

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Service and Disposal of
4 Appliances and Motor Vehicle Air Conditioners

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6 Rules as Adopted

7 7027.0500 DEFINITIONS.

8 Subpart 1. **Scope.** For purposes of parts 7027.0500 to
9 7027.1150, the terms defined in this part have the meanings
10 given them.

11 Subp. 2. **Appliance.** "Appliance" means any device which
12 contains and uses a class I or class II substance as a
13 refrigerant and which is used for household or commercial
14 purposes, including any air conditioner, refrigerator, chiller,
15 or freezer.

16 Subp. 3. **Class I.** "Class I" means the controlled
17 substances listed in appendix A of Code of Federal Regulations,
18 title 40, part 82, subpart A, as amended.

19 Subp. 4. **Class II.** "Class II" means the controlled
20 substances listed in appendix B of Code of Federal Regulations,
21 title 40, part 82, subpart A, as amended.

22 Subp. 5. **Motor vehicle air conditioner or MVAC.** "Motor
23 vehicle air conditioner" or "MVAC" means mechanical vapor
24 compression refrigeration equipment used to cool the driver's or
25 passenger's compartment of a motor vehicle. This definition is
26 not intended to encompass the hermetically sealed refrigeration
27 systems used on motor vehicles for refrigerated cargo and the
28 air conditioning systems on passenger buses using HCFC-22
29 refrigerant.

30 Subp. 6. **MVAC-like appliance.** "MVAC-like appliance" means
31 mechanical vapor compression, open-drive compressor appliances
32 used to cool the driver's or passenger's compartment of a
33 nonroad motor vehicle. This includes the air conditioning
34 equipment found on agricultural or construction vehicles. This
35 definition is not intended to cover appliances using HCFC-22

1 refrigerant.

2 Subp. 7. Technician. "Technician" means any person
3 recycling or disposing of appliances or maintaining, servicing,
4 or repairing motor vehicle air conditioners or MVAC-like
5 appliances.

6 7027.1000 ADOPTION OF FEDERAL REGULATIONS.

7 Subpart 1. Servicing of motor vehicle air conditioners.
8 Code of Federal Regulations, title 40, part 82, subpart B, as
9 amended, entitled "Servicing of Motor Vehicle Air Conditioners,"
10 and the corresponding appendixes, as amended, are adopted and
11 incorporated by reference, except:

12 A. Code of Federal Regulations, title 40, part
13 82.30(a), is not included; and

14 B. references to the administrator under Code of
15 Federal Regulations, title 40, part 82, subpart B, do not
16 include the commissioner, with the exception of Code of Federal
17 Regulations, title 40, parts 82.40(f), first occurrence of
18 administrator only, and 82.42(b)(5).

19 Subp. 2. Servicing and recycling appliances and emissions
20 reduction. Code of Federal Regulations, title 40, part 82,
21 subpart F, as amended, entitled "Recycling and Emissions
22 Reduction," and the corresponding appendixes, as amended, are
23 adopted and incorporated by reference, except:

24 A. Code of Federal Regulations, title 40, parts
25 82.150(a), 82.152(x), 82.154(1), 82.161, and 82.166(1), are not
26 included; and

27 B. references to the administrator under Code of
28 Federal Regulations, title 40, part 82, subpart F, do not
29 include the commissioner.

30 7027.1050 STANDARD OF COMPETENCE.

31 Persons described in Minnesota Statutes, section 116.731,
32 subdivisions 1 to 4, must be able to demonstrate, upon request
33 of an authorized representative of the commissioner, the ability
34 to perform proper procedures for refrigerant recovery, as
35 described in Code of Federal Regulations, title 40, part 82,

1 subparts B and F, as amended.

2 7027.1100 TECHNICIAN CERTIFICATION.

3 Subpart 1. Technician certification for appliance
4 recyclers.

5 A. A person that services or recycles appliances and
6 obtains a certification from a program approved by the
7 commissioner satisfies the certification requirement of
8 Minnesota Statutes, section 116.735.

9 The technician certification programs approved by the
10 United States Environmental Protection Agency under Code of
11 Federal Regulations, title 40, part 82, subpart F, as amended,
12 are programs approved by the commissioner.

