

1.1 **Department of Health**

1.2 **Proposed Permanent Rules Governing Lead Renovation, Repair, and Paint**

1.3 **4620.6000 GENERAL.**

1.4 **Subpart 1. Applicability.**

1.5 A. A person performing renovation on an affected property is subject to parts
1.6 4620.6000 to 4620.6475 if a renovation is performed for compensation and:

1.7 (1) disturbs six square feet or more of painted surface in an interior room;

1.8 (2) disturbs 20 square feet or more of painted surface on an exterior surface;

1.9 (3) is six square feet or less in an interior room and involves the use of work
1.10 practices prohibited under part 4620.6200;

1.11 (4) is 20 square feet or less on exterior surfaces and involves the use of work
1.12 practices prohibited under part 4620.6200; or

1.13 (5) involves window replacement or any demolition of a painted surface,
1.14 building component, or portion of a structure.

1.15 B. Activities that disturb painted surfaces, other than emergency renovations,
1.16 performed in the same room within 30 days of another activity that disturbs painted surfaces
1.17 must be considered the same project for the purposes of the applicability criteria in this part.

1.18 Subp. 2. Exemptions. A person performing renovation is exempt from parts 4620.6000
1.19 to 4620.6475 if:

1.20 A. a lead inspector or a lead risk assessor prepares a written determination that
1.21 the building components affected by the renovation are free of lead-based paint and the
1.22 person performing the renovation has obtained a copy of the written determination under
1.23 this item;

2.1 B. a lead renovator tests each building component affected by the renovation using
2.2 a recognized test kit and prepares a written determination that building components affected
2.3 by the renovation are free of lead-based paint. If the building components make up an
2.4 integrated whole, such as the individual stair treads and risers of a single staircase, the lead
2.5 renovator is required to test only one of the individual components, unless the individual
2.6 components appear to have been repainted or refinished separately;

2.7 C. the renovation disturbs less than six square feet of painted surface in an interior
2.8 room and does not involve any prohibited work practices under part 4620.6200;

2.9 D. the renovation disturbs less than 20 square feet of painted surface on an exterior
2.10 surface and does not involve any prohibited work practices under part 4620.6200; and

2.11 E. the renovation consists of the total demolition and disposal of an entire
2.12 freestanding structure. For purposes of this item, "total demolition" means demolition and
2.13 disposal of all interior and exterior painted surfaces, including windows. Unpainted
2.14 foundation building components remaining after total demolition may be reused. Parts
2.15 4620.6000 to 4620.6475 do not apply to future renovations of properties that have undergone
2.16 total demolition.

2.17 **4620.6025 DEFINITIONS.**

2.18 Subpart 1. **Scope.** The terms used in parts 4620.6000 to 4620.6475 have the meanings
2.19 given them in this part.

2.20 Subp. 2. **Affected property.**

2.21 A. "Affected property" means the following types of properties, including any
2.22 attached structures, constructed before 1978 and includes all detached structures located on
2.23 the same property that are associated with residential use or, if the property includes a
2.24 child-occupied facility, that are routinely used by children under the age of six. Examples

3.1 of residential use include structures used by occupants for residential storage, maintenance
3.2 and improvement, leisure, and recreation, including:

3.3 (1) a single-family dwelling;

3.4 (2) a dwelling unit within a building used as multiunit housing, including
3.5 common areas; and

3.6 (3) a child-occupied facility in a building, portion of a building, or common
3.7 area of a building that is visited by the same child who is under six years of age, and:

3.8 (a) the combined weekly visits last at least six hours; and

3.9 (b) the combined annual visits last at least 60 hours.

3.10 B. Affected property does not include detached structures constructed before 1978
3.11 located on the same property as a single-family dwelling, a building used for multiunit
3.12 housing, or a child-occupied facility that are not:

3.13 (1) routinely used by children under six years of age at a child-occupied
3.14 facility;

3.15 (2) associated with residential use, such as structures used exclusively for
3.16 commercial purposes; and

3.17 (3) in locations that will result in the spread of dust and debris from disturbed
3.18 painted surfaces to areas of the property used for residential purposes or routinely used by
3.19 children under six years of age at a child-occupied facility.

3.20 Subp. 3. **Area preparation.** "Area preparation" means:

3.21 A. removing objects from the work area;

3.22 B. installing work area barriers to isolate objects from the work area; or

3.23 C. covering objects and structures in the work area.

4.1 Subp. 4. **Building component.** "Building component" means interior and exterior
4.2 design elements, structural elements, or fixtures of an affected property that are distinguished
4.3 from each other by form, function, and location. Building component includes interior
4.4 components such as ceilings; crown molding; walls; chair rails; doors; door trim; floors;
4.5 fireplaces; radiators and other heating units; shelves; shelf supports; stair treads; stair risers;
4.6 stair stringers; newel posts; railing caps; balustrades; windows and trim including sashes,
4.7 window heads, jambs, sills, or stools and troughs; built-in cabinets; columns; beams;
4.8 bathroom vanities; countertops; and air conditioners. Building component also includes
4.9 exterior components such as painted roofing, chimneys, flashing, gutters and downspouts,
4.10 ceilings, soffits, fascias, rake boards, cornerboards, bulkheads, doors and door trim, fences,
4.11 floors, joists, lattice work, railings and railing caps, siding, handrails, stair risers and treads,
4.12 stair stringers, columns, balustrades, or stools and troughs, casings, sashes and wells, and
4.13 air conditioners.

4.14 Subp. 5. **Certified renovation firm.** "Certified renovation firm" has the meaning
4.15 given in Minnesota Statutes, section 144.9501, subdivision 6e.

4.16 Subp. 6. **Cleaning verification card.** "Cleaning verification card" means a card that
4.17 is developed, distributed, and approved by the EPA and used as part of the process for
4.18 determining if postrenovation cleaning is complete.

4.19 Subp. 7. **Commissioner.** "Commissioner" means the commissioner of health or the
4.20 commissioner's designee.

4.21 Subp. 8. **Common area.** "Common area" means a portion of a building or exterior
4.22 area that is generally accessible to all residential occupants, including a hallway, stairway,
4.23 laundry or recreational room, play area, community area, garage, or boundary fence. In
4.24 buildings containing a child-occupied facility, the child-occupied facility includes only
4.25 those areas routinely used by children under six years of age, such as a restroom, a cafeteria,
4.26 a shared classroom, or an exterior playground and excludes common areas that children

5.1 under six years of age only pass through, such as hallways, stairways, and garages used by
5.2 the entire building.

5.3 Subp. 9. **Compensation.** "Compensation" means money or other mutually agreed
5.4 upon form of payment given or received as an equivalent for renovation activities performed
5.5 by a certified renovation firm and includes receipt of rent payments or salaries derived from
5.6 rent payments.

5.7 Subp. 10. **Demolition.** "Demolition" means any activity that destroys or ruins a painted
5.8 building component, structure, or portion of a structure.

5.9 Subp. 11. **Disclosure pamphlet.** "Disclosure pamphlet" has the meaning given in
5.10 Minnesota Statutes, section 144.9501, subdivision 8a.

5.11 Subp. 12. **Disturb.** "Disturb" means to break up, burn, crush, cut into, dissolve, sand,
5.12 scrape, abrade, remove, or demolish a painted surface in a manner that generates dust, paint
5.13 chips, or debris.

5.14 Subp. 13. **Dry disposable cleaning cloth.** "Dry disposable cleaning cloth" means a
5.15 commercially available, dry, electrostatically charged, disposable cloth designed for cleaning
5.16 hard surfaces such as an uncarpeted floor or a countertop.

5.17 Subp. 14. **Emergency renovation.** "Emergency renovation" means an unplanned
5.18 renovation activity conducted in response to a sudden unexpected event which, if not
5.19 addressed immediately, may result in one or more of the following:

5.20 A. a safety hazard;

5.21 B. a public health hazard; or

5.22 C. significant equipment or property damage.

5.23 Subp. 15. **EPA.** "EPA" means the United States Environmental Protection Agency.

6.1 Subp. 16. **HEPA filter.** "HEPA filter" means a high-efficiency particulate air filter
6.2 capable of trapping and retaining at least 99.97 percent of all monodispersed particles 0.3
6.3 microns in diameter or larger.

6.4 Subp. 17. **HEPA vacuum.** "HEPA vacuum" means a vacuum cleaner that is designed
6.5 with a HEPA filter as the last filtration stage where all the air drawn into the machine is
6.6 expelled through the HEPA filter.

6.7 Subp. 18. **Lead-based paint.** "Lead-based paint" means paint or other surface coatings
6.8 that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent
6.9 by weight.

6.10 Subp. 19. **Lead inspector.** "Lead inspector" means an individual licensed by the
6.11 commissioner to perform a surface-by-surface investigation to determine the presence of
6.12 lead content in paint and a visual identification of the existence and location of bare soil.

6.13 Subp. 20. **Lead renovator.** "Lead renovator" means an individual who holds a valid
6.14 training course diploma from a training course approved by the commissioner to direct
6.15 individuals who perform renovations or to perform renovations, painted surface testing, and
6.16 cleaning verification.

6.17 Subp. 21. **Lead risk assessor.** "Lead risk assessor" means an individual licensed by
6.18 the commissioner to determine the existence, nature, severity, and location of lead hazards
6.19 and perform a surface-by-surface investigation to determine the presence of lead content
6.20 in paint and a visual identification of the existence and location of lead content in bare soil.

6.21 Subp. 22. **Lead or dust sampling technician.** "Lead or dust sampling technician"
6.22 means an individual who holds a valid training course diploma from a training course
6.23 approved by the commissioner to perform clearance inspections for renovation sites and
6.24 lead dust sampling for nonabatement sites.

7.1 Subp. 23. **Lead supervisor.** "Lead supervisor" has the meaning given in Minnesota
7.2 Statutes, section 144.9501, subdivision 22a.

7.3 Subp. 24. **Lead worker.** "Lead worker" has the meaning given in Minnesota Statutes,
7.4 section 144.9501, subdivision 23.

