Commissioner" means the commissioner of health or the  
 3.6 commissioner's designee.

*See Page 3A*

3.7 Subp. 8. **Common area.** "Common area" has the meaning given in part 4761.2000,  
 3.8 subpart 11.

3.9 Subp. 9. **Compensation.** "Compensation" means money or other mutually agreed  
 3.10 upon form of payment given or received as an equivalent for services.

3.11 Subp. 10. **Contracting entity.** "Contracting entity" has the meaning given in Minnesota  
 3.12 Statutes, section 144.9501, subdivision 7b.

3.13 Subp. 11. **Demolition.** "Demolition" means:

3.14 A. **wrecking or taking out of any load-supporting structural member of the facility**  
 3.15 together with any related handling operations; or

3.16 B. **burning the facility.**

3.17 Subp. 12. **Dry disposable cleaning cloth.** "Dry disposable cleaning cloth" means a  
 3.18 commercially available, dry, electrostatically charged, disposable cloth designed for cleaning  
 3.19 hard surfaces such as an uncarpeted floor or a countertop.

3.20 Subp. 13. **Emergency renovation.** "Emergency renovation" means an unplanned  
 3.21 renovation activity conducted in response to an unexpected event that, if not addressed  
 3.22 immediately, results in one or more of the following:

3.23 A. **a safety hazard;**

3.24 B. **a public health hazard;**

**Page 3A**

Page 3, line 7, delete everything after "Common area" and insert:

"means a portion of a building that is generally accessible to all residential occupants, including a hallway, stairway, laundry or recreational room, play area, community center, on-site day care facility, garage, or boundary fence."

Page 3, delete line 8

4.1 C. equipment damage; or

4.2 D. property damage.

4.3 Subp. 14. EPA. "EPA" means the United States Environmental Protection Agency.

4.4 Subp. 15. High-efficiency particulate air filter or HEPA filter. "High-efficiency  
4.5 particulate air filter" or "HEPA filter" means a filter capable of trapping and retaining at  
4.6 least 99.97 percent of all monodispersed particles 0.3 microns in diameter or larger.

4.7 Subp. 16. HEPA vacuum. "HEPA vacuum" means a vacuum cleaner that is designed  
4.8 with a HEPA filter as the last filtration stage where all the air drawn into the machine is  
4.9 expelled through the HEPA filter.

4.10 Subp. 17. Lead-based. "Lead-based" means paint that:

4.11 A. contains lead in a concentration of at least one-half of one percent (5,000 parts  
4.12 per million) or more by dry weight as measured by atomic absorption spectrophotometry  
4.13 or by quantitative chemical analyses; or

4.14 B. registers at least one milligram of lead per square centimeter or more as  
4.15 measured by an x-ray fluorescence analyzer, unless atomic absorption spectrophotometry  
4.16 or quantitative chemical analyses show that the lead content is less than one-half of one  
4.17 percent by dry weight.

4.18 Subp. 18. Lead inspector. "Lead inspector" has the meaning given in Minnesota  
4.19 Statutes, section 144.9501, subdivision 19.

4.20 Subp. 19. Lead renovator. "Lead renovator" has the meaning given in Minnesota  
4.21 Statutes, section 144.9501, subdivision 26c, and means an individual who holds a valid  
4.22 training course diploma from a training course accepted by the commissioner.

4.23 Subp. 20. Lead risk assessor. "Lead risk assessor" has the meaning given in Minnesota  
4.24 Statutes, section 144.9501, subdivision 20c.

5.1 Subp. 21. **Lead sampling technician or dust sampling technician.** "Lead sampling  
 5.2 technician" or "dust sampling technician" has the meaning given in Minnesota Statutes,  
 5.3 section 144.9501, subdivision 22b, and means an individual who holds a valid training  
 5.4 course diploma from a training course accepted by the commissioner.

5.5 Subp. 22. **Lead supervisor.** "Lead supervisor" has the meaning given in Minnesota  
 5.6 Statutes, section 144.9501, subdivision 22a.

5.7 Subp. 23. **Lead worker.** "Lead worker" has the meaning given in Minnesota Statutes,  
 5.8 section 144.9501, subdivision 23.

5.9 Subp. 24. **Person.** "Person" has the meaning given in Minnesota Statutes, section  
 5.10 326.71, subdivision 8.

5.11 Subp. 25. **Paint.** "Paint" has the meaning given in part 4761.2000, subpart 32.

5.12 Subp. 26. **Pamphlet.** "Pamphlet" means the EPA pamphlet entitled Renovate Right:  
 5.13 Important Lead Hazard Information for Families, Child Care Providers and Schools  
 5.14 developed under United States Code, title 15, parts 2601 to 2692, section 406(a), or any  
 5.15 state or tribal pamphlet approved by the EPA.

5.16 Subp. 27. **Recognized test kit.** "Recognized test kit" means a commercially available  
 5.17 kit, approved by the EPA under Code of Federal Regulations, title 40, section 745.88, that  
 5.18 allows a user to determine the presence of lead-based paint.

5.19 Subp. 28. **Renovation.** "Renovation" means the modification of any pre-1978 affected  
 5.20 property that results in the disturbance of known or presumed lead-containing painted  
 5.21 surfaces. A renovation performed for the purpose of converting a building, or part of a  
 5.22 building, into an affected property or a child-occupied facility is a renovation.

5.23 Subp. 29. **Responsible individual.** "Responsible individual" means an individual who  
 5.24 has the authority to represent a certified renovation firm in all matters related to certification  
 5.25 and is trained as a <sup>lead</sup> renovator under part 4620.6100.

**Page 5A**

Page 5, line 11, delete everything after "Paint" and insert "means a film-forming material applied to coat or penetrate a surface. Examples include latex and oil-based paint, stain, varnish, glaze, and sealant."

6.1 Subp. 30. **Surface coating.** "Surface coating" means a film-forming material that  
 6.2 covers or penetrates a substrate. Examples include latex and oil-based paints, stains,  
 6.3 varnishes, glazes, and sealants. *and renumber the sequence*

6.4 Subp. 31. **Training course.** "Training course" means an instruction course, permitted  
 6.5 by the commissioner, for a lead renovator or a lead <sup>or dust</sup> sampling technician.

6.6 Subp. 32. **Training hour.** "Training hour" means at least 50 minutes of instruction,  
 6.7 including time devoted to lecture, learning activities, small group activities, demonstrations,  
 6.8 evaluations, and hands-on experience.

6.9 Subp. 33. **Vertical containment.** "Vertical containment" means a vertical barrier  
 6.10 consisting of plastic sheeting or other disposable, impermeable material. *to contain the work area.*

6.11 Subp. 34. **Wet disposable cleaning cloth.** "Wet disposable cleaning cloth" means a  
 6.12 commercially available, premoistened, disposable cloth that is white and designed for  
 6.13 cleaning hard surfaces such as an uncarpeted floor or a countertop.

6.14 Subp. 35. **Wet mopping system.** "Wet mopping system" means a device with a long  
 6.15 handle, a mop head designed for use with disposable cleaning pads, and a mechanism for  
 6.16 spraying the cleaning solution onto a floor.

6.17 Subp. 36. **Work area.** "Work area" means an area that a certified renovator establishes  
 6.18 to contain the dust and debris generated by a renovation.

6.19 Subp. 37. **Work area barriers.** "Work area barriers" means barriers constructed to  
 6.20 separate and isolate a <sup>lead</sup> work area, including <sup>a</sup> the <sup>a</sup> barriers <sup>a</sup> constructed over doors, windows,  
 6.21 and air passageways.

6.22 Subp. 38. **Work plan.** "Work plan" means the written plan developed and used by a  
 6.23 certified renovation firm to identify the work site, specific work areas, and renovation  
 6.24 methods used. *A work plan may be written, electronic, or digitally-based.*

7.1 Subp. 39. **Written acknowledgment.** "Written acknowledgment" means documentation

7.2 that <sup>a</sup>the pamphlet was delivered to the adult occupant of an affected property ~~that was~~

7.3 renovated. <sup>^</sup> <sub>↳ to be</sub>

7.4 **4620.6050 RENOVATION FIRM CERTIFICATION.**

7.5 Subpart 1. **General requirements.** A person performing renovation must be certified  
7.6 as a renovation firm.

7.7 Subp. 2. **Certification application.** An applicant for renovation firm certification  
7.8 must submit to the commissioner:

7.9 A. a completed application on a form provided by the commissioner;

7.10 B. a nonrefundable application fee, required under Minnesota Statutes, section  
7.11 144.9505, subdivision 1h, payable to the Minnesota Department of Health;

7.12 C. the name, contact information, and renovation course diploma number of the  
7.13 responsible individual; and

7.14 D. the Minnesota business identification number.

7.15 Subp. 3. **Workers' compensation.** As part of the renovation firm application, an  
7.16 applicant must provide:

7.17 A. evidence of workers' compensation insurance as required under Minnesota  
7.18 Statutes, section 176.182; or

7.19 B. a letter to the commissioner stating why the applicant is not liable to pay  
7.20 workers' compensation under Minnesota Statutes, chapter 176. The letter must be signed  
7.21 and dated by the responsible individual or a designated company representative.

