

4620.3310 CERTIFICATION OF ASBESTOS SITE SUPERVISOR.

Subpart 1. **Certification required.** An individual who supervises asbestos-related work or has the authority to act as the agent of the asbestos contractor at the asbestos work area must be certified as an asbestos site supervisor by the commissioner.

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

A. work experience of at least 2,000 hours in asbestos-related work, safety, industrial hygiene, hazardous materials control, or other general commercial construction trades;

B. a bachelor's degree in architecture, engineering, physical or life science, and work experience of at least 500 hours in asbestos-related work, safety, industrial hygiene, hazardous materials control, or other general commercial construction trades;

C. a master's degree in environmental health, industrial hygiene, or safety; or

D. completion of an apprenticeship program within the general commercial construction trades that 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.

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

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

Subp. 4. **Training diploma expiration; retraining.** The applicant for certification as an asbestos site supervisor must complete an annual asbestos site supervisor refresher course permitted by the commissioner under part 4620.3704 when the diploma from an

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

A. The most recent asbestos site supervisor refresher course completed 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. 5. **Initial certification application.** An applicant for initial certification as an asbestos site supervisor 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 site supervisor training course completed and, if applicable, verifiable evidence of each of the applicant's original diplomas for the asbestos site supervisor refresher training courses.

Subp. 6. **Renewal.**

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

(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 site supervisor 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 site supervisor refresher training course required by subpart 4.

Subp. 7. **Denial of certification.** The commissioner shall deny an application for an asbestos site supervisor 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 site supervisor application within 30 days of the receipt of the notice that the asbestos site supervisor application has been denied. Fees are required for all subsequent applications.

Subp. 8. **Duration of certificate; transfer.** An asbestos site supervisor certificate is valid for 12 months after the completion date on the diploma for the most recently completed training course. The asbestos site supervisor certificate is not transferable.

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos site supervisor certificate, the certified asbestos site supervisor must submit a completed application for a duplicate asbestos site supervisor 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: *20 SR 2765; 25 SR 1894; 33 SR 739*

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