7.5 Subp. 25. **Owner.** "Owner" means any person that has legal title to an affected property.
7.6 Owner also includes a mortgagor, as defined by Minnesota Statutes, section 507.401,
7.7 subdivision 1, paragraph (d), but does not include a mortgagee, as defined by Minnesota
7.8 Statutes, section 507.401, subdivision 1, paragraph (d), that holds legal title to an affected
7.9 property for the sole purpose of securing a mortgage.

7.10 Subp. 26. **Painted surface.** "Painted surface" means a building component surface
7.11 covered in whole or in part with paint or other surface coatings including latex and oil-based
7.12 paint, stain, varnish, glaze, and sealant.

7.13 Subp. 27. **Person.** "Person" has the meaning given in Minnesota Statutes, section
7.14 326.71, subdivision 8.

7.15 Subp. 28. **Recognized test kit.** "Recognized test kit" means a commercially available
7.16 kit, approved by the EPA under Code of Federal Regulations, title 40, section 745.88, or
7.17 successor requirements, that allows a user to determine the presence of lead-based paint.

7.18 Subp. 29. **Renovation.** "Renovation" has the meaning given in Minnesota Statutes,
7.19 section 144.9501, subdivision 26b.

7.20 Subp. 30. **Responsible individual.** "Responsible individual" means an individual who
7.21 has the authority to represent a certified renovation firm in all matters related to certification
7.22 and is trained as a lead renovator under part 4620.6100.

7.23 Subp. 31. **Training course.** "Training course" means an instruction course, permitted
7.24 by the commissioner, for a lead renovator or a lead or dust sampling technician.

8.1 Subp. 32. **Training hour.** "Training hour" means at least 50 minutes of instruction,
8.2 including time devoted to lecture, learning activities, small group activities, demonstrations,
8.3 evaluations, and hands-on training components.

8.4 Subp. 33. **Vertical containment.** "Vertical containment" means a vertical barrier
8.5 consisting of plastic sheeting or other disposable, impermeable material over scaffolding
8.6 or a rigid frame to contain the work area.

8.7 Subp. 34. **Wet disposable cleaning cloth.** "Wet disposable cleaning cloth" means a
8.8 commercially available, premoistened, disposable cloth that is white and designed for
8.9 cleaning hard surfaces such as an uncarpeted floor or a countertop.

8.10 Subp. 35. **Wet mopping system.** "Wet mopping system" means a device with a long
8.11 handle, a mop head designed for use with disposable cleaning pads, a reservoir for cleaning
8.12 solution, and a built-in mechanism for spraying the cleaning solution onto a floor.

8.13 Subp. 36. **Work area.** "Work area" means an area that a lead renovator establishes
8.14 to contain the dust and debris generated by a renovation. There may be more than one work
8.15 area in the renovation of an affected property.

8.16 Subp. 37. **Work-area barrier.** "Work-area barrier" means a barrier constructed of
8.17 plastic sheeting or other disposable, impermeable material to separate and isolate a work
8.18 area, including a vertical containment, containment walls used to isolate an interior work
8.19 area, and a barrier installed over doors, floors, windows, objects, structures, building
8.20 components, and air passageways.

8.21 Subp. 38. **Work plan.** "Work plan" means the plan developed and used by a certified
8.22 renovation firm to identify and describe the renovation site, specific work areas, and work
8.23 practices used in a renovation project. A work plan may be written or electronic.

9.1 Subp. 39. **Written acknowledgment.** "Written acknowledgment" means documentation
9.2 that a disclosure pamphlet was delivered to the owner or the adult occupant of an affected
9.3 property to be renovated.

9.4 **4620.6050 RENOVATION FIRM CERTIFICATION.**

9.5 Subpart 1. **General requirements.**

9.6 A. A person who performs renovation for compensation must be certified by the
9.7 commissioner as a certified renovation firm, unless the person is a qualified individual under
9.8 part 4620.6075 who performs renovation on behalf of a certified renovation firm.

9.9 B. A certified renovation firm must employ or contract with a responsible
9.10 individual who is trained as a lead renovator. A certified renovation firm may designate an
9.11 alternate responsible individual, who must be trained as a lead renovator, when the
9.12 responsible individual is unavailable.

9.13 C. A certified renovation firm certification is not transferable.

9.14 Subp. 2. **Certification application.** An applicant for renovation firm certification
9.15 must submit to the commissioner:

9.16 A. a completed application on a form provided by the commissioner;

9.17 B. a nonrefundable application fee, required under Minnesota Statutes, section
9.18 144.9505, subdivision 1h, payable to the Minnesota Department of Health;

9.19 C. the name, contact information, and renovation course diploma number of the
9.20 responsible individual;

9.21 D. the Social Security number or individual taxpayer identification number and
9.22 the Minnesota business identification number, as applicable; and

9.23 E. evidence of workers' compensation insurance as required under Minnesota
9.24 Statutes, section 176.182, unless the applicant is exempt from the requirements under

10.1 Minnesota Statutes, chapter 176. If the applicant is exempt from the requirements under
10.2 Minnesota Statutes, chapter 176, then the applicant must submit a letter to the commissioner
10.3 that is signed and dated stating why the applicant is exempt.

10.4 **Subp. 3. Certification expiration and renewal.**

10.5 A. A certification issued under this part is valid for two years from the date of
10.6 issuance.

10.7 B. A certified renovation firm may renew its certification by submitting the
10.8 information and nonrefundable fee required under subpart 2.

10.9 **Subp. 4. Denial of certification application.**

10.10 A. The commissioner shall deny an application for a renovation firm certification
10.11 according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to
10.12 comply with the requirements of subpart 2.

10.13 B. If the commissioner denies an application, the commissioner:

10.14 (1) must notify the applicant in writing and provide the reasons for the denial
10.15 according to Minnesota Statutes, section 144.99, subdivision 10, and state whether
10.16 deficiencies in the application can be corrected under subitem (2) to receive certification;
10.17 and

10.18 (2) must not require the applicant to pay an additional fee if the applicant
10.19 submits the corrected deficiencies listed in the commissioner's denial letter within 30 days
10.20 of receipt of the denial letter. An applicant must apply for an initial certification under
10.21 subpart 2 if the deficiencies are not corrected within 30 days.

10.22 **Subp. 5. Amending certified renovation firm application.** A certified renovation
10.23 firm must notify the commissioner, on a form provided by the commissioner, within 90

11.1 days of making a change that invalidates any of the information contained in the certified
11.2 renovation firm's most recent application.

11.3 **4620.6075 USE OF QUALIFIED INDIVIDUALS.**

11.4 **Subpart 1. Qualified individuals.** A certified renovation firm must use only the
11.5 following individuals to perform a renovation:

11.6 A. a lead renovator;

11.7 B. a lead supervisor;

11.8 C. a lead worker; or

11.9 D. an individual who is trained by a lead renovator.

11.10 **Subp. 2. Training conducted by a lead renovator.**

11.11 A. A lead renovator must train individual workers under subpart 1, item D, on
11.12 specific renovation work practices before the work practices are performed.

11.13 B. The training an individual receives from a lead renovator under item A is valid
11.14 for 48 months.

11.15 C. A certified renovation firm must maintain documentation of the training under
11.16 item A and include:

11.17 (1) the name of the lead renovator who conducted the training;

11.18 (2) the names of all individuals trained;

11.19 (3) the date of the training; and

11.20 (4) the specific work practices included in the training for each individual.

11.21 **Subp. 3. Lead renovator assigned to renovation.**

11.22 A. A certified renovation firm must assign a lead renovator to a renovation project.

12.1 B. Lead renovators are responsible for directing renovation work practices under
12.2 part 4620.6200 and performing the tasks assigned to lead renovators under parts 4620.6000
12.3 to 4620.6475 at all renovations to which they are assigned.

12.4 C. A lead renovator assigned to a renovation must be available, either on site or
12.5 by telephone, until the renovation is completed. In addition, a renovator must be physically
12.6 present at the renovation site:

12.7 (1) when warning signs are posted under part 4620.6200, subpart 1;

12.8 (2) while the interior and exterior work area barriers are being installed under
12.9 part 4620.6200, subparts 3 and 4; and

12.10 (3) while the work area cleaning is performed under part 4620.6200, subparts
12.11 8, 9, and 10.

12.12 Subp. 4. Lead sampling activities. A certified renovation firm must use only a lead
12.13 or dust sampling technician, a lead inspector, or a lead risk assessor to perform lead or dust
12.14 sampling technician activities.

12.15 **4620.6100 LEAD RENOVATOR TRAINING.**

12.16 Subpart 1. Training required. An individual who directs renovation activities or
12.17 performs renovation activities assigned to a lead renovator under parts 4620.6000 to
12.18 4620.6475 must be trained as a lead renovator.

12.19 Subp. 2. Training requirements.

12.20 A. An individual must complete an initial lead renovator training course to direct
12.21 renovation activities or to perform tasks assigned to a renovator under parts 4620.6000 to
12.22 4620.6475.

12.23 B. Lead renovator training is valid for 48 months from the course completion date
12.24 on the diploma.

13.1 C. An individual may renew lead renovator training under subpart 5.

13.2 Subp. 3. **Previous training.** An individual is only required to complete a lead renovator
13.3 refresher training course to be a lead renovator if the individual:

13.4 A. is a lead worker; or

13.5 B. is a lead supervisor.

13.6 Subp. 4. **Temporary use of EPA and out-of-state training.** This subpart applies
13.7 only to lead renovator training diplomas currently valid on the effective date of parts
13.8 4620.6000 to 4620.6475. An individual may use a current training diploma issued by a lead
13.9 renovator training program accredited by the EPA or an EPA-authorized state or Tribal
13.10 program to satisfy the training requirements of this part until the diploma expires under
13.11 applicable EPA or EPA-authorized state or Tribal program regulations. All subsequent
13.12 training must be provided in a training course permitted under part 4620.6250 and training
13.13 under this subpart may be renewed under subpart 5.

13.14 Subp. 5. **Renewal requirements; refresher training.**

13.15 A. A trained lead renovator may renew training by completing a lead renovator
13.16 refresher training course within 48 months of the course completion date on the diploma.