8.1 Subp. 4. Responsible individual.

8.2 A. A certified renovation firm must, at all times, have a responsible individual  
8.3 who represents the firm.

8.4 B. Within 14 days of a change in the responsible individual, a certified renovation  
8.5 firm must provide a written statement to the commissioner that includes:

8.6 (1) the name of the new responsible individual;

8.7 (2) the date when the new responsible individual assumed the duties; and

8.8 (3) a copy of the current renovator training diploma number for the new  
8.9 responsible individual.

8.10 Subp. 5. Denial of renovation firm certification application.

8.11 A. The commissioner shall deny an application for a renovation firm certification  
8.12 if an applicant fails to comply with the requirements of subparts 2 to 4.

8.13 B. The commissioner shall follow the criteria for a denial of an application under  
8.14 Minnesota Statutes, section 144.99, subdivision 8, paragraph (a) or (b).

8.15 C. The commissioner must notify an applicant in writing of the denial of the  
8.16 license application and provide the reason for the denial.

8.17 D. An applicant is not required to reapply *and submit an additional application fee* if the applicant submits the corrected  
8.18 deficiencies enumerated in the commissioner's denial notification within 30 days of receipt  
8.19 of the denial notification.

8.20 E. An applicant must submit a fee for all subsequent applications.

8.21 Subp. 6. Terms of renovation firm certification. A renovation firm certification is  
8.22 valid for two years from the date of issuance unless the certification is revoked or suspended  
8.23 by the commissioner. A renovation firm certification is not transferable.

9.1 Subp. 7. Renovation firm certification renewal. An applicant may renew renovation  
9.2 firm certification according to subpart 2.

9.3 Subp. 8. Procedures for obtaining duplicate <sup>certificate</sup> certification. The commissioner shall  
9.4 issue a duplicate certificate, upon request, to replace a lost, destroyed, or mutilated certificate  
9.5 at no cost to the certified renovation firm. *from a certified renovation firm. The commissioner shall not charge a fee for a duplicate certificate.*

9.6 **4620.6075 USE OF QUALIFIED INDIVIDUALS.**

9.7 Subpart 1. Qualified individuals. A certified renovation firm must use only the  
9.8 following individuals to perform renovation:

9.9 A. a lead renovator;

9.10 B. a licensed lead supervisor;

9.11 C. a licensed lead worker; or

9.12 D. an individual who is trained at the renovation site by a lead renovator. *See Page 9A*

9.13 Subp. 2. Training conducted by a lead renovator. A certified renovation firm must  
9.14 maintain documentation of annual training for individuals who receive training on specific  
9.15 lead work practices by a lead renovator. The documentation must include the:

9.16 A. name of the lead renovator who conducted the training;

9.17 B. names of all individuals trained;

9.18 C. date of the training; and

9.19 D. specific lead work practices included in the training for each individual.

9.20 Subp. 3. Required work site personnel. A certified renovation firm must have a  
9.21 trained renovator present at the renovation site at all times during area preparation and  
9.22 cleaning verification.

Page 9, line 13, delete everything after "Training conducted by a lead renovator." and insert:

- A. A lead renovator may train an individual on specific work practices.
- B. The training an individual receives from a lead renovator under item A is valid for four years.
- C. A certified renovation firm must document the training under item A and include the:
  - (1) name of the lead renovator who conducted the training;
  - (2) names of all individuals trained;
  - (3) date of the training; and
  - (4) specific work practices included in the training for each individual.

Page 9, delete lines 14 to 19

10.1 Subp. 4. **Lead sampling activities.** A certified renovation firm must use only a trained  
 10.2 lead or dust sampling technician, licensed lead inspector, or licensed lead risk assessor to  
 10.3 perform lead sampling technician ~~services.~~ activities.

10.4 **4620.6100** <sup>LEAD</sup> **RENOVATOR TRAINING.**

10.5 Subpart 1. **Training required.** An individual who supervises renovation or has the  
 10.6 authority to act as the responsible individual of the certified renovation firm at the renovation  
 10.7 site must be trained as a lead renovator.

10.8 Subp. 2. **Training requirements.**

10.9 A. An individual must complete an initial renovator training course to perform  
 10.10 lead renovation activities under parts 4620.6000 to 4620.6725.

10.11 B. <sup>Lead renovator</sup> Renovator training is valid for 48 months from the course completion date on  
 10.12 the diploma.

10.13 C. An individual may <sup>lead</sup> renew renovator training under subpart <sup>4</sup> 3.

10.14 Subp. 3. **Previous training.** The commissioner shall approve an individual as a trained <sup>lead</sup>  
 10.15 renovator if the individual:

10.16 A. is a licensed lead worker;

10.17 B. is a licensed lead supervisor; or

10.18 C. is currently certified by an accredited EPA or state-approved renovation training  
 10.19 program; and

10.20 D. <sup>lead</sup> has completed a renovator refresher course approved by the commissioner.

10.21 Subp. 4. **Terms of training.** Renovator training is valid for 48 months from the course  
 10.22 completion date on the diploma.

Renewal

11.1 Subp. <sup>4</sup> 5. **Renovator training renewal requirements.**

11.2 A. An individual may renew training by completing renovator refresher training  
11.3 within 48 months of the course completion date on the diploma.

11.4 B. A renovator renewal training is valid for 48 months.

11.5 C. If more than 48 months have elapsed since the course completion date on the  
11.6 diploma, then an individual must complete an initial renovator training course.

11.7 Subp. <sup>5</sup> 6. **Training documentation.** A lead renovator must have a copy of the current  
11.8 training diploma readily available at the renovation site for review by the commissioner.

11.9 For purposes of this subpart, the copy must be legible, the photograph must be recognizable,  
11.10 and the copy may be provided in an electronic format.

11.11 **4620.6125 LEAD OR DUST SAMPLING TECHNICIAN TRAINING.**

11.12 Subpart 1. **Training required.** An individual who performs lead or dust sampling  
11.13 activities must be trained as a lead or dust sampling technician.

11.14 Subp. 2. **Training requirements.**

11.15 A. An individual must complete a lead or dust sampling technician training course  
11.16 to perform lead or dust sampling activities under parts 4620.6000 to 4620.6750.

11.17 B. Lead or dust sampling technician training is valid for 48 months from the course  
11.18 completion date on the diploma.

11.19 C. An individual may renew lead or dust sampling technician training under  
11.20 subpart 5.

11.21 Subp. 3. **Previous training.** An individual may perform lead or dust sampling activities  
11.22 under parts 4620.6000 to 4620.6750 and is only required to take a lead or dust sampling  
11.23 refresher course accepted by the commissioner if the individual:

- 12.1 A. is a licensed lead risk inspector or a licensed lead risk assessor; or
- 12.2 B. is a licensed lead risk assessor; or
- 12.3 C. B. has completed a lead or dust sampling technician course approved by the EPA  
or an authorized state renovation program.

12.4 Subp. 4. <sup>Renewal requirements,</sup> ~~Lead or dust sampling technician training; renewal.~~

- 12.5 A. A trained lead or dust sampling technician may renew training by completing
- 12.6 a lead sampling technician refresher training within 48 months of the course completion
- 12.7 date on the diploma.
- 12.8 B. A lead sampling technician renewal training is valid for 48 months.
- 12.9 C. If more than 48 months have elapsed since the course completion date on the
- 12.10 diploma, an individual must complete an initial lead or dust sampling technician training
- 12.11 course before performing lead or dust sampling activities.

12.12 Subp. 5. Training documentation. A trained lead or dust sampling technician must

12.13 have a copy of the current training diploma available at the renovation site for review by

12.14 the commissioner. For purposes of this subpart, the copy must be legible, the photograph

12.15 must be recognizable, and the copy may be provided in an electronic format.

12.16 **4620.6150 RECORDS.**

12.17 Subpart 1. Renovation-site records. A certified renovation firm performing renovation

12.18 must have the records in this <sup>part</sup> subpart available for review by the commissioner at the

12.19 renovation site <sup>for the duration</sup> during the ~~entire~~ period of the renovation. For purposes of this <sup>part</sup> subpart, a

12.20 copy of the records must be legible and may be provided in an electronic format. The required

12.21 renovation-site records include:

- 12.22 A. a daily sign-in and sign-out sheet identifying all individuals entering the work
- 12.23 area by name, work activity, and length of time spent in the work area;
- 12.24 B. a copy of the work plan;

13.1 C. a copy of the written acknowledgment, or certificate of mailing, required under  
13.2 part 4620.6200;

13.3 D. copies of the ~~renovation-site job~~ training documentation required under part  
13.4 4620.6075, subpart 2; and

13.5 E. copies of ~~any~~ reports used to ~~determine compliance~~ with part 4620.6000, subpart  
13.6 2, ~~items A and B.~~

*or written determinations*  
*comply*

13.7 Subp. 2. Project records. A certified renovation firm performing renovation must  
13.8 maintain the following records in addition to the records under subpart 1:

13.9 A. the renovation project report; and

13.10 B. all cleaning verification or dust clearance testing results.

13.11 Subp. 3. Record retention.

13.12 A. The records under this part must be retained by a certified renovation firm for  
13.13 three years after completion of the renovation project.

13.14 B. Within 20 calendar days of a certified renovation firm ceasing operation, the  
13.15 responsible individual must submit written notice to the commissioner that includes the  
13.16 name, address, and telephone number of the person with whom the records required under  
13.17 subpart 1 are transferred.

