

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 less than six square feet in an interior room and involves the use of
1.10 work practices prohibited under part 4620.6200, subpart 6;

1.11 (4) is less than 20 square feet on exterior surfaces and involves the use of
1.12 work practices prohibited under part 4620.6200, subpart 6; 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, subpart 6;

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, subpart
2.11 6; and

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

2.18 **4620.6025 DEFINITIONS.**

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

2.21 Subp. 2. **Affected property.**

2.22 A. "Affected property" means any of the following properties constructed before
2.23 1978:

2.24 (1) a single-family dwelling, including:

3.1 (a) attached structures, such as an attached porch, stoop, or garage,
3.2 regardless of construction date;

3.3 (b) detached structures and improvements constructed before 1978;

3.4 (2) a dwelling unit in a multiunit housing building, including interior and
3.5 exterior common areas of:

3.6 (a) the multiunit housing building;

3.7 (b) attached structures, regardless of construction date;

3.8 (c) detached structures and improvements constructed before 1978;

3.9 (3) a building or portion of a building, including interior and exterior common
3.10 areas, that is visited by the same child at least two days per week, and:

3.11 (a) the child's combined weekly visits last at least six hours; and

3.12 (b) the child's combined annual visits last at least 60 hours.

3.13 B. Affected property does not include:

3.14 (1) housing for the elderly or persons with disabilities, unless at least one
3.15 child resides or is expected to reside in the residence;

3.16 (2) a zero-bedroom residence, unless at least one child resides or is expected
3.17 to reside in the residence.

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

3.19 A. removing objects from the work area;

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

3.21 C. covering and sealing 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. **Child.** "Child" has the meaning given in Minnesota Statutes, section 144.9501,
4.17 subdivision 6a.

4.18 Subp. 7. **Cleaning verification card.** "Cleaning verification card" means a card that
4.19 is developed, distributed, and approved by the EPA and used as part of the process for
4.20 determining if postrenovation cleaning is complete.

4.21 Subp. 8. **Commissioner.** "Commissioner" means the commissioner of health or the
4.22 commissioner's designee.

4.23 Subp. 9. **Common area.** "Common area" means a portion of a building or exterior
4.24 area that is generally accessible to all residential occupants, including a hallway, stairway,
4.25 laundry or recreational room, play area, community area, garage, or boundary fence. In
4.26 buildings containing a child-occupied facility, the child-occupied facility includes only

those areas routinely used by children, such as a restroom, a cafeteria, a shared classroom, or an exterior playground and excludes common areas that children only pass through, such as hallways, stairways, and garages used by the entire building.

Subp. 10. **Compensation.** "Compensation" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 33.

Subp. 11. **Demolition.** "Demolition" means any activity that destroys or ruins a painted building component, structure, or portion of a structure.

Subp. 12. **Disclosure pamphlet.** "Disclosure pamphlet" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 8a.

Subp. 13. **Disturb.** "Disturb" means to break up, burn, crush, cut into, dissolve, sand, scrape, abrade, remove, or demolish a painted surface in a manner that generates dust, paint chips, or debris.

Subp. 14. **Dry disposable cleaning cloth.** "Dry disposable cleaning cloth" means a commercially available, dry, electrostatically charged, disposable cloth designed for cleaning hard surfaces such as an uncarpeted floor or a countertop.

Subp. 15. **Emergency renovation.** "Emergency renovation" means an unplanned renovation activity conducted in response to a sudden unexpected event which, if not addressed immediately, may result in one or more of the following emergencies:

A. a safety hazard; or

B. significant damage to property.

Subp. 16. **EPA.** "EPA" means the United States Environmental Protection Agency.

Subp. 17. **HEPA filter.** "HEPA filter" means a high-efficiency particulate air filter capable of trapping and retaining at least 99.97 percent of all monodispersed particles 0.3 microns in diameter or larger.

6.1 Subp. 18. **HEPA vacuum.** "HEPA vacuum" means a vacuum cleaner that is designed
6.2 with a HEPA filter as the last filtration stage where all the air drawn into the machine is
6.3 expelled through the HEPA filter with none of the air leaking past it. HEPA vacuums must
6.4 be operated and maintained in accordance with the manufacturer's instructions.

6.5 Subp. 19. **Lead-based paint.** "Lead-based paint" has the meaning given in Minnesota
6.6 Rules, part 4761.2510, subpart 1.

6.7 Subp. 20. **Lead inspector.** "Lead inspector" has the meaning given in Minnesota
6.8 Statutes, section 144.9501, subdivision 19.

6.9 Subp. 21. **Lead renovator.** "Lead renovator" has the meaning given in Minnesota
6.10 Statutes, section 144.9501, subdivision 26c.

6.11 Subp. 22. **Lead risk assessor.** "Lead risk assessor" has the meaning given in Minnesota
6.12 Statutes, section 144.9501, subdivision 20c.