13 B. Technicians must be certified as follows:

14 (1) persons who recycle small appliances, as
15 defined in Code of Federal Regulations, title 40, part
16 82.152(v), as amended, must be properly certified as Type I
17 technicians;

18 (2) persons who recycle high or very high
19 pressure appliances, as defined in Code of Federal Regulations,
20 title 40, part 82.152(f) and (y), as amended, except small
21 appliances and MVACs, must be properly certified as Type II
22 technicians;

23 (3) persons who recycle low pressure appliances,
24 as defined in Code of Federal Regulations, title 40, part
25 82.152(i), as amended, must be properly certified as Type III
26 technicians; and

27 (4) persons who recycle low and high pressure
28 equipment as described in subitems (1) to (3) must be properly
29 certified as Universal technicians.

30 Subp. 2. Technician certification for MVAC-like appliance
31 servicers. Persons who maintain, service, or repair MVAC-like
32 appliances must either be properly certified as Type II
33 technicians as described in Code of Federal Regulations, title
34 40, part 82, subpart F, as amended, or obtain certification
35 through a program approved under Code of Federal Regulations,

1 title 40, part 82, subpart B, as amended.

2 Subp. 3. **Recertification.** The commissioner may require
3 recertification of a technician who fails to meet the standard
4 of competence of part 7027.1050.

5 7027.1150 STANDARDS FOR APPLIANCE RECYCLERS.

6 Subpart 1. **Technician certification records.** A person
7 engaged in the business of recycling appliances as described in
8 Minnesota Statutes, section 115A.9561, subdivision 2, shall:

9 A. possess the appropriate technician certification
10 from a program approved by the commissioner; and

11 B. retain proof of technician certification at the
12 place of business and at the work site, if different, to enable
13 the commissioner to verify the identity and certification of
14 each person.

15 Subp. 2. **Self-certification.** A person engaged in the
16 business of recycling appliances as described in Minnesota
17 Statutes, section 115A.9561, subdivision 2, shall certify to the
18 commissioner not later than 60 days after the effective date of
19 this part or within 20 days of commencing business for those
20 persons not in business on the effective date of this part that
21 the person has acquired recovery equipment that meets the
22 standards in Code of Federal Regulations, title 40, part
23 82.158(m), as amended, and that the person is complying with the
24 applicable requirements of this chapter, applicable Minnesota
25 statutes, and Code of Federal Regulations, title 40, part 82,
26 subpart F, as amended. Owners or lessees of recovery or
27 recycling equipment may perform this certification for their
28 employees. Certification must be a statement signed by the
29 owner or lessee of the equipment or another responsible officer
30 and must state:

31 A. the name, address, and county of the buyer of the
32 equipment;

33 B. the business name and address where each piece of
34 equipment is or will be located;

35 C. the number of service vehicles used to transport

1 technicians and equipment between the business, work site, and
2 field;

3 D. the equipment manufacturer's name, the date of
4 manufacture, and the model and serial number;

5 E. the names of the certified technicians, name of
6 the program where certification was received from, date of
7 certification, type of certification, and certification number;
8 and

9 F. a statement that the equipment will be properly
10 used in recovering refrigerant from appliances, that each
11 individual authorized to use the equipment is certified as
12 required by part 7027.1150, subpart 1, item A, and that the
13 information given is true and correct.

14 The certification must be updated annually by January 15 of
15 each calendar year and must be sent to: Stratospheric Ozone
16 Protection Program Coordinator, Minnesota Pollution Control
17 Agency, Air Quality Division, 520 Lafayette Road North, Saint
18 Paul, Minnesota 55155.

19 Subp. 3. Record keeping. A person engaged in the business
20 of recycling appliances as described in Minnesota Statutes,
21 section 115A.9561, subdivision 2, shall:

22 A. ensure that a copy of the certification required
23 pursuant to subpart 1, item A, is retained on file and made
24 available at the place of business and at the work site, if
25 different, during a technician's employment with the business;

26 B. retain a copy of the certification required
27 pursuant to subpart 1, item A, on file for a minimum of three
28 years after the technician leaves employment of the business;
29 and

30 C. ensure that a copy of the certification required
31 pursuant to subpart 2 is retained at the place of business and
32 at the work site, if different.