13.18 **4620.6175 DUTIES OF CONTRACTING ENTITY.**

13.19 Subpart 1. Contracting entity; duties. A contracting entity must follow the  
13.20 requirements under Minnesota Statutes, section 144.9505, subdivision 6.

13.21 Subp. 2. Requirements before renovation. Before starting renovation, a contracting  
13.22 entity must:

14.1 A. identify the work activities to be <sup>performed</sup> conducted as either renovation or lead hazard  
 14.2 reduction in the <sup>g</sup>work specifications or contract;

14.3 B. include in the specifications or contract for renovation the requirements that:

14.4 (1) the renovation is performed by a person who is certified by the

14.5 commissioner under part 4620.6050; and

14.6 (2) <sup>any</sup> the lead hazard reduction work is performed by a person who is certified  
 14.7 by the commissioner under part 4761.2200; and

14.8 C. verify that the person hired to perform the renovation holds a valid renovation

14.9 firm certification.

14.10 **4620.6200 RENOVATION DISCLOSURE REQUIREMENTS.**

14.11 Subpart 1. Property owner; notice requirement. A certified renovation firm must:

14.12 A. provide the owner of the affected property being renovated with a pamphlet  
 14.13 no more than 60 days before renovation work begins; and

14.14 B. obtain a written acknowledgment confirming that the owner of the affected  
 14.15 property being renovated has received the pamphlet; or

14.16 C. obtain a certificate of mailing confirming that the owner of the affected property  
 14.17 being renovated <sup>was sent</sup> has received the pamphlet at least seven days before renovation begins.

14.18 Subp. 2. Residential tenant; notice requirement. A certified renovation firm must:

14.19 A. provide the residential tenant of the affected property being renovated with the  
 14.20 pamphlet no more than 60 days before the renovation begins; and

14.21 B. obtain a written acknowledgment confirming that the residential tenant of the  
 14.22 affected property being renovated has received the pamphlet; or

15.1 C. obtain a certificate of mailing confirming that the residential tenant of the  
 15.2 affected property being renovated has received the pamphlet at least seven days before the  
 15.3 renovation begins. *↑ was sent*

15.4 Subp. 3. Common areas; notice requirements. A certified renovation firm must  
 15.5 post informational signs before work area preparation begins for renovation conducted in  
 15.6 common areas of an affected property. The informational signs must: *↑ performed*

15.7 A. indicate the name of the certified renovation firm performing the work; *↑ renovation*

15.8 B. indicate contact information of the certified renovation firm performing the  
 15.9 renovation;

15.10 C. identify the location of the renovation;

15.11 D. include the dates of the renovation;

15.12 E. include information on how to receive the copies of the pamphlet described in  
 15.13 subpart 2;

15.14 F. be displayed in a prominent location within the public viewing area; and

15.15 G. remain in place for the duration of the renovation.

15.16 Subp. 4. Child-occupied facilities; notice requirements. A certified renovation firm  
 15.17 must: *↑ facility*

15.18 A. provide the owner of the child-occupied facility being renovated with the  
 15.19 pamphlet no more than 60 days before renovation work begins; and

15.20 B. obtain a written acknowledgment confirming that the owner of the  
 15.21 child-occupied facility being renovated has received the pamphlet; or

16.1 C. obtain a certificate of mailing confirming that the owner of the child-occupied

16.2 facility being renovated has received the pamphlet at least seven days before renovation;

16.3 and

*↑ was sent*

16.4 D. provide items A to C to the operator of the child-occupied facility if the operator

16.5 of the child-occupied facility is not the property owner; and

16.6 E. post informational signs before work area preparation begins for renovation

16.7 conducted in a child-occupied facility. The informational signs must:

*performed*  
*↑*

16.8 (1) indicate the name of the certified renovation firm performing the work;

*renovation*  
*↑*

16.9 (2) indicate contact information of the certified renovation firm performing

16.10 the renovation;

16.11 (3) identify the location of the renovation;

16.12 (4) include the dates of the renovation;

16.13 (5) include information on how the parents or guardians of the children

*attending*  
*↑*

16.14 the child-occupied facility can receive copies of the pamphlet described in item A;

16.15 (6) be displayed in a prominent location within the public viewing area; and

16.16 (7) remain in place for the duration of the renovation.

16.17 **4620.6225 WORK PLAN.**

16.18 Subpart 1. Applicability. A certified renovation firm performing renovation must

16.19 prepare a work plan for each renovation project.

16.20 Subp. 2. Work plan requirements. Before area preparation, a person performing

*work*  
*↑*

16.21 renovation must have a complete work plan available for inspection by the commissioner

16.22 at the renovation site.

16.23 A. The work plan must include:

17.1 (1) the name of the certified renovation firm performing renovation;

17.2 (2) the contact information of the certified renovation firm;

17.3 (3) the name of the responsible individual;

17.4 (4) the name of the renovation work site;

17.5 (5) the address of the renovation work site;

17.6 (6) dates when the renovation work is being performed;

17.7 (7) a list of the work areas;

17.8 (8) a description of the renovation <sup>work practices</sup> methods used in each work area;

17.9 (9) a description of the engineering controls to reduce the dust generated

17.10 during the renovation;

17.11 (10) a written description of the <sup>hygiene station</sup> decontamination facilities; and

17.12 (11) documentation that warning signs were posted.

*under part 4620.6275*

17.13 B. A certified renovation firm performing renovation must make the work plan  
17.14 available according to part 4620.6150 and inform:

17.15 (1) all workers; and

17.16 (2) the property owner or an adult occupant of the affected property of the  
17.17 work plan.

17.18 C. If the work plan information changes during the project, the new information

17.19 must be added to the work plan ~~within 24 hours.~~ <sup>by the close of the next business day</sup>

17.20 D. A certified renovation firm must provide a copy of the work plan, and any

17.21 changes under item C, to the person who contracted for the renovation services within 30

18.1 days of completing the project. For purposes of this item, a copy must be legible and may  
18.2 be provided in an electronic format.

18.3 **4620.6250 PROHIBITED PRACTICES FOR RENOVATION.**

18.4 The following work practices are prohibited during any renovation:

18.5 A. open-flame burning or torching;

18.6 B. heat guns operating at 700 degrees Fahrenheit or higher;

18.7 C. chemical strippers containing methylene chloride;

18.8 D. powered-machine methods designed to remove paint or other surface coatings

18.9 through high-speed operation, unless the machines are equipped with manufacturer-designed

18.10 shrouds or a HEPA vacuum attachment to collect dust and debris at the point of generation;

18.11 and

18.12 E. dry vacuuming, unless the vacuum cleaner used for dry vacuuming is a HEPA

18.13 vacuum specifically designed for hazardous materials.

18.14 **4620.6275 POSTING THE WORK AREA.**

18.15 A certified renovation firm must post warning signs at all approaches to the work area

18.16 during renovation. The warning signs must:

18.17 A. comply with Code of Federal Regulations, title 29, sections 1926.200 and

18.18 1926.62, paragraph (m)(1)(i);

18.19 B. be posted at the approaches to the work area before area preparation begins;

18.20 and

18.21 C. remain posted until cleaning verification is completed or dust clearance sampling

18.22 analysis indicates the work area is less than the standards under part 4761.2510, subpart 2.

19.1 **4620.6300 WORK AREA PREPARATION.**

19.2 Before renovation disrupts any painted surface, a lead renovation firm performing  
19.3 interior renovation must:

19.4 A. remove all objects from the work area;

19.5 B. isolate all objects from the work area by a barrier that is: *work area*

19.6 (1) constructed of plastic sheeting;

19.7 (2) sealed to the floor using tape or other adhesive material; and

19.8 (3) sealed to the ceiling, or *skt.* or

19.9 C. cover all objects or structures that cannot be removed or isolated from the work  
19.10 area with at least one layer of plastic sheeting or other disposable, impermeable material  
19.11 that is securely fastened to achieve an airtight seal around the object or structure.

19.12 **4620.6325 INTERIOR WORK AREA BARRIERS.**

19.13 Subpart 1. General. A person performing renovation must construct work area barriers  
19.14 that separate and isolate the work area from the rest of the building to prevent dust and  
19.15 debris from leaving the work area.

19.16 Subp. 2. Heating, ventilating, and air conditioning systems. A person performing  
19.17 renovation must isolate the heating, ventilating, and air conditioning systems supplying the  
19.18 work area by:

19.19 A. covering any openings in the heating, ventilating, and air conditioning systems  
19.20 with plastic sheeting or other disposable, impermeable material; and

19.21 B. sealing the edges of the plastic sheeting or other disposable, impermeable  
19.22 material. *to prevent dust and debris from entering the heating, ventilating, and air conditioning systems*

19.23 Subp. 3. Floors. A person performing renovation must:

20.1 A. cover the floor with at least one layer of plastic sheeting or other disposable,  
20.2 impermeable material so that:

20.3 (1) the plastic sheeting or other disposable, impermeable material extends a  
20.4 minimum of six feet beyond the surfaces undergoing renovation; and

20.5 (2) the plastic sheeting or other disposable, impermeable material is sealed  
20.6 to the floor;

20.7 B. immediately repair any holes or tears in the plastic sheeting or other disposable,  
20.8 impermeable material; and

20.9 C. confine dust and debris to the plastic sheeting or other disposable, impermeable  
20.10 material.

20.11 **Subp. 4. Doors, windows, and other openings.**

20.12 A. A person performing renovation must:

20.13 (1) close or secure all doors, windows, and other openings in the work area;

20.14 (2) seal all doors, windows, and other openings in the work area with plastic  
20.15 sheeting or other disposable, impermeable material to prevent dust and debris from leaving  
20.16 the work area; and

20.17 (3) seal doors that are used as an entrance to the work area with plastic  
20.18 sheeting or other disposable, impermeable material in a manner that allows workers to pass  
20.19 through while confining dust and debris to the work area.