13.17 B. Lead renovator renewal training is valid for 48 months.

13.18 C. An individual must complete an initial lead renovator training course if more
13.19 than 48 months have elapsed since the training course completion date on the diploma.

13.20 Subp. 6. **Training documentation.** A lead renovator must have a copy of the initial
13.21 training diploma and, if applicable, the most recent refresher training diploma available at
13.22 the renovation site for review by the commissioner. For purposes of this part, the copy must
13.23 be legible, the photograph must be recognizable, and the copy may be provided in an
13.24 electronic format.

14.1 **4620.6125 LEAD OR DUST SAMPLING TECHNICIAN TRAINING.**

14.2 Subpart 1. Training required. An individual who performs lead or dust sampling
14.3 activities must be trained as a lead or dust sampling technician, a lead inspector, or a lead
14.4 risk assessor.

14.5 Subp. 2. Training requirements.

14.6 A. A lead or dust sampling technician must complete a lead or dust sampling
14.7 technician training course to perform lead or dust sampling activities under parts 4620.6000
14.8 to 4620.6475.

14.9 B. Lead or dust sampling technician training is valid for 48 months from the course
14.10 completion date on the diploma.

14.11 C. An individual may renew lead or dust sampling technician training under
14.12 subpart 4.

14.13 Subp. 3. Temporary use of EPA and out-of-state training. This subpart applies
14.14 only to lead or dust sampling technician training diplomas currently valid on the effective
14.15 date of parts 4620.6000 to 4620.6475. An individual may use a current training diploma
14.16 issued by a lead or dust sampling technician training program accredited by the EPA or an
14.17 EPA-authorized state or Tribal program to satisfy the training requirements of this part until
14.18 the diploma expires under applicable EPA or EPA-authorized state or Tribal program
14.19 regulations. All subsequent training must be provided in a training course permitted under
14.20 part 4620.6250 and training under this subpart may be renewed under subpart 4.

14.21 Subp. 4. Renewal requirements; refresher training.

14.22 A. A trained lead or dust sampling technician may renew this training by
14.23 completing a lead or dust sampling technician refresher training course within 48 months
14.24 of the course completion date on the diploma.

14.25 B. Lead or dust sampling technician refresher training is valid for 48 months.

15.1 C. An individual must complete an initial lead or dust sampling technician training
15.2 course before performing lead or dust sampling activities if more than 48 months have
15.3 elapsed since the course completion date on the diploma.

15.4 Subp. 5. **Training documentation.** A lead or dust sampling technician must have a
15.5 copy of the initial training diploma and the most recent refresher training diploma available
15.6 at the renovation site for review by the commissioner. For purposes of this part, the copy
15.7 must be legible, the photograph must be recognizable, and the copy may be provided in an
15.8 electronic format.

15.9 **4620.6150 RECORDS.**

15.10 Subpart 1. **Records and retention.**

15.11 A. A certified renovation firm is responsible for preparing and maintaining records
15.12 according to this part. Upon request, copies of records must be made available to the
15.13 commissioner to verify compliance with regulated lead work standards. Copies must be
15.14 legible, photographs must be recognizable, and copies may be provided in an electronic
15.15 format.

15.16 B. A lead renovator must:

15.17 (1) complete the work plan requirements in subpart 2;

15.18 (2) document training the lead renovator provided to qualified individuals
15.19 under item D, subitem (3);

15.20 (3) document, sign, and date recognized test kit results the lead renovator
15.21 prepared under subpart 2; and

15.22 (4) document cleaning verification the lead renovator performed under subpart
15.23 3, item B.

16.1 C. Written determinations prepared under part 4620.6000, subpart 2, item A, and
16.2 dust clearance sampling reports prepared under subpart 3, item C, must be completed,
16.3 signed, and dated by the lead inspector, lead risk assessor, or lead or dust clearance sampling
16.4 technician who performed the activity.

16.5 D. Certified renovation firms are responsible for maintaining records documenting
16.6 current training and licensure for all individuals who perform renovation on behalf of the
16.7 certified renovation firm. Certified renovation firms must maintain documentation
16.8 demonstrating that:

16.9 (1) all renovators and lead or dust sampling technicians have completed the
16.10 training required under parts 4620.6100 and 4620.6125;

16.11 (2) all lead supervisors, lead workers, lead inspectors, and risk assessors have
16.12 completed the required training and hold a current license in the state of Minnesota;

16.13 (3) all qualified individuals under part 4620.6075, subpart 1, item D, have
16.14 been trained by a lead renovator in compliance with part 4620.6075, subpart 2;

16.15 (4) all subcontractors engaged or employed to perform renovation on behalf
16.16 of the certified renovation firm and all individuals performing renovation on behalf of
16.17 subcontractors hold the necessary licensure, training, certification, or registration to perform
16.18 renovation.

16.19 E. A certified renovation firm must maintain records required under this part for
16.20 three years after the date a renovation project is complete.

16.21 F. Within 30 days of a certified renovation firm ceasing renovation operations,
16.22 the certified renovation firm must designate a records custodian and provide that custodian's
16.23 name and address to the commissioner. The certified renovation firm must also deliver all
16.24 records required under this part to the records custodian who must maintain the records
16.25 until the retention period under this subpart expires.

17.1 Subp. 2. On-site work plan.

17.2 A. A certified renovation firm must prepare and complete a project-specific work
17.3 plan according to this subpart before renovation, including area preparation, begins.

17.4 B. The work plan must be available on site throughout the duration of the
17.5 renovation.

17.6 C. The work plan must include:

17.7 (1) the name of the certified renovation firm;

17.8 (2) the contact information of the certified renovation firm;

17.9 (3) the names of the responsible individual and any other lead renovator
17.10 assigned to the renovation;

17.11 (4) a brief description of the renovation;

17.12 (5) the address of the renovation work site;

17.13 (6) the first date of renovation and the expected date of completion;

17.14 (7) a list of the work areas;

17.15 (8) a description for each work area of work practices performed under part
17.16 4620.6200;

17.17 (9) if applicable, a description of the circumstances that required an emergency
17.18 renovation under part 4620.6200, subpart 12, and the work practices that were not followed
17.19 during the emergency renovation; and

17.20 (10) a daily sign-in and sign-out sheet identifying all individuals entering the
17.21 work area by name, work activity, and length of time spent in the work area.

17.22 D. The work plan must also include copies of the following documents:

18.1 (1) records demonstrating compliance with the disclosure pamphlet activities
18.2 in part 4620.6175, including all required certificates of mailing, written acknowledgments,
18.3 certifications that written acknowledgment could not be obtained, and statements certifying
18.4 the steps performed to comply with common area notice requirements to occupants and
18.5 parents and guardians;

18.6 (2) records required under subpart 1, item D, demonstrating that each person
18.7 performing renovation had current training, certification, licensure, or registration at the
18.8 time the person performed renovation;

18.9 (3) written determinations prepared by a lead inspector or lead risk assessor
18.10 under part 4620.6000, subpart 2, item A.

18.11 (4) documentation of recognized test kit results used to comply with part
18.12 4620.6000, subpart 2, item B, including a description of the building components or surfaces
18.13 that were tested and their locations, the product name of each recognized test kit used, and
18.14 the result of each test kit used.

18.15 E. If information under item C or D is not available before renovation begins
18.16 because an activity has not been performed or required, a certified renovation firm must
18.17 revise the work plan by the close of the business day after the practice is performed or
18.18 required. If any of the information under item C or D change during the course of renovation,
18.19 a certified renovation firm must revise the work plan by the close of the business day after
18.20 the change.

18.21 F. A certified renovation firm may use the work plan template prepared by the
18.22 commissioner to meet the requirements of item C.

18.23 G. The work plan must be available for review by the commissioner under subpart
18.24 1, item A, and:

18.25 (1) all workers at the renovation site;

- 19.1 (2) the owner of the affected property undergoing renovation;
19.2 (3) adult occupants of the affected property undergoing renovation;
19.3 (4) the adult representative of a child-occupied facility undergoing renovation;
19.4 and
19.5 (5) parents and guardians of children using a child-occupied facility
19.6 undergoing renovation.

19.7 Subp. 3. **Project report.** After renovation is complete, a certified renovation firm
19.8 must complete a project report and follow the requirements of this subpart. The project
19.9 report must include:

19.10 A. the work plan under subpart 2;

19.11 B. a description of all cleaning verification activities performed under part
19.12 4620.6225, subparts 2 to 5, including the name of the lead renovator who performed cleaning
19.13 verification, the results of any visual inspections and cleaning verification card procedures,
19.14 and the number of wet and dry cloths used; and

19.15 C. if performed, a copy of a report of dust clearance sampling activities under
19.16 part 4620.6225, subpart 6, which must include:

19.17 (1) the name of the risk assessor, lead inspector, or lead or dust sampling
19.18 technician who performed the dust sampling;

19.19 (2) the address of the affected property;

19.20 (3) the date the dust sampling was performed;

19.21 (4) the documented methodologies used;

19.22 (5) the room or locations in the work area where the dust sampling was
19.23 performed;

20.1 (6) the surfaces on which the dust sampling was performed;

20.2 (7) the analytical results of the dust sampling, including a comparison of
20.3 results to the dust lead standards in part 4761.2510; and

20.4 (8) the name of the analytic laboratory that conducted the analysis.

20.5 **Subp. 4. Project report; submission and posting.**

20.6 A. No later than 30 calendar days after a renovation is completed, a certified
20.7 renovation firm must submit a copy of the project report under subpart 3 to:

20.8 (1) the owner of the affected property; and

20.9 (2) the adult occupant of the affected property if the adult occupant is not the
20.10 owner of the affected property; or

20.11 (3) the adult representative of a child-occupied facility if the renovation took
20.12 place in a child-occupied facility.

20.13 B. When a certified renovation firm performs renovation in a common area of an
20.14 affected property under part 4620.6025, subpart 2, item B, a certified renovation firm must
20.15 post the following within 30 days after the renovation is completed:

20.16 (1) the renovation project report or information on how interested adult
20.17 occupants of the affected property or parents and guardians of children that use the
20.18 child-occupied facility can obtain a copy of the report;

20.19 (2) the information in subitem (1) in areas where the information is likely to
20.20 be seen by the occupants of all affected units or child-occupied facilities.

