

1.1 **Department of Health**

1.2 **Adopted Permanent Rules Relating to Asbestos Abatement**

1.3 **4620.3100 DEFINITIONS.**

1.4 [For text of subps 1 to 2a, see M.R.]

1.5 Subp. 2b. **Air quality monitoring.** "Air quality monitoring" is limited to the
1.6 activities associated with the set up, calibration, collection, and documentation of the
1.7 air samples that determine fiber concentrations as required under parts 4620.3570 and
1.8 4620.3592 to 4620.3598.

1.9 Subp. 2c. **Alternative clearance standard.** "Alternative clearance standard" means
1.10 the asbestos concentration of 70 structures per square millimeter (70 s/mm^2) of filter
1.11 surface when the clearance air samples are analyzed by transmission electron microscopy
1.12 according to part 4620.3598.

1.13 Subp. 2d. **Alternative indoor air standard.** "Alternative indoor air standard"
1.14 means the maximum permissible fiber concentration in the air established according
1.15 to part 4620.3597.

1.16 Subp. 2e. **Area preparation.** "Area preparation" means:

1.17 A. the construction of a decontamination unit under parts 4620.3569; 4720.3580,
1.18 subpart 2; and 4620.3581, subpart 3;

1.19 B. the installation of a HEPA-filtered negative pressure system under part
1.20 4620.3570; and

1.21 C. the performance of any activities required by parts 4620.3580, subpart 4,
1.22 items A, B, D, E, G, and H; 4620.3581, subpart 4, item A; 4620.3582, subpart 3, item
1.23 A; 4620.3566; 4620.3567; and 4620.3568.

1.24 [For text of subps 3 to 33, see M.R.]

2.1 Subp. 34. **Verifiable evidence.** "Verifiable evidence" means a signed statement
2.2 verifying that the applicant has completed a training course or a refresher course. The
2.3 statement may be provided in hard copy or electronic form or may be other electronic
2.4 evidence such as an excerpt from a database. The statement or electronic evidence must
2.5 be submitted by the provider of a training course, or by a government agency in another
2.6 state charged with certifying or licensing asbestos workers if the course was taken in
2.7 another state.

2.8 **4620.3200 CONTRACTOR LICENSURE.**

2.9 Subpart. 1. [Repealed, 20 SR 2765]

2.10 Subp. 2. **Application for license.** An applicant for an asbestos contractor license
2.11 must submit to the commissioner:

2.12 [For text of items A and B, see M.R.]

2.13 C. the name, address, Social Security number, and signature of the responsible
2.14 individual as defined in part 4620.3100, subpart 29; and

2.15 D. the asbestos contractor's Minnesota business identification number.

2.16 Subp. 2a. **Workers' compensation.** As part of the contractor license application,
2.17 the applicant must provide:

2.18 A. evidence of workers' compensation insurance as required by Minnesota
2.19 Statutes, section 176.182; or

2.20 B. if the applicant is not liable to pay compensation under Minnesota Statutes,
2.21 chapter 176, the applicant must submit a letter to the commissioner, signed and dated,
2.22 stating why the applicant is not liable.

2.23 [For text of subps 3 to 9, see M.R.]

2.24 **4620.3250 USE OF QUALIFIED INDIVIDUALS.**

3.1 Subpart 1. **Qualified individuals.** Qualified individuals must be used to perform
3.2 asbestos-related work.

3.3 A. An asbestos contractor must employ only asbestos workers and
3.4 site supervisors with current certificates issued by the commissioner to conduct
3.5 asbestos-related work.

3.6 B. An asbestos contractor must ensure that a current asbestos worker certificate
3.7 or asbestos site supervisor certificate for each individual engaged in asbestos-related work
3.8 is readily available at the work site for review by the commissioner, except as provided in
3.9 parts 4620.3300, subpart 5, item A, and 4620.3310, subpart 6, item A.

3.10 Subp. 2. **Required work site personnel.**

3.11 A. An asbestos contractor must ensure that a certified asbestos site supervisor is
3.12 present at the work site during all times when asbestos-related work is performed.

3.13 B. If the asbestos contractor is only performing air quality monitoring, then
3.14 that asbestos contractor must ensure that:

3.15 (1) a certified site supervisor is present at the work site during all times that
3.16 air quality monitoring is being performed; or

3.17 (2) a certified asbestos worker is present at the work site during all times
3.18 that air quality monitoring is being performed.

3.19 C. The asbestos worker under item B, subitem (2), must be able to immediately
3.20 contact a certified site supervisor of the asbestos contractor performing the air quality
3.21 monitoring.