20.20 B. Except for item A, a person performing renovation is not required to seal  
20.21 windows or other openings that are part of the renovation with plastic sheeting or other  
20.22 disposable, impermeable material.

↑ being renovated

21.1 Subp. 5. Containment walls. A person performing renovation may use containment  
21.2 walls to reduce the size of the work area and isolate the work area. If containment walls are  
21.3 used, they must:

21.4 A. be constructed of at least one layer of plastic sheeting or other disposable,  
21.5 impermeable material;

21.6 B. be sealed to the plastic sheeting or other disposable, impermeable material on  
21.7 the floor;

21.8 C. be sealed to the ceiling;

21.9 D. seal all openings between the work area and nonwork areas; and

21.10 E. have an entrance that is covered with plastic sheeting or other disposable,  
21.11 impermeable material in a manner that allows workers to pass through while confining dust  
21.12 and debris to the work area.

21.13 Subp. 6. Renovation equipment. A person performing renovation must clean all  
21.14 equipment that is used for renovation inside a work area by using a HEPA vacuum or wet  
21.15 methods, or both, so that the equipment is free of dust and debris before removing <sup>the</sup> equipment  
21.16 from the work area. For purposes of this subpart, equipment includes tools and material  
21.17 used for renovation.

21.18 **4620.6350 EXTERIOR WORK AREA BARRIERS.**

21.19 Subpart 1. General. A person performing renovation must install exterior work area  
21.20 barriers to isolate the work area from the rest of the building and to prevent dust and debris  
21.21 from leaving the work area and ~~contaminating adjacent buildings and properties.~~

21.22 Subp. 2. Ground. A person performing renovation must:

21.23 A. cover the ground with at least one layer of plastic sheeting or other disposable,  
21.24 impermeable material so that it extends beyond the surfaces undergoing renovation by ten

22.1 feet, or to the property line if it is less than ten feet away from the surfaces undergoing  
 22.2 renovation;

22.3 B. seal the plastic sheeting or other disposable, impermeable material to the  
 22.4 foundation;

22.5 C. immediately repair any holes or tears in the plastic sheeting or other disposable,  
 22.6 impermeable material; and

22.7 D. ensure that dust and debris do not leave the plastic sheeting or other disposable,  
 22.8 impermeable material.

22.9 Subp. 3. Doors, windows, and other openings.

22.10 A. A person performing renovation must:

22.11 (1) close or secure all doors, windows, and other openings within 20 feet of  
 22.12 the work area; and

22.13 (2) seal doors that are used as an entrance to the work area with plastic  
 22.14 sheeting or other disposable impermeable material in a manner that allows workers to pass  
 22.15 through while confining dust and debris to the work area.

22.16 B. Except for item A, a person performing renovation is not required to seal  
 22.17 windows or other openings that are part of the renovation with plastic sheeting or other  
 22.18 disposable, impermeable material.

22.19 Subp. 4. Vertical containment. A person performing the renovation must use a  
 22.20 vertical containment to prevent dust and debris generated by the renovation from leaving  
 22.21 the work area if the work area is within ten feet of the property line.

22.22 Subp. 5. Renovation equipment. A person performing renovation must clean all  
 22.23 equipment that is used for renovation inside a work area by using a HEPA vacuum or wet  
 22.24 methods, or both, so that the equipment is free of dust and debris before removing the

23.1 equipment from the work area. For purposes of this subpart, equipment includes tools and  
23.2 materials used for renovation.

23.3 **4620.6375 HYGIENE STATION.**

23.4 A. A person performing renovation must provide a hygiene station for workers  
23.5 to prevent dust and debris from leaving the work site.

23.6 B. Before leaving the work site, all workers must use the hygiene station to clean  
23.7 any exposed skin surface.

23.8 C. A hygiene station must be:

23.9 (1) located outside the work area but on the work site property;

23.10 (2) supplied with water;

23.11 (3) supplied with soap and disposable towels; and

23.12 (4) designed to collect wastewater.

23.13 D. A person performing renovation must dispose of wastewater from a hygiene  
23.14 station by:

23.15 (1) filtering the wastewater with a 5-micron filter and discharging the  
23.16 wastewater to a sanitary sewer; or

23.17 (2) fully absorbing the wastewater into project debris so that there are no free  
23.18 liquids.

23.19 For purposes of this part, "free liquids" means liquids that readily separate from the solid  
23.20 portion of waste under ambient temperature and pressure.

24.1 **4620.6400 USE OF WATER.**24.2 A person performing renovation must use water to prevent dust and debris from leaving24.3 the work area by wetting all surfaces undergoing renovation in the work area before24.4 renovation begins.*misting with water*24.5 **4620.6425 COMPLETION OF RENOVATION.**24.6 Subpart 1. Postrenovation cleaning. After renovation work is complete, a person24.7 performing renovation must clean the work area by:24.8 A. using a HEPA vacuum or wet methods until no dust and debris are visible on24.9 any part of the work area;24.10 B. disposing of wastewater according to chapter 7045; and24.11 C. disposing of cleaning equipment used for wet method cleaning after a single24.12 use. Examples of cleaning equipment include sponges, disposable cleaning cloths, and mop24.13 heads.24.14 Subp. 2. Removal of work area barriers. After postrenovation cleaning, a person24.15 performing renovation must remove work area barriers following the order in items A to24.16 C.24.17 A. Vertical work area barriers and vertical containments must be removed by:24.18 (1) misting the work area barriers and vertical containments with water; and24.19 (2) folding the barriers inward and onto the floor.24.20 B. Floor coverings must be removed by:24.21 (1) misting the floor coverings with water; and24.22 (2) folding the floor coverings dirty side inward.

25.1 C. All work area barriers and vertical containments must be sealed in bags that  
 25.2 are three mil thickness or greater<sup>(2)</sup> and handled as renovation waste under subpart 4.

25.3 **Subp. 3. Visual inspection after removal of work area barriers.**

25.4 A. A person performing renovation must inspect the surface previously in contact  
 25.5 with work area barriers after removing the work area barriers.

25.6 B. Whenever<sup>when</sup> dust or debris is observed, a person performing renovation must  
 25.7 clean the entire area using a HEPA vacuum or wet methods, or both, until no dust and debris  
 25.8 are visible.

25.9 **Subp. 4. On-site handling of renovation waste.** A person performing renovation  
 25.10 must:

25.11 A. contain waste from<sup>the</sup> renovation activities to prevent the release of dust and  
 25.12 debris before the<sup>renovation</sup> waste is removed from the work area for storage or disposal;

25.13 B. cover a chute that is used to remove renovation waste from the work area;

25.14 C. contain, <sup>and</sup> enclose, or place<sup>renovation</sup> all waste that has been collected from renovation  
 25.15 activities<sup>at</sup> at the end of each work day in a secured location to prevent access to the<sup>renovation</sup> waste;

25.16 and

25.17 D. remove all<sup>renovation</sup> waste from the renovation site within 24 hours of the conclusion  
 25.18 of the renovation.

25.19 **Subp. 5. Renovation equipment.** A person performing renovation work must clean  
 25.20 all equipment that is used for renovation inside a work area by using a HEPA vacuum or  
 25.21 wet methods, or both, so that the equipment is free of dust and debris before removing the  
 25.22 equipment from the work area. For purposes of this subpart, equipment includes tools and  
 25.23 material used for renovation.

26.1 Subp. 6. **Transportation of waste.** If a person performing renovation transports waste, then  
 26.2 the waste must be contained and secured. *renovation*

26.3 **4620.6450 DUST CLEARANCE AND CLEANING VERIFICATION.**

26.4 Subpart 1. **General.** A person performing renovation must ensure that either a cleaning  
 26.5 verification or a dust clearance is complete before the work area is occupied. *re-*

26.6 Subp. 2. **Cleaning verification for interior renovation.** A person performing  
 26.7 renovation must: *↑ sampling of the work area*

26.8 A. use an unexpired cleaning verification card;

26.9 B. verify that there is no dust and debris remaining in the interior work area;

26.10 C. complete the activities in items D to F after completing the requirements under  
 26.11 part 4620.6425, subpart 3;

26.12 D. verify that all windowsills in the work area are free of dust and debris by:

26.13 (1) wiping the entire surface of the windowsill with a wet disposable cleaning  
 26.14 cloth;

26.15 (2) comparing the darkest part of the cleaning cloth to the cleaning verification  
 26.16 card; and

26.17 (3) following the cleaning verification card procedure under subpart 3;

26.18 E. verify that uncarpeted floors <sup>in</sup> within the <sup>interior</sup> work area are free of dust and debris.

