

4620.4600 FAILURE TO MAINTAIN AIR QUALITY.

Subpart 1. **Corrective action necessary.** The owner or operator must take immediate corrective action when measurements of more than 20 ppm of carbon monoxide or more than 0.3 ppm of nitrogen dioxide are made in an area of the arena building that is open to the public. Corrective action must include:

- A. increasing the ventilation rate immediately; and
- B. suspending internal combustion-powered equipment use.

The owner or operator must continue corrective action until measurements show not more than 20 ppm of carbon monoxide and not more than 0.3 ppm of nitrogen dioxide in all areas of the arena building that are open to the public.

Subp. 2. **Follow-up testing.** The owner or operator must conduct and document the following air quality tests to confirm the effectiveness of the corrective action:

- A. at 20-minute intervals until measurements show not more than 20 ppm of carbon monoxide and not more than 0.3 ppm of nitrogen dioxide;
- B. 20 minutes after the next five uses of ice maintenance equipment; and
- C. at least once per day for the subsequent three days of arena operation.

Subp. 3. **Report.** Whenever corrective action is required under subpart 1, the owner or operator must submit a report to the commissioner within five business days that includes:

- A. an explanation of why corrective action was necessary;
- B. a description of the immediate corrective actions that were taken;
- C. a record of all air quality tests required by subpart 2; and
- D. an action plan to prevent a reoccurrence.

Subp. 4. **Arena evacuation necessary.**

- A. The owner or operator must evacuate an area of the arena building whenever:
 - (1) measured carbon monoxide air concentrations exceed 83 ppm or measured nitrogen dioxide air concentrations exceed 2.0 ppm for more than five minutes;
 - (2) measured carbon monoxide air concentrations exceed 40 ppm or measured nitrogen dioxide air concentrations exceed 0.6 ppm for more than one hour after originally measuring unacceptable air quality conditions; or
 - (3) measured carbon monoxide air concentrations exceed 20 ppm or measured nitrogen dioxide air concentrations exceed 0.3 ppm for more than two hours after originally measuring unacceptable air quality conditions.

B. When evacuation becomes necessary, the owner or operator must:

(1) contact the local fire department as soon as possible to request assistance in evacuating the facility and assessing the hazard; and

(2) contact the Minnesota Department of Health upon completing evacuation.

C. The evacuated areas may only be reoccupied by the public after an evacuation under item A if:

(1) acceptable air quality conditions are measured;

(2) corrective measures have been taken to prevent further incidence of unacceptable air quality conditions; and

(3) acceptable air quality conditions and corrective measures are verified by the local fire department or the Minnesota Department of Health.

Statutory Authority: *MS s 144.05; 144.12; 144.1222*

History: *L 1977 c 305 s 39; 37 SR 1663*

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