21.1 **4620.6175 DISCLOSURE PAMPHLET; DISTRIBUTION REQUIREMENTS.**

21.2 Subpart 1. Owner of a dwelling or dwelling unit; notice requirement. A certified
21.3 renovation firm performing a renovation in an affected property under part 4620.6025,
21.4 subpart 2, items A or B, must:

21.5 A. provide the owner of the affected property being renovated with a disclosure
21.6 pamphlet no more than 60 days before renovation work begins; and

21.7 B. obtain a written acknowledgment confirming that the owner of the affected
21.8 property being renovated has received the disclosure pamphlet; or

21.9 C. obtain a certificate of mailing confirming that the owner of the affected property
21.10 being renovated was sent the disclosure pamphlet at least seven days before renovation
21.11 begins.

21.12 Subp. 2. Adult occupant of a dwelling or dwelling unit; notice requirement.

21.13 A. A certified renovation firm performing a renovation in an affected property
21.14 under part 4620.6025, subpart 2, items A or B, must:

21.15 (1) provide the adult occupant of the affected property being renovated with
21.16 the disclosure pamphlet no more than 60 days before the renovation begins; and

21.17 (2) obtain a written acknowledgment confirming that the adult occupant of
21.18 the affected property being renovated has received the disclosure pamphlet; or

21.19 (3) obtain a certificate of mailing confirming that the adult occupant of the
21.20 affected property being renovated was sent the disclosure pamphlet at least seven days
21.21 before renovation begins.

21.22 B. If the certified renovation firm has not obtained a written acknowledgment
21.23 from the adult occupant under item A, then the certified renovation firm must prepare a

22.1 certification under subpart 10 stating that a disclosure pamphlet was delivered to the address
22.2 of the affected property unit undergoing renovation.

22.3 **Subp. 3. Common area of multiunit housing; disclosure pamphlet**
22.4 **requirements. No more than 60 days before renovation work begins in a common area of**
22.5 **an affected property under part 4620.6025, subpart 2, item B, a certified renovation firm**
22.6 **performing a renovation must:**

22.7 **A. provide the owner of the affected property undergoing renovation with a**
22.8 **disclosure pamphlet; and**

22.9 **B. obtain a written acknowledgment confirming that the owner of the affected**
22.10 **property undergoing renovation has received a disclosure pamphlet; or**

22.11 **C. obtain a certificate of mailing confirming that the owner of the affected property**
22.12 **undergoing renovation was sent a disclosure pamphlet at least seven days before renovation**
22.13 **begins.**

22.14 **Subp. 4. Common area of multiunit housing; general notice requirements. No**
22.15 **more than 60 days before renovation work begins in a common area of an affected property**
22.16 **under part 4620.6025, subpart 2, item B, a certified renovation firm performing renovation**
22.17 **must:**

22.18 **A. prepare, sign, and date a statement describing the steps performed to:**

22.19 **(1) notify all occupants of the planned renovation; and**

22.20 **(2) provide the disclosure pamphlet; and either**

22.21 **B. provide written notice under subpart 5 to all units of an affected property**
22.22 **undergoing renovation; or**

22.23 **C. post informational signs under subpart 6.**

23.1 Subp. 5. **Written notice requirement; common area of multiunit housing.** When
23.2 providing written notice under subpart 4, item B, a certified renovation firm performing
23.3 renovation in a common area of an affected property under part 4620.6025, subpart 2, item
23.4 B, must comply with the requirements of this subpart.

23.5 A. A certified renovation firm must:

23.6 (1) distribute written notice to each affected unit; and

23.7 (2) make the disclosure pamphlet available upon request before the start of
23.8 renovation.

23.9 B. The written notice must:

23.10 (1) describe the general nature and location of the planned renovation;

23.11 (2) include the start and end dates of the planned renovation; and

23.12 (3) include a statement describing how an adult occupant, parent, or guardian
23.13 can obtain, at no cost:

23.14 (a) a disclosure pamphlet;

23.15 (b) a copy of the work plan under part 4620.6150, subpart 2;

23.16 (c) a copy of the project report under part 4620.6150, subpart 3; and

23.17 (d) a copy of the dust sampling report under part 4620.6150, subpart 3,
23.18 if applicable.

23.19 C. If the scope, location, or start and end dates of the planned renovation change
23.20 after written notice under item B is distributed, then the certified renovation firm performing
23.21 the renovation must:

23.22 (1) provide additional written notice to the owner, adult occupant, and affected
23.23 units containing revised information about the ongoing or planned renovation; and

24.1 (2) provide the additional written notice before the certified renovation firm
24.2 performing the renovation initiates work beyond that described in the original written notice
24.3 under item B.

24.4 **Subp. 6. Informational sign requirements; common area of multiunit**
24.5 **housing.** When posting informational signs under subpart 4, item C, a certified renovation
24.6 firm performing renovation in a common area of an affected property under part 4620.6025,
24.7 subpart 2, item B, must comply with the requirements in this subpart. Informational signs
24.8 must:

24.9 A. include the nature and locations of the planned renovation;

24.10 B. include the start and end dates of the planned renovation;

24.11 C. be displayed in a prominent location within the public viewing area;

24.12 D. remain posted for the duration of the renovation;

24.13 E. include a posted copy of the disclosure pamphlet or information describing
24.14 how an occupant can obtain a copy of the disclosure pamphlet at no cost to the occupant;

24.15 F. include a statement describing how an occupant may obtain, at no cost to the
24.16 occupant:

24.17 (1) a copy of the work plan under part 4620.6150, subpart 2;

24.18 (2) a copy of the project report under part 4620.6150, subpart 3; and

24.19 (3) a copy of the dust sampling report under part 4620.6150, subpart 3; and

24.20 G. be updated if the scope, location, or start and end dates of the planned renovation
24.21 change by revising the information about the ongoing or planned renovation before the
24.22 certified renovation firm performing the renovation initiates work beyond that described in
24.23 the informational signs.

25.1 Subp. 7. Child-occupied facility; disclosure pamphlet.

25.2 A. No more than 60 days before renovation work begins in a child-occupied
25.3 facility, a certified renovation firm performing renovation must:

25.4 (1) provide the owner of a child-occupied facility undergoing renovation with
25.5 a disclosure pamphlet; and

25.6 (2) obtain a written acknowledgment confirming that the owner of the
25.7 child-occupied facility undergoing renovation has received the disclosure pamphlet; or

25.8 (3) obtain a certificate of mailing confirming that the owner of the
25.9 child-occupied facility undergoing renovation was sent a disclosure pamphlet at least seven
25.10 days before renovation begins.

25.11 B. If the operator of the child-occupied facility is not the owner of the
25.12 child-occupied facility, then a certified renovation firm performing renovation must obtain:

25.13 (1) a written acknowledgment from an adult representative of the
25.14 child-occupied facility; or

25.15 (2) a certificate of mailing confirming that the adult representative of the
25.16 child-occupied facility undergoing renovation was sent a disclosure pamphlet at least seven
25.17 days before renovation begins.

25.18 C. If a certified renovation firm performing renovation has not obtained a written
25.19 acknowledgment from the adult representative of the child-occupied facility under item B,
25.20 subitem (1), then the certified renovation firm performing renovation must prepare a
25.21 certification under subpart 10 stating that a disclosure pamphlet was delivered to the
25.22 child-occupied facility undergoing renovation.

26.1 **Subp. 8. Child-occupied facility; information; parents; guardians.**

26.2 A. No more than 60 days before renovation work begins in a child-occupied
26.3 facility, a certified renovation firm performing renovation must provide the parents or
26.4 guardians of children using the child-occupied facility with:

26.5 (1) a disclosure pamphlet; and

26.6 (2) written notice under subpart 5, item B.

26.7 B. A certified renovation firm performing renovation must comply with item A
26.8 by:

26.9 (1) distributing the disclosure pamphlet and written notice to each parent or
26.10 guardian of a child using the child-occupied facility; or

26.11 (2) posting informational signs that contain the information in subpart 6,
26.12 items A to F.

26.13 C. A certified renovation firm performing renovation must prepare, sign, and date
26.14 a statement describing the steps performed to:

26.15 (1) notify all parents or guardians of children using the child-occupied facility
26.16 of the planned renovation; and

26.17 (2) provide all parents or guardians of children using the child-occupied
26.18 facility the disclosure pamphlet.

26.19 **Subp. 9. Written acknowledgment; content.**

26.20 A. A written acknowledgment required under this part must include:

26.21 (1) a statement that the owner, the adult occupant, or the adult representative
26.22 acknowledges the receipt of the disclosure pamphlet;

26.23 (2) the name of the owner, the adult occupant, or the adult representative;

27.1 (3) the signature of the owner, the adult occupant, or the adult representative
27.2 acknowledging the receipt of the disclosure pamphlet;

27.3 (4) the date of the signature of the owner, the adult occupant, or the adult
27.4 representative; and

27.5 (5) the address of the affected property undergoing renovation.

27.6 B. A written acknowledgment required under this part must be written in the same
27.7 language as the text of:

27.8 (1) the contract or service agreement for an adult occupant or adult
27.9 representative for the renovation; or

27.10 (2) the lease or rental agreement, or the disclosure pamphlet.

27.11 C. A written acknowledgment required under this part must be either a separate
27.12 document or part of a written contract or service agreement for the renovation.

27.13 Subp. 10. **Written acknowledgment; certification.** A certified renovation firm
27.14 performing renovation must certify in writing when it has not obtained a written
27.15 acknowledgment from an adult occupant or an adult representative. The certification must
27.16 include:

27.17 A. the address of the affected property unit undergoing renovation;

27.18 B. the date the disclosure pamphlet was delivered;

27.19 C. the method of delivery of the disclosure pamphlet;

27.20 D. the name of the person delivering the disclosure pamphlet;

27.21 E. the reason for lack of acknowledgment; and

27.22 F. the signature and date of the responsible individual of the certified renovation
27.23 firm performing the renovation.