3.22 D. If requested, the certified site supervisor must be present at the work site
3.23 within two hours after being contacted.

3.24 **4620.3300 CERTIFICATION OF ASBESTOS WORKER.**

4.1 [For text of subpart 1, see M.R.]

4.2 Subp. 2. **Qualifications or experience requirements.** To be eligible for
4.3 certification as an asbestos worker, an individual must have completed either:

4.4 [For text of item A, see M.R.]

4.5 B. two years of postsecondary education with an emphasis in construction
4.6 management, industrial hygiene, industrial technology safety, or physical or life science,
4.7 and completed an Occupational Safety and Health Administration's (OSHA) 510
4.8 Occupational Safety and Health Standards for the construction industry course;

4.9 C. a vocational training program in a construction-related discipline of not
4.10 less than 18 months; or

4.11 D. work experience of at least 1,000 hours of work experience in general
4.12 commercial construction trades.

4.13 [For text of subps 3 and 3a, see M.R.]

4.14 Subp. 4. **Application for initial asbestos worker certification.** An applicant for
4.15 initial certification as an asbestos worker must submit to the commissioner:

4.16 [For text of item A, see M.R.]

4.17 B. a nonrefundable application fee of \$50, which is not in the form of a personal
4.18 check, payable to the Minnesota Department of Health; and

4.19 C. verifiable evidence of the applicant's original diploma for the initial asbestos
4.20 worker training course completed and, if applicable, verifiable evidence of each of the
4.21 applicant's original diplomas for the asbestos worker refresher training courses completed.

4.22 Subp. 5. **Renewal.**

4.23 [For text of item A, see M.R.]

4.24 B. The renewal application must include:

5.1 [For text of subitems (1) and (2), see M.R.]

5.2 (3) verifiable evidence of the training course diploma from the most recent
5.3 asbestos worker refresher training course required by subpart 3a.

5.4 [For text of subps 6 to 8, see M.R.]

5.5 **4620.3310 CERTIFICATION OF ASBESTOS SITE SUPERVISOR.**

5.6 [For text of subps 1 to 4, see M.R.]

5.7 Subp. 5. **Initial certification application.** An applicant for initial certification as an
5.8 asbestos site supervisor must submit to the commissioner:

5.9 [For text of item A, see M.R.]

5.10 B. a nonrefundable application fee of \$50, which is not in the form of a personal
5.11 check, payable to the Minnesota Department of Health; and

5.12 C. verifiable evidence of the applicant's original diploma for the initial asbestos
5.13 site supervisor training course completed and, if applicable, verifiable evidence of each of
5.14 the applicant's original diplomas for the asbestos site supervisor refresher training courses.

5.15 Subp. 6. **Renewal.**

5.16 [For text of item A, see M.R.]

5.17 B. The renewal application must include:

5.18 [For text of subitems (1) and (2), see M.R.]

5.19 (3) verifiable evidence of the training course diploma from the most recent
5.20 asbestos site supervisor refresher training course required by subpart 4.

5.21 [For text of subps 7 to 9, see M.R.]

5.22 **4620.3330 CERTIFICATION OF ASBESTOS INSPECTOR.**

5.23 [For text of subps 1 to 4, see M.R.]

6.1 Subp. 5. **Application for initial certification.** An applicant for initial certification
6.2 as an asbestos inspector must submit to the commissioner:

6.3 [For text of item A, see M.R.]

6.4 B. a nonrefundable application fee of \$100, which is not in the form of a
6.5 personal check, payable to the Minnesota Department of Health; and

6.6 C. verifiable evidence of the applicant's original diploma for the initial asbestos
6.7 inspector training course, and, if applicable, verifiable evidence of each of the applicant's
6.8 original diplomas from the asbestos inspector refresher training courses.

6.9 Subp. 6. **Renewal.**

6.10 [For text of item A, see M.R.]

6.11 B. The renewal application must include:

6.12 [For text of subitems (1) and (2), see M.R.]

6.13 (3) verifiable evidence of the training course diploma from the most recent
6.14 asbestos inspector refresher training course required by subpart 4.

6.15 [For text of subps 7 to 9, see M.R.]

6.16 **4620.3340 ASBESTOS MANAGEMENT PLANNER CERTIFICATION.**

6.17 [For text of subps 1 to 4, see M.R.]

6.18 Subp. 5. **Application for initial certification.** An applicant for initial certification
6.19 as an asbestos management planner must submit to the commissioner:

6.20 [For text of items A and B, see M.R.]

