

4620.0955 OFFICES, FACTORIES, WAREHOUSES, OR SIMILAR PLACES OF WORK.

Subpart 1. [Repealed, 33 SR 1771]

Subp. 2. **Smoking-permitted area requirements.**

A. A smoking-permitted area in an office or a factory, warehouse, or similar place of work must be designed and operated according to items B to E. Documentation of items B to E must be made available to the commissioner upon request.

B. The area must be maintained at a negative pressure with respect to adjacent or connected nonsmoking areas, as verified by a professional engineer licensed in the state or an individual certified by the National Environmental Balancing Bureau or the American Air Balance Council. The commissioner shall accept documentation of a negative pressure relationship that has been verified within the previous 12 months, provided changes affecting the operation of the ventilation system have not been made.

C. Air from a smoking-permitted area must not be recirculated into a nonsmoking area.

D. Air from the smoking-permitted area must be exhausted directly to the outdoors.

E. The area must be equipped with one of the following:

(1) a continuous physical barrier with closed doors, except to permit necessary ingress and egress, that separates the smoking-permitted area from adjacent or connected nonsmoking areas; or

(2) an air distribution system that is designed and operated to ensure a unidirectional airflow from adjacent or connected nonsmoking areas into the smoking-permitted area, as verified by an individual certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. The commissioner shall accept documentation of unidirectional airflow that has been verified within the previous 12 months, provided changes affecting the operation of the ventilation system have not been made.

Subp. 3. **Effective date.** This part is effective September 23, 2003.

Statutory Authority: *MS s 144.417*

History: *27 SR 407; 33 SR 1771*

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