28.1 **4620.6200 WORK PRACTICES.**

28.2 **Subpart 1. Posting the work area.** A person performing renovation must post warning
28.3 signs according to this subpart.

28.4 **A. Warning signs must:**

28.5 **(1) comply with Code of Federal Regulations, title 24, section 35.1345(b)(2),**
28.6 **and Code of Federal Regulations, title 29, section 1926.62, paragraph (m)(1)(i), or successor**
28.7 **requirements; or**

28.8 **(2) clearly define the work area and warn occupants and other persons not**
28.9 **involved in renovation activities to remain outside of the work area. To the extent practicable,**
28.10 **warning signs must be written in the primary language of the occupants.**

28.11 **B. The warning signs must be posted at the approaches to the work area before**
28.12 **area preparation begins.**

28.13 **C. Warning signs must remain posted until cleaning verification or dust clearance**
28.14 **sampling under part 4620.6225 is completed.**

28.15 **Subp. 2. Isolating the work area.** Before any painted surface is disturbed during an
28.16 interior or exterior renovation, a person performing renovation must isolate the work area
28.17 by installing a work area barrier so that no dust or debris leaves the work area. Work area
28.18 barriers must not impede occupant and worker egress in an emergency.

28.19 **Subp. 3. Work area barriers; interior renovations.** A person performing an interior
28.20 renovation must install work area barriers and complete area preparation according to this
28.21 subpart.

28.22 **A. Before disturbing painted surfaces, a person performing an interior renovation**
28.23 **must:**

29.1 (1) remove and isolate objects, structures, and building components from the
29.2 work area using containment walls under item B, or cover objects, structures, and building
29.3 components in the work area with at least one layer of plastic sheeting or other disposable,
29.4 impermeable material that is securely fastened to achieve an airtight seal around the object;

29.5 (2) cover any openings in the heating, ventilating, and air conditioning systems
29.6 with plastic sheeting or other disposable impermeable material that is securely fastened to
29.7 achieve an airtight seal around the opening;

29.8 (3) cover doors or openings not used as an entrance to the work area with
29.9 plastic sheeting or other disposable, impermeable material that is securely fastened to achieve
29.10 an airtight seal over the opening;

29.11 (4) seal doors used as an entrance to the work area with plastic sheeting or
29.12 other disposable, impermeable material in a manner that allows workers to pass through
29.13 while confining dust and debris to the work area;

29.14 (5) cover floors with at least one layer of plastic sheeting or other disposable,
29.15 impermeable material that is securely fastened to achieve an airtight seal to the floor and
29.16 all adjoining walls, surfaces, or work area barriers;

29.17 (6) extend and seal the impermeable floor material to any containment walls
29.18 under item B within six feet of the perimeter of the surfaces undergoing renovation; and

29.19 (7) except when sealed to a containment wall under subitem (6), extend the
29.20 impermeable floor material six feet beyond the perimeter of the surfaces undergoing
29.21 renovation or a greater distance if six feet does not confine dust and debris on the floor to
29.22 the impermeable material.

29.23 B. Containment walls may be used to isolate and reduce the size of the interior
29.24 work area. If used, containment walls must meet the following requirements:

30.1 (1) containment walls must be constructed of at least one layer of plastic
30.2 sheeting or other disposable material;

30.3 (2) any entrance to the work area in a containment wall must be sealed with
30.4 plastic sheeting or other disposable, impermeable material in a manner that allows workers
30.5 to pass through while confining the dust and debris to the work area;

30.6 (3) except entrances under subitem (2), containment walls may not have
30.7 openings between the work area and nonwork area; and

30.8 (4) containment walls must be securely fastened to achieve an airtight seal
30.9 to the impermeable floor material, the ceiling, and all adjoining surfaces or work area
30.10 barriers.

30.11 C. Any holes or tears in the impermeable material used under items A or B must
30.12 be immediately repaired.

30.13 Subp. 4. Work area barriers; exterior renovations. A person performing an exterior
30.14 renovation must install work area barriers according to this subpart.

30.15 A. All doors and windows must be closed that are within 20 feet of the exterior
30.16 work area.

30.17 B. On all floors of a multistory building undergoing renovation, all doors and
30.18 windows within the area of the renovation must be closed. All doors and windows on floors
30.19 below the area of the renovation must also be closed. For purposes of this subpart, "area of
30.20 the renovation" means the area within 20 feet of any exterior renovation.

30.21 C. Doors within the work area that are used as an entrance must be sealed with
30.22 plastic sheeting or other disposable, impermeable material in a manner that allows workers
30.23 to pass through while confining dust and debris to the work area.

31.1 D. The ground must be covered with at least one layer of plastic sheeting or other
31.2 impermeable material that extends ten feet beyond the perimeter of the surfaces undergoing
31.3 renovation to collect falling paint debris, or a greater distance if ten feet does not collect
31.4 falling paint and debris. The plastic sheeting or other disposable, impermeable material
31.5 must extend to the property line if the property line prevents ten feet of ground covering.

31.6 E. The plastic sheeting or other disposable, impermeable material must be sealed
31.7 to the side of the building so that no gaps exist between the plastic sheeting and the building
31.8 undergoing renovation.

31.9 F. A vertical containment barrier must be installed if the renovation affects surfaces
31.10 that are within ten feet of the property line and may be installed in other situations to prevent
31.11 contamination of other areas of the property or adjacent properties or buildings.

31.12 G. Ground containment measures, including plastic sheeting or other disposable,
31.13 impermeable material, may stop at the edge of a vertical barrier when using a vertical
31.14 containment.

31.15 H. Any holes or tears in the plastic sheeting or other impermeable material used
31.16 to install exterior work area barriers must be repaired immediately.

31.17 Subp. 5. Use of water. Except when disturbing paint near electrocution hazards, such
31.18 as live electrical outlets, a person performing renovation must mist or dampen all painted
31.19 surfaces to be disturbed during renovation to prevent the spread of dust and debris.

31.20 Subp. 6. Prohibited work practices. The use of the following work practices are
31.21 prohibited during any renovation:

31.22 A. open-flame burning or torching;

31.23 B. heat guns operating at 1100 degrees Fahrenheit or higher;

31.24 C. chemical strippers containing methylene chloride;

32.1 D. powered-machine methods designed to remove lead-based paint through
32.2 high-speed operation, unless the machines are equipped with manufacturer-designed shrouds
32.3 or a HEPA vacuum attachment to collect dust and debris at the point of generation; and

32.4 E. dry vacuuming, unless the vacuum cleaner used for dry vacuuming is a HEPA
32.5 vacuum specifically designed for hazardous materials.

32.6 Subp. 7. **Waste management.** For purposes of this part, "waste" means paint chips;
32.7 debris; dust; wastewater; disposable cleaning materials or cleaning materials that cannot be
32.8 cleaned to remove dust, debris, or residue; and other renovation waste. Waste also includes
32.9 renovation materials, clothing, equipment, and other items that will not be reused. A person
32.10 performing renovation must:

32.11 A. cover any chute that is used to remove waste from the work area;

32.12 B. dispose of cleaning wastewater in compliance with chapter 7045; and

32.13 C. dispose of all other waste by:

32.14 (1) collecting and fully containing all waste from the renovation and sealing
32.15 the material in bags that are three-mil thickness or greater or in closed containers that meet
32.16 the requirements of chapter 7045 or, if the waste has been evaluated under chapter 7045
32.17 and determined to be nonhazardous, in containers that meet the requirements of chapter
32.18 7035;

32.19 (2) accumulating all containers of waste from the renovation in an area that
32.20 meets the requirements of chapter 7045, and storing in a manner that prevents unauthorized
32.21 access to waste and prevents dust and debris from leaving the work area; and

32.22 (3) transporting and removing all waste from the renovation in compliance
32.23 with chapter 7045 or, if the waste has been evaluated under chapter 7045 and determined
32.24 to be nonhazardous, in compliance with chapter 7035. Waste containers and bags must be
32.25 free of dust, debris, and residue before leaving the work area.

33.1 Subp. 8. **Work area cleaning.** After renovation work is complete, a person performing
33.2 renovation must:

33.3 A. remove all work area barriers according to subpart 10; and

33.4 B. clean the work area until no dust, debris, or residue remains.

33.5 Subp. 9. **Interior work area cleaning.** A person performing renovation must:

33.6 A. clean all building components and surfaces in an interior work area and within
33.7 two feet of the interior work area by using a HEPA vacuum, a wet mopping system, or wet
33.8 methods; and

33.9 B. dispose of waste, including cleaning waste and wastewater, required under
33.10 subpart 7.

33.11 Subp. 10. **Removing interior and exterior work area barriers.** A person performing
33.12 renovation must remove interior and exterior work area barriers following the order in items
33.13 A to C.

33.14 A. All work area barriers must be removed by:

33.15 (1) misting the work area barriers with water; and

33.16 (2) folding the dirty side of the impermeable material inward.

33.17 B. Work area barriers must be stored and disposed of as waste under subpart 7.
33.18 Work area barriers that are folded and sealed in an airtight manner that fully contains all
33.19 dust and debris do not need to be sealed in a separate bag or container under subpart 7. Dust,
33.20 debris, and residue must be removed from sealed work area barriers before removal from
33.21 the work area.

33.22 C. Work area barriers used to isolate the work area from nonwork areas must
33.23 remain in place until after the cleaning and removal of all other work area barriers and waste.

34.1 Subp. 11. **Confining dust and debris to the work area.** A person performing
34.2 renovation must ensure that all individuals, including clothing and exposed skin, and all
34.3 equipment, tools, materials, and other items that will not be disposed of as waste as required
34.4 under subpart 7 are free of dust and debris before leaving the work area. Methods of removing
34.5 dust and debris from individuals or items before leaving the work area must include one or
34.6 more of the following: HEPA vacuums, wet cleaning wipes, showers, handwashing stations,
34.7 and other wet cleaning methods; removable coveralls or work clothing; or other equivalent
34.8 methods or combinations of methods that confine dust and debris to the work area.