26.19 F. For every 40 square feet <sup>of uncarpeted floors in</sup> within the work area, a lead renovator must:

26.20 (1) wipe each section of floor <sup>area</sup> with a wet disposable cleaning cloth or  
 26.21 use a wet mopping system; *↑ uncarpeted*  
*40 square foot*

26.22 (2) compare the cleaning cloth to the cleaning verification card; and

26.23 (3) follow the cleaning verification card procedure under subpart 3; and

27.1 F. verify that all other horizontal surfaces <sup>in</sup> within the <sup>interior</sup> work area are free of dust, <sup>and</sup>

27.2 debris, and residue by:

27.3 (1) wiping the entire section of all other horizontal surfaces with a wet  
27.4 disposable cleaning cloth;

27.5 (2) comparing the cleaning cloth to the cleaning verification card; and

27.6 (3) following the cleaning verification card procedure under subpart 3.

27.7 **Subp. 3. Cleaning verification card procedure.**

27.8 A. If the darkest part of the wet disposable cleaning cloth matches or is lighter  
27.9 than the cleaning verification card, then the windowsills, uncarpeted floors, or other  
27.10 horizontal surfaces are clean.

27.11 B. If the darkest part of the wet disposable cleaning cloth is darker than the cleaning  
27.12 verification card, then the windowsills, uncarpeted floors, or other horizontal surfaces must

27.13 be recleaned according to part 4620.6425, subpart 1, item A.

27.14 C. If the darkest part of the wet disposable cleaning cloth is darker than the cleaning  
27.15 verification card, then the person performing renovation must wipe all windowsills,  
27.16 uncarpeted floors, or other horizontal surfaces with an additional dry disposable cleaning  
27.17 cloth to be considered clean.

27.18 **Subp. 4. Cleaning verification for exterior renovation.**

27.19 A. A lead renovator must complete the requirements in this <sup>subpart</sup> item within one hour  
27.20 of completing the activities in part 4620.6425, subpart 3, by verifying that:

27.21 (1) the ground surface within the work area is free of visible paint chips and  
27.22 debris;

27.23 (2) all other exterior horizontal building surfaces within the work area are  
27.24 free of paint chips and debris; and

28.1 (3) the area within the affected property that was used for the hygiene station  
28.2 is free of paint chips and debris.

28.3 B. If a lead renovator identifies visible paint chips, ~~dust~~, or debris under item A, <sup>then</sup>  
28.4 a person performing renovation must reclean the surfaces where visible paint chips, ~~dust~~,  
28.5 or debris <sup>are</sup> is identified by the lead renovator.

28.6 **Subp. 5. Dust clearance sampling.**

28.7 A. A cleaning verification card procedure under subpart 3 is not required if a  
28.8 person performs dust clearance sampling at the completion of the renovation.

28.9 B. Only a licensed lead inspector, a licensed lead risk assessor, or a lead sampling  
28.10 technician may collect dust clearance samples.

28.11 C. Dust sampling for clearance purposes must <sup>use</sup> follow documented methodologies  
28.12 under part 4761.2000, subpart 15.

28.13 D. Dust clearance samples must be collected at least one hour after completing  
28.14 the cleaning procedures under part 4620.6425, subpart 3.

28.15 E. Dust clearance sampling must be performed according to part 4761.2670,  
28.16 subpart 3.

28.17 F. Single-surface dust sample results must be less than the standards under part  
28.18 4761.2510, subpart 2.

28.19 G. Composite dust sample results must be less than the standard under part  
28.20 4761.2510, subpart 2, <sup>which</sup> which is divided by one-half of the number of subsamples that  
28.21 comprise the composite sample. <sup>A composite dust sample result</sup>

28.22 H. If <sup>dust</sup> sample results do not meet the standards <sup>under</sup> in items F and G, <sup>then only those</sup> all building  
28.23 components <sup>that did not meet the standards</sup> must be recleaned and retested until clearance levels are met.

29.1 Subp. 6. **Warning signs.** Warning signs required under part 4620.6275 may be  
 29.2 removed from the work area once the cleaning verification or dust clearance sampling results  
 29.3 meet or are below the standards <sup>under</sup> in part 4761.2510.

29.4 Subp. 7. **Postrenovation activity.** A renovation that meets the requirements under  
 29.5 subpart 3, 4, or 5 is considered complete by the commissioner if:

29.6 A. there is no additional renovation of <sup>building</sup> components <sup>governed under parts 4620.6000 to 4620.6750</sup> with lead-based paint; or

29.7 B. any additional renovation is not regulated under part 4620.6000, subpart 2,  
 29.8 items A and B.

29.9 **4620.6475 REPORTS.**

29.10 Subpart 1. **General.** A person performing renovation must complete a renovation  
 29.11 report, and a person performing dust sampling must complete a dust sampling report. For  
 29.12 purposes of this part, a copy must be legible and may be provided in an electronic format.

29.13 Subp. 2. **Renovation report.** A person performing renovation must complete a written  
 29.14 renovation report that includes:

29.15 A. a copy of the work plan;

29.16 B. a copy of the daily sign-in sheets;

29.17 C. <sup>a copy</sup> copies of the <sup>project</sup> renovation-site training records;

29.18 D. a copy of the written acknowledgment or certificate of mailing;

29.19 E. the product name of the recognized test kits used to comply with part 4260.6000,  
 29.20 subpart 2, item B;

29.21 F. a copy of the current diploma of the lead renovator who performed the cleaning  
 29.22 verification;

29.23 G. a <sup>g</sup>written description of the cleaning verification activities performed;

30.1 H. a written description of the results of the cleaning verification identified in  
30.2 item G; and

30.3 I. a copy of the dust clearance sampling report, if one was <sup>performed</sup> conducted.

30.4 ~~For purposes of this subpart, the copy must be legible, the photograph must be~~  
30.5 ~~recognizable, and the copy may be provided in an electronic format.~~

30.6 <sup>2</sup> Subp. 3. Dust sampling report. A person performing dust clearance sampling must  
30.7 complete a dust sampling report that includes:

30.8 A. a copy of the diploma of the dust sampling technician or the name of the  
30.9 licensed risk assessor or licensed lead inspector who performed the dust sampling;

30.10 B. the address of the affected property;

30.11 C. the date the dust sampling was performed;

30.12 D. the documented methodologies under part 4761.2000, subpart 15;

30.13 E. the room <sup>or locations in the work area</sup> where the dust sampling was performed;

30.14 F. the surface <sup>s</sup> on which the dust sampling was performed;

30.15 G. the analytical results of the dust sampling;

30.16 H. a statement <sup>from the analytic laboratory</sup> that compares the analytical results to the current standards; and

30.17 I. the name of the analytic laboratory that conducted the analysis.

30.18 <sup>3</sup> Subp. 4. Report submission.

30.19 A. A person performing a dust sampling report under subpart 3 must provide the  
30.20 dust sampling report to the person performing a renovation report.

30.21 B. A certified renovation firm must: <sup>project</sup>

31.1 (1) prepare a renovation<sup>project</sup> report and include the dust clearance sampling report,  
 31.2 if a dust clearance sampling was performed; and

31.3 (2) submit a renovation<sup>project</sup> report to the owner of the affected property being  
 31.4 renovated no later than 30 calendar days after<sup>the</sup> renovation is completed.

31.5 Subp. 5. Availability. A person performing renovation must make all reports required  
 31.6 under this part available to the commissioner upon request. See Page 31A

31.7 **4620.6500 APPLICATION FOR TRAINING COURSE PERMIT.**

31.8 Subpart 1. Initial application for training course permit. To obtain an initial training  
 31.9 course permit from the commissioner for a training course, a training course provider<sup>applicant</sup> must:

31.10 A. complete an application on a form provided by the commissioner;

31.11 B. submit a nonrefundable application fee required under Minnesota Statutes,  
 31.12 section 144.9505, subdivision 1i, payable to the Minnesota Department of Health;

31.13 C. submit the following training course materials:

31.14 (1) the course agenda;

31.15 (2) a sample<sup>attendance log</sup> sign-in sheet;

31.16 (3) the instructor manual;

31.17 (4) the course participant manual;

31.18 (5) copies of<sup>presentation</sup> slides used in training;

31.19 (6) other media used for training;

31.20 (7) all instructional materials provided to the course participant;

31.21 (8) a sample diploma;

**Page 31A**

Page 31, line 5, delete everything after "Subp. 5." and insert"

"Providing copies. If the commissioner requests information on a training course, then a training course provider must provide copies of the requested information at no charge to the commissioner. For purposes of this part, the copy must be legible, the photograph must be recognizable, and the copy may be provided in an electronic format."

Page 31, delete line 6

32.1 (9) all questions that might be used in the course examination with the correct  
32.2 answers identified;

32.3 (10) a description of the proportion of course examination questions devoted  
32.4 to each major topic in the course;

32.5 (11) a description of the hands-on evaluation of a course participant's ability  
32.6 to do work practices for courses that include hands-on training;

32.7 (12) a description of the training manager's qualifications under part  
32.8 <sup>6625</sup> 4620.6650, subpart 3;

32.9 (13) a description of the principal instructor's qualifications under part  
32.10 <sup>6625</sup> 4620.6650, subpart 5;

32.11 (14) a description of all <sup>g</sup>other instructors' qualifications under part 4620.6650,  
32.12 subpart 7; <sup>6625</sup>

32.13 (15) the location and description of the facility where the training course is  
32.14 being presented; and

32.15 (16) a copy of any enforcement action taken against the training course  
32.16 provider by the EPA or a state or tribal lead program; and

32.17 ~~D. submit items A to C simultaneously;~~

32.18 <sup>D</sup> E. submit items A to C at least 60 days before the training course start date;

32.19 ~~F. not hold the course until the commissioner has approved items A to C, and the~~  
32.20 ~~requirements under subpart 3, if applicable, are met.~~

32.21 For purposes of this subpart, a copy must be legible and may be provided in an electronic  
32.22 format.

↪ See Page 32A

**Page 32A**

Page 32, line 16, after the semicolon insert "and"

Page 32, delete line 17

Page 32, delete lines 19 and 20 and renumber the sequence

Page 32, after line 22 insert:

"Subp. 2. **Application approval; permit required.** A training course provider may not hold a training course until the commissioner approves the training course materials submitted under subpart 1 and issues a permit for the training course."

