

4620.3350 ASBESTOS PROJECT DESIGNER CERTIFICATION.

Subpart 1. **Certification required.** Beginning October 1, 1996, an individual who prepares an asbestos project design must be certified by the commissioner as an asbestos project designer.

Subp. 2. **Qualifications or experience requirements.** Beginning January 2, 1997, to be eligible for certification as an asbestos project designer, an individual applying for certification must show evidence of completion of either:

A. work experience of at least 4,000 hours in asbestos-related work or asbestos management activity as defined in Minnesota Statutes, section 326.71; or

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

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

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

Subp. 4. **Training diploma expiration; retraining.** The applicant for certification as an asbestos project designer must complete an annual asbestos project designer refresher course permitted by the commissioner under part 4620.3704 when the diploma from an initial project designer training course as specified in subpart 3, item A, has expired before the commissioner's receipt of the application.

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

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 project designer 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 project designer training course and, if applicable, verifiable evidence of each of the applicant's original diplomas from the asbestos project designer refresher training courses.

Subp. 6. **Renewal.**

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

(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 project designer refresher course, at the location where the asbestos project designer 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 renewal application fee of \$100, 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 project designer refresher training course required by subpart 4.

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

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

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