34.9 Subp. 12. **Emergency renovation.**

34.10 A. A renovation activity that is deemed an emergency renovation is exempt to
34.11 the extent necessary to respond to the emergency from:

34.12 (1) the certification requirements under part 4620.6050;

34.13 (2) the disclosure pamphlet distribution requirements under part 4620.6175;

34.14 and

34.15 (3) the work practices under this part, except the cleaning requirements under
34.16 subparts 8 to 11 and prohibited practices under subpart 6.

34.17 B. Work area cleaning under subparts 8 to 11 must be completed by qualified
34.18 individuals under part 4620.6075, subpart 1.

34.19 C. Cleaning verification or optional dust clearance sampling must be performed
34.20 as described in part 4620.6225.

34.21 D. The record-keeping requirements under part 4620.6150 must be followed.

34.22 **4620.6225 CLEANING VERIFICATION AND DUST CLEARANCE SAMPLING.**

34.23 Subpart 1. **Reoccupying a work area.** Before a work area is reoccupied, a certified
34.24 renovation firm must complete cleaning verification or dust clearance sampling according

35.1 to this part. For an exterior work area, a lead renovator must complete cleaning verification
35.2 according to subpart 5. For an interior work area, a certified renovation firm must:

35.3 A. complete interior work area cleaning verification, which must be performed
35.4 by a lead renovator and comply with subparts 2 to 4; or

35.5 B. complete dust clearance sampling of the interior work area under subpart 6.

35.6 Subp. 2. **Visual inspection of the work area.**

35.7 A. A lead renovator must visually inspect a work area to determine if dust, debris,
35.8 or residue are still present.

35.9 B. If dust, debris, or residue are still present, then a lead renovator or a qualified
35.10 individual must remove the dust and debris by recleaning.

35.11 C. After completing the recleaning under item B, a lead renovator must conduct
35.12 a visual inspection of the work area under items A and B.

35.13 Subp. 3. **Cleaning verification; interior work area.** For the purpose of this part,
35.14 "horizontal surface" means windowsills, uncarpeted floors, countertops, and other similar
35.15 horizontal surfaces. Following the visual inspection under subpart 2, a lead renovator
35.16 performing a cleaning verification for an interior renovation must:

35.17 A. verify that each windowsill in the interior work area is free of dust and debris
35.18 by:

35.19 (1) wiping the entire surface of the windowsill with a new wet disposable
35.20 cleaning cloth;

35.21 (2) comparing the darkest part of the cleaning cloth to the cleaning verification
35.22 card; and

35.23 (3) following the cleaning verification card procedure under subpart 4;

36.1 B. verify that each additional horizontal surface in the interior work area is free
36.2 of dust and debris by:

36.3 (1) dividing the surface area into roughly equal sections of 40 square feet or
36.4 less, if surface area exceeds 40 square feet;

36.5 (2) wiping each 40-square-foot section with a new wet disposable cleaning
36.6 cloth, which may be attached to a wet mopping system;

36.7 (3) comparing the cleaning cloth to the cleaning verification card; and

36.8 (4) following the cleaning verification card procedure under subpart 4; and

36.9 C. remove warning signs required under part 4620.6200, subpart 1, when the
36.10 cleaning verification card procedure under subpart 4 or dust clearance sampling under
36.11 subpart 6 is completed.

36.12 Subp. 4. **Cleaning verification card procedure.**

36.13 A. A lead renovator performing a cleaning verification in an interior renovation
36.14 must use an unexpired cleaning verification card and follow items B to H in order.

36.15 B. If the darkest part of the wet disposable cleaning cloth used under subpart 3
36.16 matches or is lighter than the cleaning verification card, then the horizontal surface is clean.

36.17 C. If the darkest part of the wet disposable cleaning cloth used under subpart 3 is
36.18 darker than the cleaning verification card, then the horizontal surface is not clean and a
36.19 qualified individual must reclean the horizontal surface according to part 4620.6200, subpart
36.20 9.

36.21 D. After completing the recleaning in item C, a lead renovator must rewipe the
36.22 entire horizontal surface that failed the cleaning verification card procedure with a new wet
36.23 disposable cleaning cloth.

37.1 E. The wet disposable cleaning cloth must be compared to the cleaning verification
37.2 card.

37.3 F. If the darkest part of the wet disposable cleaning cloth matches or is lighter
37.4 than the cleaning verification card, then the horizontal surface is clean.

37.5 G. If the darkest part of the wet disposable cleaning cloth used is darker than the
37.6 cleaning verification card, then the horizontal surface is not clean and a lead renovator must
37.7 wait one hour or until the surface is dry, whichever is longer.

37.8 H. A lead renovator must rewipe the dry horizontal surface with a dry disposable
37.9 cleaning cloth to be considered clean.

37.10 **Subp. 5. Cleaning verification; exterior work area.**

37.11 A. A lead renovator must perform a visual inspection to determine that the surfaces
37.12 in or below the work area are free of dust, debris, or residue. "Surface" means the ground,
37.13 windowsills, building components, structures, objects, vegetation, and other items or surfaces.

37.14 B. If a visual inspection of the exterior work area under item A identifies dust,
37.15 debris, or residue then a qualified individual must reclean the exterior work area.

37.16 C. After completing the recleaning under item B, a lead renovator must conduct
37.17 a visual inspection of the work area under items A and B.

37.18 D. When the exterior work area passes the visual inspection, a lead renovator
37.19 must remove the warning signs required under part 4620.6200.

37.20 **Subp. 6. Dust clearance sampling.**

37.21 A. Only a licensed lead inspector, a licensed lead risk assessor, or a lead or dust
37.22 sampling technician may collect dust clearance samples.

37.23 B. Dust sampling for clearance purposes must follow the procedures under part
37.24 4761.2670, subpart 3, and documented methodologies under part 4761.2000, subpart 15.

38.1 C. Dust clearance samples must be collected at least one hour after completing
38.2 the cleaning procedures under part 4620.6200, subpart 9.

38.3 D. Single-surface dust sample results must not be greater than the applicable lead
38.4 dust standards under part 4761.2510, subpart 2.

38.5 E. Composite dust sample results must not be greater than the lead dust standard
38.6 under part 4761.2510, subpart 2, which is divided by one-half of the number of subsamples
38.7 that make up the composite sample.

38.8 F. If dust sample results do not meet the standards under items D and E, each
38.9 building component or surface represented by the failed sample must be recleaned and
38.10 retested until clearance levels are met.

38.11 G. A person performing dust sampling must provide the dust sampling report to
38.12 the person completing the renovation project report under part 4620.6150.

38.13 Subp. 7. **Postrenovation activity.** An activity that does not disturb paint, such as
38.14 applying paint to prepared walls, is not regulated under parts 4620.6000 to 4620.6475 if the
38.15 interior or exterior work area has passed the applicable cleaning verification procedure or
38.16 dust clearance sampling under this part.

38.17 **4620.6250 APPLICATION FOR TRAINING COURSE PERMIT.**

38.18 Subpart 1. **Initial application for training course permit.**

38.19 A. To obtain an initial training course permit for a lead renovator or lead or dust
38.20 sampling technician training, an applicant must:

38.21 (1) complete an application on a form provided by the commissioner;

38.22 (2) submit a nonrefundable application fee required under Minnesota Statutes,
38.23 section 144.9505, subdivision 1i, payable to the Minnesota Department of Health; and

- 39.1 (3) submit the following training course materials at least 60 days before the
- 39.2 training course start date:
- 39.3 (a) the training course curriculum;
- 39.4 (b) a sample daily attendance log required under part 4620.6325;
- 39.5 (c) the instructor manual;
- 39.6 (d) the training course participant manual;
- 39.7 (e) copies of presentation slides used for instruction;
- 39.8 (f) other media used for instruction;
- 39.9 (g) all instructional materials provided to the training course participant;
- 39.10 (h) a sample diploma under part 4620.6275;
- 39.11 (i) all potential questions that might be used in the training course written
- 39.12 examination with the correct answers identified;
- 39.13 (j) a description of the proportion of the training course written
- 39.14 examination questions devoted to each major topic in the course;
- 39.15 (k) for courses that include a hands-on training component, a description
- 39.16 of the hands-on skills evaluation of a training course participant's ability to do work practices;
- 39.17 (l) a description of the training manager's qualifications under part
- 39.18 4620.6375, subpart 3;
- 39.19 (m) a description of the principal instructor's qualifications under part
- 39.20 4620.6375, subpart 5;
- 39.21 (n) a description of all instructors' qualifications under part 4620.6375,
- 39.22 subpart 7;

40.1 (o) the description of the facility where the training course provider is
40.2 presenting the training course; and

40.3 (p) a copy of any enforcement action taken against the training course
40.4 provider by the EPA or a state or tribal lead program.

40.5 B. For purposes of this subpart, a copy must be legible and may be provided in
40.6 an electronic format.

40.7 **Subp. 2. Application approval; permit issuance.**

40.8 A. The commissioner shall:

40.9 (1) review and approve an application submitted under subpart 1; or

40.10 (2) deny the application and provide the notice required under subpart 5.

40.11 B. A training course provider shall not present a training course under this part
40.12 before the commissioner issues the provider a training course permit.

40.13 C. A training course permit issued under this part is valid for two years and is not
40.14 transferable.

40.15 **Subp. 3. Training course permit renewal.** The commissioner shall renew a permit
40.16 for a training course if a training course provider:

40.17 A. submits a completed application on a form provided by the commissioner;

40.18 B. submits a nonrefundable application fee required under Minnesota Statutes,
40.19 section 144.9505, subdivision 1i;

40.20 C. presented the training course in the state at least once during the period in
40.21 which the permit was valid;

40.22 D. submits the renewal application within two years of the expiration date of the
40.23 training course permit;

41.1 E. include copies of changes to the written examination required under part
41.2 4620.6425, subpart 10, item G, and all documents and descriptions required under subpart
41.3 1 that have changed since the approved initial permit application, approved renewal
41.4 applications, or approved amendments under part 4620.6300, subpart 3; and

41.5 F. does not meet grounds for denial of a training course permit under subpart 5.

41.6 **Subp. 4. Foreign language training course.**

41.7 A. A permit application for a course taught in a language other than English must:

41.8 (1) meet the requirements under subpart 1;

41.9 (2) include a copy of all training course materials in English;

41.10 (3) include a copy of all training course materials in the language other than
41.11 English; and

41.12 (4) include a signed statement from a translation service that the training
41.13 course materials in a language other than English are accurate and consistent with the training
41.14 course materials in English.