See Page 33A

33.1 Subp. 2. **Renewal applications for training courses.** The commissioner shall renew

33.2 a permit for a training course application if:

33.3 A. a training course provider submits a completed application on a form provided  
33.4 by the commissioner;

33.5 B. a training course provider submits a nonrefundable application fee required  
33.6 under Minnesota Statutes, section 144.9505, subdivision 1i;

33.7 C. a training course provider, the training course materials, and the diploma meet  
33.8 the requirements in parts 4620.6550 to 4620.6700; and

33.9 D. a training course provider has:

33.10 (1) presented the training course within the state while the permit is valid;

33.11 and

33.12 (2) submitted the renewal application within two years of the expiration date

33.13 of that permitted training course.

33.14 Subp. <sup>4</sup>3. **Foreign language <sup>training</sup> courses.** A permit application for a course taught in a

33.15 language other than English must include:

33.16 A. a copy of all training course materials in English;

33.17 B. a copy of all training course materials in the language other than English; and

33.18 C. a signed statement from a translation service accredited by the American  
33.19 Translators Association that the training course materials in a language other than English  
33.20 are accurate and consistent with the training course materials in English.

33.21 For purposes of this subpart, a copy must be legible and may be provided in an electronic  
33.22 format.

Page 33, delete lines 1 through 13 and insert:

“Subp. 3. Training course permit renewal. The commissioner shall renew a permit for a training course if a training course provider:

- A. submits a completed application on form provided by the commissioner;
- B. submits a nonrefundable application fee required under Minnesota Statutes, section 144.9505, subdivision 1j;
- C. presented the training course in the state during the period in which the permit was valid;
- D. submits the renewal application within two years of the expiration date of the training course permit; and
- E. the training course provider, the training course material; and the sample diploma meet the requirements under parts 4620.6500 to 4620.6650.

34.1 **4620.6525 PERMIT ISSUANCE.**

34.2 ~~Subpart 1. **Initial training course permits.** The commissioner shall issue a permit~~  
34.3 ~~for an initial application for a training course if:~~

34.4 ~~A. a training course provider complies with part 4620.6500, subpart 1;~~

34.5 ~~B. a training course provider, the training course, and the diploma meet the~~  
34.6 ~~requirements in parts 4620.6500 to 4620.6700;~~

34.7 ~~C. the commissioner approves all the training course materials submitted under~~  
34.8 ~~part 4620.6500, subpart 1; and~~

34.9 ~~D. a training course provider meets the requirements under part 4620.6500, subpart~~  
34.10 ~~3.~~

34.11 **Subp. 2. Renewal of training course permits.** The commissioner shall issue a permit  
34.12 for an application submitted under part 4620.6500, subpart 2, for the training course if:

34.13 A. the training course provider meets the requirements of part 4620.6500, subpart  
34.14 2;

34.15 B. the training course provider, training course, and diploma meet the requirements  
34.16 in parts 4620.6550 to 4620.6700; and

34.17 C. all training course materials submitted under part 4620.6500, subpart 1, are  
34.18 approved by the commissioner.

34.19 **Subp. 3. Denial of permit.**

34.20 A. The commissioner shall deny an application for a training course permit if an  
34.21 applicant fails to comply with the requirements of this part.

34.22 B. The commissioner shall follow the criteria for denial of an application under  
34.23 Minnesota Statutes, section 144.99, subdivision 8, paragraphs (a) and (b).

*training course permit application*

*initial subpart 1*

35.1 C. The commissioner must notify an applicant, in writing, of the denial of the  
35.2 permit application and provide the reasons for the denial.

*and submit an additional application fee*

35.3 D. An applicant is not required to reapply if the applicant submits the corrected  
35.4 deficiencies enumerated in the commissioner's denial letter within 30 days of the receipt of  
35.5 a denial notice.

*notification*

*- See Page 35A*

*.6525*

35.6 4620.6550 TRAINING COURSE DIPLOMA.

*6500*

35.7 When a training course is permitted under part 4620.6525, a training course provider  
35.8 must provide an original diploma to each course participant who completes and passes the  
35.9 training course. The diploma must contain:

35.10 A. the name of the course participant;

35.11 B. a unique numeric identifier;

35.12 C. the course name that the course participant completed;

35.13 D. the dates of the course;

35.14 E. the name, address, and telephone number of the training course provider;

35.15 F. a photograph of the course participant that is:

35.16 (1) a recognizable image of the individual;

35.17 (2) at least two square inches reproduced on the diploma; and

35.18 (3) placed in the lower right-hand corner of the diploma;

35.19 G. the location of the course; and

35.20 H. the statement "Approved by the State of Minnesota under Minnesota Rules,

35.21 parts 4620.6500 to 4620.6700."

*6650*

**Page 35A**

Page 35, after line 5 insert:

“E. An applicant must submit a fee for all subsequent applications.”

See Page 36A

36.1 ~~4620.6575 ADVANCE NOTICE AND AMENDMENTS.~~

36.2 ~~A. A training course provider must submit a completed notice of the training~~  
36.3 ~~course to the commissioner. The notice must be:~~

36.4 ~~(1) on a form provided by the commissioner;~~

36.5 ~~(2) delivered by United States mail, facsimile, courier, or electronic means;~~

36.6 ~~and~~

36.7 ~~(3) received by the commissioner at least five calendar days before the start~~  
36.8 ~~date of the training course.~~

36.9 ~~B. A training course provider must notify the commissioner of any change, except~~  
36.10 ~~for the start date, in the original notification. The amended notice must be:~~

36.11 ~~(1) on a form provided by the commissioner;~~

36.12 ~~(2) delivered by United States mail, facsimile, courier, or electronic means;~~

36.13 ~~and~~

36.14 ~~(3) received by the commissioner before the permitted training course begins.~~

36.15 ~~C. A training course provider must notify the commissioner of any change to the~~  
36.16 ~~start date by submitting an amended notice that must be:~~

36.17 ~~(1) on a form provided by the commissioner;~~

36.18 ~~(2) delivered by United States mail, facsimile, courier, or electronic means;~~

36.19 ~~and~~

36.20 ~~(3) received by the commissioner at least five calendar days before the new~~  
36.21 ~~start date.~~

36.22 ~~D. A training course provider must notify the commissioner of any change in the~~  
36.23 ~~course materials by submitting new course material to the commissioner for review.~~

Page 36, lines 1 through 23 and insert:

**"4620.6550. PERMITTED TRAINING COURSE ADVANCE NOTICE AND AMENDMENTS.**

**Subpart 1. Advance notice of permitted training course.** A training course provider must submit to the commissioner an advance notice of the date when a permitted training course. The advance notice must be:

- A. on a form provided by the commissioner;
- B. sent by U.S. mail, courier, facsimile, or electronic means; and
- C. received by the commissioner at least five calendar days before the start date of the training course.

**Subp. 2. Amending advance notice of permitted training course; start date.** A training course provider must notify the commissioner of a change to the start date of a permitted training course by submitting an amended notice that is:

- A. on a form provided by the commissioner;
- B. sent by U.S. mail, courier, facsimile, or electronic means; and
- C. received by the commissioner at least five calendar days before the revised start date of the permitted training course.

**Subp. 3. Amending advance notice of permitted training course except start date.** A training course provider must notify the commissioner of any change, except the start date, to the advance notice under subpart 1. A training course provider must submit an amended notice that is:

- A. on a form provided by the commissioner;
- B. sent by U.S. mail, courier, facsimile, or electronic means; and
- C. received by the commissioner at least 24 hours before the start date of the permitted training course.

**Subp. 4. New or revised training course material; approval required.**

- A. A training course provider must notify the commissioner of any change in training course material for a permitted training course by submitting the new or revised material to the commissioner for approval.

- B. The commissioner shall provide written notice of approval or denial to a training course provider of new or revised training course material submitted under item A within 30 calendar days of receipt.
- C. A training course provider may update new or revised training course material that is denied under item B and resubmit the training course material within 15 calendar days of the date of the commissioner's written denial notice.
- D. The commissioner shall provide written notice of approval or denial to training course materials that are resubmitted under item C within 10 calendar days.
- E. A training course provider must receive written approval from the commissioner before using new or revised training course material in a permitted training course."

37.1 E. The commissioner shall provide written notice of approval or denial to a training  
 37.2 course provider of new course material submitted under item D within 30 calendar days of  
 37.3 receipt.

37.4 F. A training course provider must receive written approval from the commissioner  
 37.5 before using new material.

37.6 <sup>6575</sup> 4620.6600 ATTENDANCE REQUIREMENTS.