6.13 Subp. 23. **Lead sampling technician.** "Lead sampling technician" has the meaning
6.14 given in Minnesota Statutes, section 144.9501, subdivision 22b.

6.15 Subp. 24. **Lead supervisor.** "Lead supervisor" has the meaning given in Minnesota
6.16 Statutes, section 144.9501, subdivision 22a.

6.17 Subp. 25. **Lead worker.** "Lead worker" has the meaning given in Minnesota Statutes,
6.18 section 144.9501, subdivision 23.

6.19 Subp. 26. **Owner.** "Owner" means any person that has legal title to an affected property.
6.20 Owner also includes a mortgagor, as defined by Minnesota Statutes, section 507.401,
6.21 subdivision 1, paragraph (f), but does not include a mortgagee, as defined by Minnesota
6.22 Statutes, section 507.401, subdivision 1, paragraph (d), that holds legal title to an affected
6.23 property for the sole purpose of securing a mortgage.

7.1 Subp. 27. **Painted surface.** "Painted surface" means a building component surface
7.2 covered in whole or in part with paint or other surface coatings including latex and oil-based
7.3 paint, stain, varnish, glaze, and sealant.

7.4 Subp. 28. **Person.** "Person" has the meaning given in Minnesota Statutes, section
7.5 326.71, subdivision 8.

7.6 Subp. 29. **Recognized test kit.** "Recognized test kit" means a commercially available
7.7 kit, approved by the EPA under Code of Federal Regulations, title 40, section 745.88, or
7.8 successor requirements, that allows a user to determine the presence of lead-based paint.

7.9 Subp. 30. **Renovation.** "Renovation" has the meaning given in Minnesota Statutes,
7.10 section 144.9501, subdivision 26b.

7.11 Subp. 31. **Responsible individual.** "Responsible individual" means an individual who
7.12 has the authority to represent a certified renovation firm in all matters related to certification
7.13 and is trained as a lead renovator under part 4620.6100.

7.14 Subp. 32. **Training course.** "Training course" means an instruction course, permitted
7.15 by the commissioner, for a lead renovator or a lead sampling technician.

7.16 Subp. 33. **Training hour.** "Training hour" means at least 50 minutes of instruction,
7.17 including time devoted to lecture, learning activities, small group activities, demonstrations,
7.18 evaluations, and hands-on training components.

7.19 Subp. 34. **Vertical containment.** "Vertical containment" means a vertical barrier
7.20 consisting of plastic sheeting or other disposable, impermeable material over scaffolding
7.21 or a rigid frame to contain the work area.

7.22 Subp. 35. **Wet disposable cleaning cloth.** "Wet disposable cleaning cloth" means a
7.23 commercially available, premoistened, disposable cloth that is white and designed for
7.24 cleaning hard surfaces such as an uncarpeted floor or a countertop.

8.1 Subp. 36. **Wet mopping system.** "Wet mopping system" means a device with a long
8.2 handle, a mop head designed for use with disposable cleaning pads, a reservoir for cleaning
8.3 solution, and a built-in mechanism for spraying the cleaning solution onto a floor.

8.4 Subp. 37. **Work area.** "Work area" means an area that a lead renovator establishes
8.5 to contain the dust and debris generated by a renovation. There may be more than one work
8.6 area in the renovation of an affected property.

8.7 Subp. 38. **Work-area barrier.** "Work-area barrier" means a barrier constructed of
8.8 plastic sheeting or other disposable, impermeable material to separate and isolate a work
8.9 area, including a vertical containment, containment walls used to isolate an interior work
8.10 area, and a barrier installed over doors, floors, windows, objects, structures, building
8.11 components, and air passageways.

8.12 Subp. 39. **Work plan.** "Work plan" means the plan developed and used by a certified
8.13 renovation firm to identify and describe the renovation site, specific work areas, and work
8.14 practices used in a renovation project. A work plan may be written or electronic.

8.15 Subp. 40. **Written acknowledgment.** "Written acknowledgment" means documentation
8.16 that a disclosure pamphlet was delivered to the owner or the adult occupant of an affected
8.17 property to be renovated.

8.18 **4620.6050 RENOVATION FIRM CERTIFICATION.**

8.19 **Subpart 1. General requirements.**

8.20 A. A person who performs renovation for compensation must be certified by the
8.21 commissioner as a certified renovation firm or be a qualified individual under part 4620.6075
8.22 who performs renovation on behalf of a certified renovation firm.

8.23 B. A certified renovation firm must employ or contract with a responsible
8.24 individual who is trained as a lead renovator. A certified renovation firm may designate an

9.1 alternate responsible individual, who must be trained as a lead renovator, when the
9.2 responsible individual is unavailable.