6.21 C. verifiable evidence of the applicant's original diploma for the initial asbestos
 6.22 management planner training course and, if applicable, verifiable evidence of each of the
 6.23 applicant's original diplomas for the asbestos management planner refresher training
 6.24 courses.

7.1 Subp. 6. **Renewal.**

7.2 [For text of item A, see M.R.]

7.3 B. The renewal application must include:

7.4 [For text of subitems (1) and (2), see M.R.]

7.5 (3) verifiable evidence of the training course diploma from the most recent
 7.6 asbestos management planner refresher training course required by subpart 4.

7.7 [For text of subps 7 to 9, see M.R.]

7.8 **4620.3350 ASBESTOS PROJECT DESIGNER CERTIFICATION.**

7.9 [For text of subps 1 to 4, see M.R.]

7.10 Subp. 5. **Application for initial certification.** An applicant for initial certification
 7.11 as an asbestos project designer must submit to the commissioner:

7.12 [For text of item A, see M.R.]

7.13 B. a nonrefundable application fee of \$100, which is not in the form of a
 7.14 personal check, payable to the Minnesota Department of Health; and

7.15 C. verifiable evidence of the applicant's original diploma for the initial asbestos
 7.16 project designer training course and, if applicable, verifiable evidence of each of the
 7.17 applicant's original diplomas from the asbestos project designer refresher training courses.

7.18 Subp. 6. **Renewal.**

7.19 [For text of item A, see M.R.]

7.20 B. The renewal application must include:

7.21 [For text of subitems (1) and (2), see M.R.]

7.22 (3) verifiable evidence of the training course diploma from the most recent
7.23 asbestos project designer refresher training course required by subpart 4.

8.1 [For text of subps 7 to 9, see M.R.]

8.2 **4620.3410 ASBESTOS-RELATED WORK PROJECT NOTICE.**

8.3 [For text of subpart 1, see M.R.]

8.4 Subp. 2. **Requirements for notice.** At least five calendar days before the beginning
8.5 of a project, except as provided in part 4620.3420, the commissioner must receive from
8.6 the licensed asbestos contractor:

8.7 A. a completed notice on a form provided by the commissioner which seeks
8.8 only information the commissioner reasonably considers necessary to inspect the project
8.9 and issue the permit; and

8.10 B. the permit fee for the project as determined under part 4620.3430.

8.11 [For text of subp 3, see M.R.]

8.12 **4620.3415 AMENDMENT OF NOTICE.**

8.13 The licensed asbestos contractor performing abatement must notify the commissioner
8.14 according to this part of any change in the information reported to the commissioner
8.15 by that contractor under part 4620.3410.

8.16 [For text of items A to D, see M.R.]

8.17 **4620.3580 GLOVE BAG PROCEDURES.**

8.18 Subpart 1. **Application.** When a portion of a project includes the removal,
8.19 encapsulation, or enclosure of less than 25 linear feet of asbestos-containing pipe lagging
8.20 or less than ten square feet of asbestos-containing material per room, for that portion of

8.21 the project the person performing abatement may use the glove bag procedures in this part
8.22 instead of the procedures in parts 4620.3566 to 4620.3575, subparts 1 to 8.

8.23 In process areas of facilities not accessible to the general public and designated in
8.24 Division B, D, or E of the 1987 edition of the Standard Industrial Classification Manual,
9.1 asbestos-containing material may be abated in quantities up to 25 linear feet or ten square
9.2 feet for each 15,000 square foot area of floor space using the glove bag procedures in this
9.3 part instead of the procedures in parts 4620.3566 to 4620.3575, subparts 1 to 8. Division
9.4 B, D, and E of the 1987 edition of the Standard Industrial Classification Manual are
9.5 incorporated by reference and are not subject to frequent change. A copy of this material
9.6 is available from the State Law Library, Minnesota Judicial Center, 25 Rev. Dr. Martin
9.7 Luther King Jr. Blvd., St. Paul, MN 55155, or for loan or inspection from the Barr Library
9.8 of the Minnesota Department of Health or through the Minitex interlibrary loan system.

9.9 [For text of subps 2 to 4, see M.R.]

9.10 Subp. 5. **Asbestos removal or encapsulation.** For each abatement project
9.11 using a glove bag, the procedures in this subpart must be followed for the removal or
9.12 encapsulation of asbestos-containing material using a glove bag.

9.13 [For text of items A to E, see M.R.]

9.14 F. All exposed asbestos-containing material within the glove bag must be
9.15 encapsulated with an encapsulant before the glove bag is removed according to part
9.16 4620.3572.

9.17 [For text of item G, see M.R.]

9.18 [For text of subps 6 and 7, see M.R.]