37.7 A. All training course participants must attend the entire training course as a  
 37.8 condition for successful completion of the training course.

37.9 B. A training course provider must:

37.10 (1) <sup>attendance log</sup> maintain a daily sign-in sheet as documentation of attendance for each  
 37.11 training course; and

37.12 (2) <sup>attendance log</sup> submit a copy of the daily sign-in sheet to the commissioner within five  
 37.13 calendar days of completion of the training course by United States mail, facsimile, courier,  
 37.14 or electronic means.

37.15 C. The daily <sup>attendance log</sup> sign-in sheet must include:

37.16 (1) each course participant's printed name and signature; <sup>for each day of the training course</sup>

37.17 (2) the name of the course;

37.18 (3) the name of the training course provider;

37.19 (4) the date<sup>s</sup> of the course;

37.20 (5) the location where the course was presented; and

37.21 (6) each course participant's diploma number.

37.22 For purposes of this part, a copy must be legible and may be provided in an electronic  
 37.23 format.

38.1 <sup>6600</sup> ~~4620.6625~~ **ENROLLMENT LIMITS.**

38.2 For all training courses permitted under parts 4620.6500 to <sup>6650</sup> ~~4620.6700~~, the following  
38.3 requirements apply:

- 38.4 A. the number of course participants in a class must not exceed 24; and
- 38.5 B. for initial training courses, the course participant-to-instructor ratio for hands-on
- 38.6 training groups must not exceed eight to one.

38.7 <sup>6625</sup> ~~4620.6650~~ **TRAINING COURSE CONDITIONS.**

38.8 Subpart 1. **General.** All permitted training courses must comply with the requirements  
38.9 in subparts 2 to 12.

38.10 Subp. 2. **Training courses; separate instruction.** Renovator and lead or dust sampling  
38.11 technician courses must be taught separately.

38.12 Subp. 3. **Training manager.** <sup>; qualifications.</sup> A training course provider must designate a training  
38.13 manager who has:

38.14 A. experience, education, or training in the construction industry, including  
38.15 regulated lead work, asbestos-related work, asbestos management activities, painting,  
38.16 carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene;  
38.17 and

38.18 B. at least two years of experience, education, or training in teaching adults; or

38.19 C. a bachelor's degree or a graduate degree in building construction technology,  
38.20 engineering, industrial hygiene, safety, public health, education, business administration,  
38.21 program management, or a related field; or

38.22 D. at least two years of experience in managing a training program in  
38.23 environmental hazards.

38.24 Subp. 4. **Training manager duties.** A training manager must:

39.1 A. present each training course in the manner described in the application for  
39.2 which a training permit was granted;

39.3 B. develop and implement a quality control plan, to improve the quality of all  
39.4 training course materials, for each training course;

39.5 C. review annually the competency, performance, and effectiveness of principal  
39.6 instructors;

39.7 D. permit the commissioner to audit the course, including the examination and <sup>the</sup>  
39.8 evaluation of course participants; and

39.9 E. submit a notice to the commissioner of any change in the course materials <sup>notify</sup>

39.10 required under part 4620.6500, subpart 1, item C. Copies of the changed materials must be <sup>Submitted</sup>  
39.11 received by the commissioner at least 30 calendar days before the training course is taught. <sup>training</sup>

39.12 For purposes of this subpart, a copy must be legible and may be provided in an electronic  
39.13 format.

39.14 Subp. 5. Principal instructor, A training course provider must designate a principal <sup>qualifications.</sup>  
39.15 instructor for each training course. The principal instructor must:

39.16 A. have experience, education, or training in teaching adults, including using  
39.17 methods of evaluation to continually monitor a course participant's progress; <sup>methods</sup>

39.18 B. complete a training course permitted under parts 4620.6500 to 4620.7000 or <sup>6650</sup>  
39.19 other lead-based paint activities training course approved by the EPA, or by a state or tribal  
39.20 program approved by the EPA; and

39.21 C. have experience, education, or training in lead or asbestos abatement, painting,  
39.22 carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

40.1 Subp. 6. Principal instructor duties. A principal instructor is responsible for the  
 40.2 organization of the course and the oversight of the teaching of all course materials. A  
 40.3 principal instructor must:

- 40.4 A. supervise the other course instructors;
- 40.5 B. ensure that each course participant attends the entire duration of the course;  
 40.6 and
- 40.7 C. incorporate a course examination and hands-on skills evaluation that measure  
 40.8 a course participant's understanding of the course material.

40.9 Subp. 7. Other training course instructors. The commissioner shall approve all  
 40.10 other instructors as part of any permit issued for the training course. A training course  
 40.11 instructor must have:

- 40.12 A. experience, education, or training in teaching adults, including using methods  
 40.13 of evaluation to continually monitor the participants' progress; and
- 40.14 B. experience, education, or training in lead or asbestos abatement, painting,  
 40.15 carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.

40.16 Subp. 8. Guest training course presenter. A training course provider may use a  
 40.17 guest training course presenter if the training course provider meets the requirements of this  
 40.18 subpart.

- 40.19 A. A principal instructor must be present during the guest training course  
 40.20 presenter's instruction.
- 40.21 B. Attendance of the guest training course presenter must be documented on the  
 40.22 training course sign-in sheet.
- 40.23 C. A summary of the materials presented by the guest training course presenter  
 40.24 must be submitted with the sign-in sheet.

41.1 D. The materials presented by the guest training course presenter must pertain to  
41.2 the training course topics. *is material*

41.3 Subp. 9. **Written examinations.** All training courses must include a written  
41.4 examination that meets the requirements of this subpart. *training course permitted*

41.5 A. Each training course must include a written examination that is administered  
41.6 at the end of the training course.

41.7 B. If the commissioner provides a training course provider with a written  
41.8 examination, the training course provider must administer that examination.

41.9 C. A training course provider must:

41.10 (1) administer the examination;

41.11 (2) not reveal any portion of the examination contents to any course participant  
41.12 before administering the examination;

41.13 (3) secure the examination; *until the examination is administered*

41.14 (4) ensure that all course participants who pass the examination do so on the  
41.15 course participants' own merits; and

41.16 (5) prohibit all written <sup>or electronic</sup> material, other than the examination materials, within  
41.17 a course participant's viewing distance.

41.18 D. The written examination for an initial training course and <sup>a</sup> refresher training  
41.19 course must incorporate questions about applicable state and federal law governing  
41.20 renovation.

41.21 E. A score of 70 percent or greater by a course participant is required to pass all  
41.22 training course written examinations. *course participant must achieve a*

42.1 F. The initial and refresher examination for a lead renovator and for a lead or dust  
42.2 sampling technician must consist of at least 25 multiple choice questions.

42.3 G. A training course provider must update the written examination by:

42.4 (1) replacing existing questions;

42.5 (2) altering the order of questions; or

42.6 (3) altering the answers to questions.

42.7 H. A training course provider must submit an updated written examination to the  
42.8 commissioner for review upon renewal of the training course permit.

42.9 Subp. 10. Completion of initial <sup>or refresher</sup> training course. To complete an initial training  
42.10 course, a course participant must:

42.11 A. attend the entire training course;

42.12 B. demonstrate proficiency, as determined by the principal instructor, during the  
42.13 hands-on component of the course; and

42.14 C. pass a closed-book, written examination that meets the requirements of subpart  
42.15 9.

~~42.16 Subp. 11. Completion of refresher training course. To complete a refresher training~~  
~~42.17 course, a course participant must:~~

~~42.18 A. attend the entire training course;~~

~~42.19 B. demonstrate proficiency, as determined by the principal instructor, during the~~  
~~42.20 hands-on component of the course; and~~

~~42.21 C. pass a closed-book, written examination that meets the requirements of subpart~~  
~~42.22 9.~~

43.1 Subp. 12. <sup>11</sup> **Training site.** All training courses must be presented in Minnesota or in a  
 43.2 contiguous border community, except Canada.

43.3 4620.6675 <sup>6650</sup> **COURSE CONTENT AND LENGTH.**

43.4 Subpart 1. **General.** <sup>TRAINING</sup> Course content and length for training courses permitted by the  
 43.5 commissioner must meet the requirements of this part. <sup>Training course</sup> For initial renovator training and <sup>See</sup>  
 43.6 lead or dust sampling technician training, the course must include lectures, demonstrations, <sup>Page 43A</sup>  
 43.7 hands-on training, and an examination specified under part 4620.6650, subpart 9.

43.8 Subp. 2. **Incorporation of Minnesota law and rules.** A training course provider must  
 43.9 incorporate Minnesota law and rules relating to lead and lead abatement into all course  
 43.10 material and instruction when the course material and instruction address a topic governed  
 43.11 by Minnesota law and rules.

43.12 Subp. 3. **Incorporation of new material into training course.** A training course  
 43.13 provider must incorporate any new information into <sup>training</sup> course material as required by the  
 43.14 commissioner, <sup>on or before the date of a training course provider's permit renewal for the course requiring new information.</sup>

43.15 Subp. 4. **Length and content requirements of initial renovator training course.**

43.16 A. <sup>An</sup> The length of the initial renovator training course must be a minimum of eight  
 43.17 training hours.