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

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

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

9.7 B. a nonrefundable application fee, required under Minnesota Statutes, section
9.8 144.9505, subdivision 1h, payable to the Minnesota Department of Health;

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

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

9.13 E. evidence of workers' compensation insurance as required under Minnesota
9.14 Statutes, section 176.182, unless the applicant is exempt from the requirements under
9.15 Minnesota Statutes, chapter 176. If the applicant is exempt from the requirements under
9.16 Minnesota Statutes, chapter 176, the applicant must submit an explanation to the
9.17 commissioner stating why the applicant is exempt.

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

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

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

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

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

10.5 B. Before the commissioner denies an application, the commissioner:

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

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

10.14 **Subp. 5. Amending certified renovation firm application.** A certified renovation
10.15 firm must notify the commissioner, on a form provided by the commissioner, within 90
10.16 days of a change to any of the information contained in the certified renovation firm's most
10.17 recent application.

10.18 **4620.6075 USE OF QUALIFIED INDIVIDUALS.**

10.19 Subpart 1. Qualified individuals. A certified renovation firm must use only the
10.20 following qualified individuals to perform a renovation:

10.21 A. a lead renovator;

10.22 B. a lead supervisor;

10.23 C. a lead worker; or

10.24 D. a noncertified worker who is trained by a lead renovator.

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

11.2 A. Noncertified workers under subpart 1, item D, must be trained by a lead
11.3 renovator to perform each work practice under part 4620.6200 before performing the work
11.4 practice during a renovation.

11.5 B. A certified renovation firm must maintain documentation of the training under
11.6 item A and include:

- 11.7 (1) the name of the lead renovator who conducted the training;
11.8 (2) the names of all individuals trained;
11.9 (3) the date of the training; and
11.10 (4) the specific work practices included in the training for each individual.

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

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

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

11.16 C. A lead renovator assigned to a renovation must be available on site or must be
11.17 able to be contacted at all times when renovation work is being performed. In addition, a
11.18 renovator must be physically present at the renovation site:

- 11.19 (1) when warning signs are posted under part 4620.6200, subpart 1;
11.20 (2) while the interior and exterior work area barriers are being installed under
11.21 part 4620.6200, subparts 3 and 4; and
11.22 (3) while the work area cleaning is performed under part 4620.6200, subparts
11.23 8, 9, and 10.

12.1 Subp. 4. **Lead sampling activities.** A certified renovation firm must use only a lead
12.2 sampling technician, a lead inspector, or a lead risk assessor to perform lead sampling
12.3 technician activities.

12.4 **4620.6100 LEAD RENOVATOR TRAINING.**

12.5 Subpart 1. **General requirements.**

12.6 A. An individual who directs renovation activities must hold a valid lead renovator
12.7 training course diploma from a training course approved by the commissioner.

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

12.10 C. An individual may renew lead renovator training under subpart 4.

12.11 Subp. 2. **Previous training.** An individual is only required to complete a lead renovator
12.12 refresher training course to be a lead renovator if the individual:

12.13 A. is a lead worker; or

12.14 B. is a lead supervisor.

12.15 Subp. 3. **Temporary use of EPA and out-of-state training.**

12.16 A. This subpart applies only to lead renovator training diplomas currently valid
12.17 on the effective date of parts 4620.6000 to 4620.6475.

12.18 B. An individual may use a current training diploma issued by a lead renovator
12.19 training program accredited by the EPA or an EPA-authorized state or Tribal program to
12.20 meet the training requirements of this part and meet the application requirement under part
12.21 4620.6050, subpart 2, item C, for 180 days after the effective date of this part, or until the
12.22 diploma expires under applicable EPA or EPA-authorized state or Tribal program regulations,
12.23 whichever is earlier.

13.1 C. All subsequent training must be provided in a training course permitted under
13.2 part 4620.6250, and training under this subpart may be renewed under subpart 4.

13.3 Subp. 4. **Renewal requirements; refresher training.**

13.4 A. An individual who holds a lead renovator diploma may renew training by
13.5 completing a lead renovator refresher training course within 48 months of the course
13.6 completion date on the diploma.

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

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

13.10 Subp. 5. **Training documentation.** A lead renovator must have a copy of the initial
13.11 training diploma and, if applicable, the most recent refresher training diploma available at
13.12 the renovation site for review by the commissioner. For purposes of this part, the copy must
13.13 be legible, the photograph must be recognizable, and the copy may be provided in an
13.14 electronic format.

13.15 **4620.6125 LEAD SAMPLING TECHNICIAN TRAINING.**

13.16 Subpart 1. **General requirements.**

13.17 A. An individual who performs lead sampling activities must:

13.18 (1) hold a valid lead sampling technician training course diploma from a
13.19 training course approved by the commissioner; or

13.20 (2) hold a valid lead inspector or lead risk assessor license.