41.15 B. For purposes of this subpart, a copy must be legible and may be provided in
41.16 an electronic format.

41.17 **Subp. 5. Denial of training course permit application.**

41.18 A. The commissioner shall deny an application for a training course permit
41.19 according to Minnesota Statutes, section 144.99, subdivision 8, or if an applicant fails to
41.20 comply with the requirements of this part.

41.21 B. The commissioner must notify an applicant, in writing, of the denial of the
41.22 permit application and provide a statement of:

42.1 (1) the reasons for the denial according to Minnesota Statutes, section 144.99,
42.2 subdivision 10; and

42.3 (2) whether any application deficiencies can be corrected under item C.

42.4 C. An applicant is not required to reapply and submit an additional application
42.5 fee if the applicant submits the corrected deficiencies enumerated in the commissioner's
42.6 denial notice no later than 30 days after the date of the denial notice.

42.7 **4620.6275 TRAINING COURSE DIPLOMA.**

42.8 When a training course is permitted under part 4620.6250, a training course provider
42.9 must provide an original diploma to each training course participant who completes and
42.10 passes the training course. The diploma must contain:

42.11 A. the name and address of the training course participant;

42.12 B. a unique numeric identifier;

42.13 C. the training course name that the training course participant completed;

42.14 D. the dates of the training course;

42.15 E. the name, address, and telephone number of the training course provider;

42.16 F. a photograph of the training course participant that is:

42.17 (1) a recognizable image of the individual;

42.18 (2) no smaller than one inch square reproduced on the diploma; and

42.19 (3) placed in the lower right-hand corner of the diploma;

42.20 G. the location of the training course; and

42.21 H. the statement "Approved by the State of Minnesota under Minnesota Rules,
42.22 parts 4620.6250 to 4620.6425."

43.1 **4620.6300 TRAINING COURSE ADVANCE NOTICE AND AMENDMENTS.**

43.2 **Subpart 1. Advance notice of permitted training course.** A training course provider
43.3 must submit to the commissioner an advance notice of the date of a permitted training
43.4 course. The advance notice must be:

43.5 A. on a form provided by the commissioner;

43.6 B. sent by United States mail, courier, facsimile, or electronic means; and

43.7 C. received by the commissioner at least five calendar days before the start date
43.8 of the training course.

43.9 **Subp. 2. Amended permitted training course advance notice.** A training course
43.10 provider must notify the commissioner of a change to the start date to the advance notice
43.11 required under subpart 1 by submitting an amended notice that is:

43.12 A. on a form provided by the commissioner;

43.13 B. sent by United States mail, courier, facsimile, or electronic means; and

43.14 C. received by the commissioner 24 hours before the revised start date of the
43.15 permitted training course.

43.16 **Subp. 3. New or revised training course material; approval required.**

43.17 A. A training course provider must notify the commissioner of any change in the
43.18 training course application material required under part 4620.6250 by submitting any new
43.19 or revised material to the commissioner for approval.

43.20 B. The commissioner shall provide written notice of approval or denial under part
43.21 4620.6250, subparts 2 and 5, of new or revised training course material submitted. The
43.22 commissioner must send written notice under this part within 30 days of receiving the new
43.23 or revised material.

44.1 C. A training course provider may update new or revised training course material
44.2 that is denied under item B and resubmit the training course material no later than 15 calendar
44.3 days after the date of the commissioner's written denial notice.

44.4 D. The commissioner shall approve or deny any material submitted under item C
44.5 according to part 4620.6250, subparts 1 and 5, within 10 days of receiving the material.

44.6 E. A training course provider must receive written approval from the commissioner
44.7 before using new or revised training course material in a permitted training course and
44.8 before allowing new training instructors or managers to instruct or manage a permitted
44.9 training course.

44.10 **4620.6325 ATTENDANCE REQUIREMENTS.**

44.11 A. A training course participant must attend the entire training course as a condition
44.12 for completion of the training course.

44.13 B. A training course provider must:

44.14 (1) maintain a daily attendance log for each training course; and

44.15 (2) submit a copy of the daily attendance log to the commissioner no later
44.16 than five calendar days after completion of the training course by United States mail,
44.17 facsimile, courier, or electronic means.

44.18 C. The daily attendance log must include:

44.19 (1) each training course participant's printed first and last name and signature
44.20 for each day of the training course;

44.21 (2) the name of the training course;

44.22 (3) the name of the training course provider;

44.23 (4) the names of the training course instructors;

- 45.1 (5) the dates of the training course;
45.2 (6) the location where the training course was presented; and
45.3 (7) each training course participant's diploma number.

45.4 D. For purposes of this part, a copy must be legible and may be provided in an
45.5 electronic format.

45.6 **4620.6350 ENROLLMENT LIMITS.**

45.7 For all training courses permitted under parts 4620.6250 to 4620.6425, the following
45.8 enrollment requirements apply:

- 45.9 A. the number of training course participants in a class must not exceed 24; and
45.10 B. the training course participant-to-instructor ratio for a hands-on training
45.11 component must not exceed eight to one.

45.12 **4620.6375 TRAINING COURSE CONDITIONS.**

45.13 Subpart 1. **General.** All permitted training courses must comply with this part. The
45.14 commissioner must be allowed access to training sites and training course records to verify
45.15 compliance with parts 4620.6250 to 4620.6425.

45.16 Subp. 2. **Training courses; separate instruction.** Lead renovator and lead or dust
45.17 sampling technician courses must be taught separately.

45.18 Subp. 3. **Training manager; qualifications.** A training course provider must designate
45.19 a training manager who has:

- 45.20 A. demonstrated experience, education, or training in the construction industry,
45.21 including regulated lead work, asbestos-related work, asbestos management activities,
45.22 painting, carpentry, renovation, remodeling, occupational safety and health, or industrial
45.23 hygiene; and

46.1 B. at least two years of experience, education, or training in teaching adults; or

46.2 C. a bachelor's degree or a graduate degree in building construction technology,
46.3 engineering, industrial hygiene, safety, public health, education, business administration,
46.4 program management, or a related field; or

46.5 D. at least two years of experience in managing a training program in
46.6 environmental hazards.

46.7 **Subp. 4. Training manager; duties.**

46.8 A. A training manager's duties include:

46.9 (1) designating a principal instructor for each training course;

46.10 (2) requiring that each training course is presented as described in the training
46.11 course provider's approved permit application; and

46.12 (3) developing and implementing a quality control plan for each training
46.13 course according to item B.

46.14 B. A quality control plan must include procedures for:

46.15 (1) periodic revision of training course materials; and

46.16 (2) annual performance evaluation of principal instructor competency and
46.17 performance.

46.18 **Subp. 5. Principal instructor; qualifications.** A training course provider must
46.19 designate a principal instructor for each training course. A principal instructor must:

46.20 A. have demonstrated experience, education, or training in teaching adults,
46.21 including using evaluation methods to monitor a training course participant's progress;

47.1 B. complete an applicable training course approved by the EPA or by a state or
47.2 Tribal program authorized by the EPA before acting as a principal instructor for a training
47.3 course. A principal instructor for a:

47.4 (1) lead renovator training course must complete an initial lead renovator
47.5 training course approved by the EPA or a state or Tribal program authorized by the EPA
47.6 or, if the individual is a lead supervisor or lead worker, a lead renovator refresher training
47.7 course approved by the EPA or a state or Tribal program authorized by the EPA; and

47.8 (2) lead or dust sampling technician training course must complete a lead or
47.9 dust sampling training course approved by the EPA or a state or Tribal program authorized
47.10 by the EPA, except that a lead risk assessor or lead inspector may act as a principal lead or
47.11 dust sampling instructor without further training; and

47.12 C. have demonstrated experience, education, or training in lead or asbestos
47.13 abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or
47.14 industrial hygiene.

47.15 **Subp. 6. Principal instructor; duties.**

47.16 A. A principal instructor is responsible for the organization of the training course
47.17 and overseeing the instruction of all training course materials.

47.18 B. A principal instructor must:

47.19 (1) supervise other training course instructors and guest presenters;

47.20 (2) document each training course participant's attendance; and

47.21 (3) develop a written examination and a hands-on skills evaluation that
47.22 measure a training course participant's understanding of the training course material.

47.23 **Subp. 7. Training course instructor; qualifications.** A training course instructor
47.24 must have:

48.1 A. experience, education, or training in teaching adults, including using evaluation
48.2 methods to monitor a training course participant's progress; and

48.3 B. demonstrated experience, education, or training in lead or asbestos abatement,
48.4 painting, carpentry, renovation, remodeling, occupational safety and health, or industrial
48.5 hygiene.

48.6 Subp. 8. **Training course instructor; duties.** A training course instructor must assist
48.7 the principal instructor in:

48.8 A. presenting the training course materials;

48.9 B. documenting each training course participant's attendance and participation;
48.10 and

48.11 C. evaluating a training course participant's understanding of the training course
48.12 material.

48.13 Subp. 9. **Guest presenter.** A training course provider may use a guest presenter if
48.14 the training course provider meets the requirements of this subpart.

48.15 A. A principal instructor must be present during the guest presenter's instruction.

48.16 B. The guest presenter in attendance must be documented on the daily attendance
48.17 log.

48.18 C. A summary of the materials presented by the guest presenter must be submitted
48.19 to the commissioner with the daily attendance log.

48.20 Subp. 10. **Training course written examination.** All permitted training courses must
48.21 include a written examination that meets the requirements of this subpart.

48.22 A. Each training course must include a written examination that is administered
48.23 at the end of the training course.