43.18 B. <sup>Initial renovator training course</sup> Course instruction must cover:

- 43.19 (1) the roles and responsibilities of a renovator;
- 43.20 (2) information on lead and its adverse health effects;
- 43.21 (3) information on federal, state, and local regulations and guidance that  
 43.22 pertains to lead-based paint and renovation activities; <sup>See Page 43A</sup>
- 43.23 (4) procedures <sup>for</sup> for using recognized test kits;

**Page 43A**

Page 43, line 5, delete everything after the period and insert:

“An initial renovator course and an initial lead or dust sampling technician training course must include:

- A. lectures;
- B. demonstrations;
- C. a hands-on training component; and
- D. an examination required under part 4620.6625, subpart 9.

Page 43, delete lines 6 and 7

Page 43, line 21, delete everything after “(3)” and insert:

“information on lead-based paint and renovation activities including federal, state, and local regulations and guidance;”

Page 43, delete line 22

- 44.1 (5) renovation methods to minimize the creation of dust;
- 44.2 (6) interior and exterior containment;
- 44.3 (7) interior and exterior cleaning methods;
- 44.4 (8) methods to verify that the renovation is completed, including cleaning
- 44.5 verification and dust clearance sampling;

44.6 (9) waste handling and waste disposal; *renovation wastewater*

44.7 (10) renovation-site training for other workers; and

44.8 (11) report record preparation.

44.9 **Subp. 5. Length and content of initial lead or dust sampling technician course.** *requirements*

44.10 A. The length of the initial lead sampling training course must be a minimum of *An*  
 44.11 eight training hours.

44.12 B. Instruction in the following topics is required: *Initial lead or dust sampling technician course instruction must cover:*

- 44.13 (1) the roles and responsibilities of a lead or dust sampling technician;
- 44.14 (2) information on lead and its adverse health effects;

44.15 (3) information on federal, state, and local regulations and guidance that  
 44.16 pertains to lead-based paint and renovation activities; *See Page 44A*

- 44.17 (4) dust sampling methodologies;
- 44.18 (5) clearance standards and testing; and *clearance*

44.19 (6) report preparation.

44.20 **Subp. 6. Renovator hands-on training required.** Initial renovator training must  
 44.21 include a hands-on training component that is at least four training hours in length, and must

44.22 include: *A. be a minimum of two training hours;*

**Page 44A**

Page 44, line 15, delete everything after “(3)” and insert:

“information on lead-based paint and renovation activities including federal, state, and local regulations and guidance:”

Page 44, delete line 16

45.1 B. A. <sup>include</sup> demonstration by the instructor of:

45.2 (1) disassembling, cleaning, and reassembling of a half-face air purifying  
45.3 respirator; and

45.4 (2) respirator fit checking; and

45.5 C. B. <sup>include</sup> practice by each course participant of:

45.6 (1) donning protective clothing;

45.7 (2) using a recognized test kit;

45.8 (3) installing work area barriers, signs, and door flaps; <sup>work area</sup>  
<sup>work area entrances</sup>

45.9 (4) constructing an interior work area;

45.10 (5) constructing an exterior work area;

45.11 (6) performing interior final cleaning;

45.12 (7) performing an exterior final cleaning;

45.13 (8) bagging and containerizing waste; <sup>handling renovation</sup>

45.14 (9) performing a visual inspection;

45.15 (10) performing the cleaning verification process; and

45.16 (11) <sup>preparing</sup> completing a renovation project report.

45.17 Subp. 7. Lead or dust sampling technician hands-on training required. Initial lead

45.18 or dust sampling technician training must include a hands-on training component that is at

45.19 least two training hours in length, and must include: <sup>A hands-on training component must include:</sup>

45.20 A. practice by each participant in donning protective clothing;

45.21 B. <sup>dust</sup> sampling methodologies for dust;

46.1

C. clearance standards and inspections; and <sup>clearance</sup>

46.2

D. report preparation.

46.3

**Subp. 8. Refresher courses; renovator and lead or dust sampling**

46.4

**technician.** Refresher courses for a renovator and a lead or dust sampling technician must:

46.5

A. be at least four training hours in length;

46.6

B. review the topics of the corresponding initial training course;

46.7

C. cover current and new safety practices;

46.8

D. review federal and state regulations regarding regulated lead work;

46.9

E. review new technologies for regulated lead work; and

46.10

F. include a hands-on training component.

46.11

Subp. 9. Time-limits for training courses. <sup>Additional time</sup> If extra time is required to complete the <sup>additional</sup>

46.12

prescribed instruction of a permitted training course, or to add subjects not prescribed for

46.13

the training course, <sup>then</sup> the course length may be extended if a training course provider notifies

46.14

the commissioner as required under part 4620.6575, item B. <sup>6550</sup>

46.15

<sup>6675</sup> **4620.6700 RECORD-KEEPING REQUIREMENTS FOR TRAINING COURSE** <sup>A</sup>

46.16

**PROVIDERS.**

46.17

Subpart 1. **Record retention period.** A training course provider must maintain the

46.18

<sup>records</sup> <sup>under</sup> documentation in subpart 2 for three years for each training course at the address specified

46.19

on the permit application.

46.20

Subp. 2. **Required records.** A training course provider must maintain:

46.21

A. documents that demonstrate the qualifications of all training instructors,

46.22

including the training manager, principal instructor, and other training course instructors

46.23

according to part 4620.6650, <sup>6625,</sup> subparts 3, 5, and 7;

47.1 B. annual performance evaluations of all principal instructors <sup>under</sup> specified in part  
 47.2 4620.6650, subpart 4, item C; <sup>6625</sup>

47.3 C. current curriculum and course materials <sup>under</sup> according to part 4620.6500, subpart  
 47.4 1, item C;

47.5 D. all potential course examination questions, the correct answers to the questions,  
 47.6 and a description of the proportion of test questions devoted to each major topic in the  
 47.7 course;

47.8 E. a description of how the hands-on assessment is performed, including:

47.9 (1) who performs the assessment;

47.10 (2) how the skills are graded;

47.11 (3) what facilities are used; and

47.12 (4) the passing and failure <sup>rates</sup> rate;

47.13 F. the quality control plan required under part 4620.6650, subpart 4, item B; <sup>6625</sup>

47.14 G. the results of each course participant's hands-on skills assessments and course  
 47.15 examinations;

47.16 H. a record of each course participant's diploma as required under part 4620.6550; <sup>6525</sup>

47.17 and

47.18 I. a record of each course participant's attendance as recorded on a <sup>daily attendance log</sup> sign-in sheet

47.19 under part 4620.6600, item B. <sup>6575</sup>

47.20 Subp. 3. Providing copies. <sup>of records</sup> If the commissioner requests information on a training

47.21 course, <sup>then</sup> a training course provider must provide copies of the requested information at no

47.22 charge to the commissioner. For purposes of this part, the copy must be legible, the

47.23 photograph must be recognizable, and the copy may be provided in an electronic format.

48.1 Subp. 4. **Change of address.** A training course provider must notify the commissioner,  
 48.2 in writing, within 30 days after changing the address specified on the training course  
 48.3 provider's permit application under part 4620.6500, subpart 1, or after transferring records  
 48.4 from the address specified on the training course provider's permit application.

48.5 Subp. 5. **Ceasing operations; records transfer.** Within 20 calendar days of a training  
 48.6 course provider ceasing operation, the training manager must submit <sup>notify</sup> written notice to the  
 48.7 commissioner that includes the name, address, and telephone number of the person with  
 48.8 whom the records required under subpart 2 are transferred.

48.9 <sup>6700</sup>  
**4620.6725** ENFORCEMENT.

48.10 The commissioner shall determine penalties for any violation of parts 4620.6000 to

48.11 <sup>6725</sup>  
4620.6750 under Minnesota Statutes, sections 144.989 to 144.993.

48.12 <sup>6725</sup>  
**4620.6750** VARIANCES.

48.13 The commissioner shall not grant a variance to parts 4620.6000, 4620.6025, 4620.6050,

48.14 4620.6075, 4620.6200, and 4620.6725<sup>6700</sup>. The commissioner shall consider variances for the

48.15 remaining rule parts according to the procedures and criteria in parts 4717.7000 to 4717.7050.

48.16 **4717.7000 VARIANCE REQUEST.**

48.17 Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance  
 48.18 from the following ~~rules~~ parts:

48.19 A. clean indoor air, parts 4620.0100 to 4620.1500 4620.1450;

48.20 [For text of items B to F, see M.R.]

48.21 G. roller towels, part 4635.0200 .....

48.22 [For text of items H and I, see M.R.]

48.23 J. public swimming pools, parts 4717.0100 4717.0150 to 4717.3900 4717.3875;

49.1 [For text of items K to N, see M.R.]

49.2 O. explorers and exploratory borings, parts 4727.0100 to ~~4727.1300~~ 4727.1250;

49.3 P. explorers and exploratory borings, parts 4727.0100 to ~~4727.1300~~ 4727.1250;

49.4 [For text of item Q, see M.R.]

49.5 R. lead abatement, lead renovation, and lead poisoning prevention, parts 4620.6000

4620.6750 and 4761.2000 to 4761.2700, except parts 4620.6000, 4620.6025, 4620.6050,

4620.6075, 4620.6200, 4620.6725, and 4761.2000 to 4761.2700, except parts 4761.2000,

4761.2100, 4761.2200, 4761.2220, and 4761.2510.

49.9 [For text of subps 2 and 3, see M.R.]