

**4620.3300 CERTIFICATION OF ASBESTOS WORKER.**

Subpart 1. **Certification of asbestos worker required.** An individual who performs asbestos-related work must be certified by the commissioner as an asbestos worker under this part unless that individual is certified as an asbestos site supervisor.

Subp. 2. **Qualifications or experience requirements.** To be eligible for certification as an asbestos worker, an individual must have completed either:

A. two years full-time attendance, or the part-time equivalent, in an apprenticeship program for general commercial construction trades which is either approved by the Minnesota Department of Labor and Industry, Division of Voluntary Apprenticeship, or registered with the United States Department of Labor, Bureau of Apprenticeship and Training;

B. two years of postsecondary education with an emphasis in construction management, industrial hygiene, industrial technology safety, or physical or life science, and completed an Occupational Safety and Health Administration's (OSHA) 510 Occupational Safety and Health Standards for the construction industry course;

C. a vocational training program in a construction-related discipline of not less than 18 months; or

D. work experience of at least 1,000 hours of work experience in general commercial construction trades.

Subp. 3. **Training requirements for initial certification.** To be eligible for initial certification as an asbestos worker:

A. an applicant must complete before the commissioner's receipt of the application, an initial asbestos worker training course that is:

(1) permitted by the commissioner under part 4620.3704;

(2) approved by the United States Environmental Protection Agency (EPA) with the EPA approval granted after June 1, 1987; or

(3) approved by a state asbestos training program accredited by the EPA;  
and

B. an applicant must complete, before the commissioner's receipt of the application, an asbestos worker refresher course permitted by the commissioner under part 4620.3704 if the applicant has completed an initial asbestos worker training course specified in item A, subitem (2) or (3).

Subp. 3a. **Training diploma expiration; retraining.** The applicant for certification as an asbestos worker must complete an annual asbestos worker refresher course permitted by the commissioner under part 4620.3704 when the diploma from an initial worker training

course, as specified in subpart 3, item A, has expired before the commissioner's receipt of the application.

A. The most recent asbestos worker refresher course taken must be permitted by the commissioner under part 4620.3704.

B. Any refresher courses completed subsequent to the expiration of the diploma must have been completed no more than 12 months after the expiration date of the preceding diploma.

Subp. 4. **Application for initial asbestos worker certification.** An applicant for initial certification as an asbestos worker must submit to the commissioner:

A. a completed application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for certification;

B. a nonrefundable application fee of \$50, which is not in the form of a personal check, payable to the Minnesota Department of Health; and

C. verifiable evidence of the applicant's original diploma for the initial asbestos worker training course completed and, if applicable, verifiable evidence of each of the applicant's original diplomas for the asbestos worker refresher training courses completed.

Subp. 5. **Renewal.**

A. An individual certified as an asbestos worker must apply for renewal of the asbestos worker certification by submitting to the commissioner a completed renewal application. Until the renewal certificate is issued by the commissioner, the asbestos worker may continue to perform asbestos-related work for up to 30 calendar days from the date of completing the refresher training course, provided the asbestos worker:

(1) has submitted the certification renewal application to the commissioner;  
and

(2) has a copy of the diploma, which is issued after completing an asbestos worker refresher course, on site and available for review by the commissioner.

B. The renewal application must include:

(1) the completed renewal application on a form provided by the commissioner, which seeks only information the commissioner reasonably considers necessary to identify the applicant and to determine whether the applicant meets the statutory and regulatory requirements for renewal of certification;

(2) a nonrefundable renewal application fee of \$50, which is not in the form of a personal check, payable to the Minnesota Department of Health; and

(3) verifiable evidence of the training course diploma from the most recent asbestos worker refresher training course required by subpart 3a.

Subp. 6. **Denial of asbestos worker certification.** The commissioner shall deny an application for asbestos worker certification if the applicant fails to comply with all applicable requirements in this part. Additional grounds for the commissioner to deny an application are stated in Minnesota Statutes, section 144.99, subdivision 8, paragraphs (a) and (b). An applicant:

A. must be notified in writing of the denial of the certificate and the reasons for the denial; and

B. is not required to pay a second fee if the applicant submits a second asbestos worker certification application according to subpart 4 or 5 within 30 days of receipt of notice that the asbestos worker certification has been denied. Fees are required for all subsequent applications.

Subp. 7. **Duration of certificate; transfer.** An asbestos worker certificate issued by the commissioner is valid for one year after the completion date on the training course diploma for the most recently completed training course. The asbestos worker certificate is not transferable.

Subp. 8. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos worker certificate, the certified asbestos worker must submit a completed application for a duplicate asbestos worker certificate and pay a charge to the Minnesota Department of Health for the cost of duplicating the certificate.

**Statutory Authority:** *MS s 16A.1285; 144.05; 144.122; 326.70 to 326.81*

**History:** *13 SR 568; 20 SR 2765; 25 SR 1894; 33 SR 739*

**Published Electronically:** *June 3, 2013*