- 49.1 B. A training course provider must:
- 49.2 (1) administer the written examination;
- 49.3 (2) not reveal any portion of the written examination contents to any course
- 49.4 participant before administering the examination;
- 49.5 (3) secure the written examination until the written examination is
- 49.6 administered;
- 49.7 (4) require that each training course participant takes the examination
- 49.8 independently and without assistance from other participants or instructors; and
- 49.9 (5) prohibit all written or electronic material, other than the written
- 49.10 examination materials, within a course participant's viewing distance.
- 49.11 C. The written examination for an initial training course and a refresher training
- 49.12 course must contain questions about applicable state and federal law governing renovation.
- 49.13 D. A training course participant must achieve a score of 70 percent or greater to
- 49.14 pass all training course written examinations.
- 49.15 E. The initial and refresher written examination for a lead renovator and for a lead
- 49.16 or dust sampling technician must consist of at least 25 multiple choice questions.
- 49.17 F. A training course provider must submit an updated written examination to the
- 49.18 commissioner for review upon renewal of the training course permit that:
- 49.19 (1) replaces existing questions;
- 49.20 (2) alters the order of questions; or
- 49.21 (3) alters the answers to questions.
- 49.22 Subp. 11. Completion of initial or refresher training course. To complete an initial
- 49.23 training course or a refresher training course, a training course participant must:

- 50.1 A. attend the entire training course;
- 50.2 B. demonstrate proficiency, as determined by the principal instructor, during the
- 50.3 hands-on skills assessment of the training course; and
- 50.4 C. pass a closed-book, written examination that meets the requirements of subpart
- 50.5 10.

50.6 Subp. 12. **Training course location.** Permitted training courses may be offered in

50.7 Minnesota or in a city, town, or village that borders Minnesota. A training course provider

50.8 must receive approval from the commissioner before offering a training course outside of

50.9 Minnesota in a city, town, or village that does not border Minnesota.

50.10 **4620.6400 TRAINING COURSE CONTENT.**

50.11 Subpart 1. **General.** A training course provider is responsible for meeting the

50.12 requirements of this part.

50.13 Subp. 2. **Incorporating Minnesota law.** A training course provider must incorporate

50.14 Minnesota law relating to lead-safe renovation practices into training course material and

50.15 instruction.

50.16 Subp. 3. **Incorporating new material into training course.** A training course provider

50.17 must incorporate any new information into training course material as required by the

50.18 commissioner on or before the date of a training course provider's permit renewal for the

50.19 training course requiring new information.

50.20 Subp. 4. **Length and content requirements of initial lead renovator training course.**

50.21 A. An initial lead renovator training course must be a minimum of eight training

50.22 hours.

50.23 B. An initial lead renovator training course must include:

50.24 (1) lectures;

- 51.1 (2) demonstrations;
- 51.2 (3) a hands-on skills component; and
- 51.3 (4) a written examination according to part 4620.6375, subpart 10.
- 51.4 C. Initial renovator training course instruction must cover:
- 51.5 (1) the roles and responsibilities of a lead renovator;
- 51.6 (2) information on lead and its adverse health effects;
- 51.7 (3) information on lead-based paint and renovation activities including federal,
51.8 state, and local regulations and guidance;
- 51.9 (4) procedure for using recognized test kits;
- 51.10 (5) work practices under part 4620.6200, including installation and removal
51.11 of work area barriers, cleaning, waste handling and disposal, and methods to prevent dust
51.12 and debris from leaving the work area;
- 51.13 (6) visual inspection and cleaning verification under part 4620.6225;
- 51.14 (7) training for workers; and
- 51.15 (8) work plan and project report preparation under part 4620.6150.

51.16 Subp. 5. Length and content requirements of initial lead or dust sampling
51.17 technician training course.

51.18 A. An initial lead or dust sampling technician training course must be a minimum
51.19 of eight training hours.

51.20 B. An initial lead or dust sampling technician training course must include:

- 51.21 (1) lectures;
- 51.22 (2) demonstrations;

- 52.1 (3) a hands-on skills component; and
- 52.2 (4) a written examination according to part 4620.6375, subpart 10.
- 52.3 C. Initial lead or dust sampling technician training course instruction must cover:
- 52.4 (1) the roles and responsibilities of a lead or dust sampling technician;
- 52.5 (2) information on lead and its adverse health effects;
- 52.6 (3) information on lead-based paint and renovation activities including federal,
- 52.7 state, and local regulations and guidance;
- 52.8 (4) dust clearance sampling methodologies, clearance standards, and clearance
- 52.9 inspection under part 4620.6225, subpart 6; and
- 52.10 (5) dust sampling clearance report preparation under part 4620.6150, subpart
- 52.11 3, item C.

52.12 Subp. 6. Lead renovator hands-on training component.

52.13 A. Initial lead renovator training must include a hands-on training component that

52.14 is at least two training hours.

52.15 B. A hands-on training component must include:

- 52.16 (1) demonstration by the instructor of:
- 52.17 (a) disassembling, cleaning, and reassembling of a half-face air purifying
- 52.18 respirator; and
- 52.19 (b) respirator fit checking; and
- 52.20 (2) practice by each training course participant of:
- 52.21 (a) donning and doffing protective clothing;
- 52.22 (b) using a recognized test kit;

53.1 (c) work practices under part 4620.6200, including installation and
53.2 removal of work area barriers, cleaning, waste handling and disposal, and methods to prevent
53.3 dust and debris from leaving the work area;

53.4 (d) visual inspection and cleaning verification under part 4620.6225;
53.5 and

53.6 (e) work plan and project report preparation under part 4620.6150.

53.7 **Subp. 7. Lead or dust sampling technician hands-on training component.**

53.8 A. Initial lead or dust sampling technician training must include a hands-on training
53.9 component that is at least two training hours.

53.10 B. A hands-on training component must include:

53.11 (1) practice by each participant in donning and doffing protective clothing;

53.12 (2) dust clearance sampling methodologies, clearance standards, and clearance
53.13 inspection under part 4620.6225, subpart 6; and

53.14 (3) dust sampling clearance report preparation under part 4620.6150, subpart
53.15 3, item C.

53.16 **Subp. 8. Refresher courses; lead renovator and lead or dust sampling**
53.17 **technician. Refresher courses for a lead renovator and a lead or dust sampling technician**
53.18 **must:**

53.19 A. be at least four training hours in length;

53.20 B. review the topics of the corresponding initial training course;

53.21 C. include an overview of current safety practices relating to lead-based paint in
53.22 general, as well as specific information pertaining to the applicable lead renovator or lead
53.23 or dust sampling technician discipline;

- 54.1 D. review federal and state regulations regarding regulated lead work;
- 54.2 E. review new technologies and methods pertaining to the applicable lead renovator
- 54.3 or lead or dust sampling technician discipline;
- 54.4 F. include a hands-on training component; and
- 54.5 G. include a written examination according to part 4620.6375, subpart 10.

54.6 Subp. 9. **Additional time for a training course.** If additional time is required to

54.7 complete the prescribed instruction of a permitted training course, then the training course

54.8 provider must notify the commissioner under part 4620.6300.

54.9 **4620.6425 RECORD KEEPING FOR A TRAINING COURSE PROVIDER.**

54.10 Subpart 1. **Record retention period; availability.**

54.11 A. A training course provider must maintain the records under subpart 2 for four

54.12 years for each training course at the address specified on the permit application and make

54.13 the records under this part available to the commissioner upon request.

54.14 B. Within 30 days of a training course provider ceasing training operations, the

54.15 training course provider must designate a records custodian and provide the records

54.16 custodian's name and address to the commissioner. A training course provider must also

54.17 deliver all records required under this part to the records custodian who must maintain and

54.18 make the records available to the commissioner until the retention period under this subpart

54.19 expires.

54.20 Subp. 2. **Required records.** A training course provider must maintain:

54.21 A. documents that demonstrate the qualifications of all training instructors,

54.22 including the training manager, principal instructor, and other training course instructors

54.23 according to part 4620.6375;

55.1 B. annual performance evaluations of all principal instructors under part 4620.6375,
55.2 subpart 4;

55.3 C. current curriculum and training course materials under part 4620.6250, subpart
55.4 1, including any new or revised material in amendments or renewal applications approved
55.5 by the commissioner;

55.6 D. all potential training course written examination questions with the correct
55.7 answers identified and a description of the proportion of the written examination questions
55.8 devoted to each major topic in the training course;

55.9 E. a description of how the hands-on skills evaluation is performed, including:

55.10 (1) who performs the evaluation;

55.11 (2) how the skills are graded;

55.12 (3) what facilities are used; and

55.13 (4) the passing and failure rates;

55.14 F. the quality control plan under part 4620.6375, subpart 4, item B;

55.15 G. the results of each training course participant's hands-on skills evaluation and
55.16 written examination;

55.17 H. a record of each training course participant's diploma under part 4620.6275;

55.18 and

55.19 I. a record of each training course participant's attendance on a daily attendance
55.20 log under part 4620.6325.

55.21 Subp. 3. **Change of address.** A training course provider must notify the commissioner,
55.22 in writing, no later than 30 days after changing the address specified on the permit application
55.23 under part 4620.6250, subpart 1.

56.1 **4620.6450 ENFORCEMENT.**

56.2 The commissioner shall determine enforcement action for any violation of parts
56.3 4620.6000 to 4620.6475 under Minnesota Statutes, sections 144.989 to 144.993.

56.4 **4620.6475 VARIANCES.**

56.5 The commissioner is authorized to grant a variance to parts 4620.6000 to 4620.6425,
56.6 except applicable numerical standards for the concentrations of lead in paint, dust, and bare
56.7 soil, according to the procedures and criteria in parts 4717.7000 to 4717.7050.

56.8 **4717.7000 VARIANCE REQUEST.**

56.9 Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance
56.10 from the following items:

56.11 *[For text of items A to P, see Minnesota Rules]*

56.12 Q. lead abatement, lead renovation, and lead poisoning prevention, parts 4620.6000
56.13 to 4620.6425, 4761.2000 to 4761.2700, except parts 4761.2000, 4761.2100, 4761.2200,
56.14 4761.2220, and 4761.2510;

56.15 *[For text of items R and S, see Minnesota Rules]*

56.16 *[For text of subparts 2 and 3, see Minnesota Rules]*