

4620.3340 ASBESTOS MANAGEMENT PLANNER CERTIFICATION.

Subpart 1. **Certification required.** Beginning October 1, 1996, an individual who develops an asbestos management plan must be certified by the commissioner as an asbestos management planner.

Subp. 2. **Qualifications or experience requirements.** Beginning January 2, 1997, an individual applying for certification must show evidence of either:

A. work experience of at least 1,000 hours in the field of building inspection, asbestos-related work, safety, industrial hygiene, or hazardous materials control;

B. licensure by Minnesota as a building official;

C. a bachelor's degree in architecture, engineering, physical or life science, and work experience of 500 hours in the field of building inspection, asbestos-related work, safety, industrial hygiene, or hazardous materials control;

D. registration as a registered architect, licensure as a professional engineer, or certification as a certified industrial hygienist or certified safety professional; or

E. a master's degree in environmental health, industrial hygiene or safety, and work experience of 250 hours in the field of building inspection, asbestos-related work, safety, industrial hygiene, or hazardous materials control.

Subp. 3. **Training requirements for initial certification.** To be eligible for initial certification as an asbestos management planner an applicant must complete, before the commissioner's receipt of the application:

A. an initial asbestos management planner 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 asbestos management planner refresher course permitted by the commissioner under part 4620.3704 if the applicant has completed the initial asbestos management planner training course specified in item A, subitem (2) or (3).

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

from an initial management planner training course as specified in subpart 3, item A, has expired before the commissioner's receipt of the application.

A. The most recent asbestos management planner refresher course completed must be permitted by the commissioner under part 4620.3704.

B. Any refresher courses which have been 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. **Application for initial certification.** An applicant for initial certification as an asbestos management planner 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 \$100, 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 management planner training course and, if applicable, verifiable evidence of each of the applicant's original diplomas for the asbestos management planner refresher training courses.

Subp. 6. **Renewal.**

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

(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 management planner refresher course, at the location where the asbestos management planner is conducting work.

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 \$100 renewal application fee, 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 management planner refresher training course required by subpart 4.

Subp. 7. **Denial of certification.** The commissioner shall deny an application for certification as an asbestos management planner if the applicant fails to comply with the 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 management planner application within 30 days of the receipt of the notice that the asbestos management planner application has been denied. Fees are required for all subsequent applications.

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

Subp. 9. **Duplicate certificate.** To replace a lost, destroyed, or mutilated asbestos management planner certificate, the certified asbestos management planner must submit a completed application for a duplicate asbestos management planner 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*

Published Electronically: *June 3, 2013*