

4620.5700 FAILURE TO MAINTAIN AIR QUALITY.

Subpart 1. **Corrective action necessary.** The owner or operator must take immediate corrective action when measurements of more than 30 ppm of carbon monoxide or more than 0.3 ppm of nitrogen dioxide are made for more than 15 minutes 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, if carbon monoxide measurements remain in excess of 30 ppm or nitrogen dioxide measurements remain in excess of 0.3 ppm for more than one hour after an original exceeding measurement.

The owner or operator must continue corrective action until measurements show not more than 30 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 actions:

- A. at 15-minute intervals until measurements show not more than 30 ppm of carbon monoxide and not more than 0.3 ppm of nitrogen dioxide; and
- B. at 15-minute intervals for at least one hour per day for the subsequent three days of arena operation.

Subp. 3. **Report.** Whenever the conditions of subpart 1 occur, 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 recurrence.

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 concentrations exceed 2.0 ppm for more than 15 minutes; or
 - (2) measured carbon monoxide air concentrations exceed 30 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 Department of Health upon completing the evacuation.

C. 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 Department of Health.

Statutory Authority: *MS s 144.1222*

History: *37 SR 1663*

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