13.21 B. Lead sampling technician training is valid for 48 months from the course
13.22 completion date on the diploma.

13.23 C. An individual may renew lead sampling technician training under subpart 3.

14.1 **Subp. 2. Temporary use of EPA and out-of-state training.**

14.2 **A. This subpart applies only to lead sampling technician training diplomas currently**
14.3 **valid on the effective date of parts 4620.6000 to 4620.6475.**

14.4 **B. An individual may use a current training diploma issued by a lead sampling**
14.5 **technician training program accredited by the EPA or an EPA-authorized state or Tribal**
14.6 **program to meet the training requirements of this part for 180 days after the effective date**
14.7 **of this part, or until the diploma expires under applicable EPA or EPA-authorized state or**
14.8 **Tribal program regulations, whichever is earlier.**

14.9 **C. All subsequent training must be provided in a training course permitted under**
14.10 **part 4620.6250, and training under this subpart may be renewed under subpart 3.**

14.11 **Subp. 3. Renewal requirements; refresher training.**

14.12 **A. An individual who holds a lead sampling technician diploma may renew this**
14.13 **training by completing a lead sampling technician refresher training course within 48 months**
14.14 **of the course completion date on the diploma.**

14.15 **B. Lead sampling technician refresher training is valid for 48 months.**

14.16 **C. An individual must complete an initial lead sampling technician training course**
14.17 **before performing lead sampling activities if more than 48 months have elapsed since the**
14.18 **course completion date on the diploma.**

14.19 **Subp. 4. Training documentation.** **A lead sampling technician must have a copy of**
14.20 **the initial training diploma and the most recent refresher training diploma available at the**
14.21 **renovation site for review by the commissioner. For purposes of this part, the copy must be**
14.22 **legible, the photograph must be recognizable, and the copy may be provided in an electronic**
14.23 **format.**

15.1 **4620.6150 RECORDS.**

15.2 **Subpart 1. Records and retention.**

15.3 A. A certified renovation firm is responsible for preparing and maintaining records
15.4 according to this part. Upon request, copies of records must be made available to the
15.5 commissioner at no charge to verify compliance with parts 4620.6000 to 4620.6475. Copies
15.6 must be legible, photographs must be recognizable, and copies may be provided in an
15.7 electronic format.

15.8 B. A lead renovator must:

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

15.10 (2) document training the lead renovator provided to qualified individuals
15.11 under item E, subitem (3);

15.12 (3) document, sign, and date recognized test kit results the lead renovator
15.13 prepared under subpart 2, item D, subitem (4); and

15.14 (4) document cleaning verification the lead renovator performed under subpart
15.15 3, item B.

15.16 C. Written determinations prepared under part 4620.6000, subpart 2, item A, must
15.17 be completed, signed, and dated by the lead inspector or lead risk assessor who performed
15.18 the activity.

15.19 D. Dust clearance sampling reports prepared under subpart 3, item C, must be
15.20 completed, signed, and dated by the lead inspector, lead risk assessor, or lead sampling
15.21 technician who performed the activity.

15.22 E. Certified renovation firms are responsible for maintaining records documenting
15.23 current training and licensure for all individuals who perform renovation on behalf of the

16.1 certified renovation firm. Certified renovation firms must maintain documentation
16.2 demonstrating that:

16.3 (1) all lead renovators and lead sampling technicians have completed the
16.4 training required under parts 4620.6100 and 4620.6125;

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

16.7 (3) all noncertified workers under part 4620.6075, subpart 1, item D, have
16.8 been trained by a lead renovator in compliance with part 4620.6075, subpart 2;

16.9 (4) all subcontractors engaged or employed to perform renovation on behalf
16.10 of the certified renovation firm and all individuals performing renovation on behalf of
16.11 subcontractors hold the necessary licensure, training, certification, or registration to perform
16.12 renovation.

16.13 F. A certified renovation firm must maintain records required under this part for
16.14 three years after the date a renovation project is complete.

16.15 Subp. 2. **On-site work plan.**

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

16.18 B. The work plan must be available on site throughout the duration of the
16.19 renovation.

16.20 C. The work plan must include:

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

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

- 17.1 (3) the names of the responsible individual and any other lead renovator, if
17.2 any, assigned to the renovation;
- 17.3 (4) a brief description of the renovation;
- 17.4 (5) the address of the renovation work site;
- 17.5 (6) the first date of renovation and the expected date of completion;
- 17.6 (7) a list of the work areas;
- 17.7 (8) a description for each work area of work practices performed under part
17.8 4620.6200;
- 17.9 (9) if applicable, a description of the circumstances that required an emergency
17.10 renovation under part 4620.6200, subpart 12, and the work practices that were not followed
17.11 during the emergency renovation; and
- 17.12 (10) a daily sign-in and sign-out sheet identifying all individuals entering the
17.13 work area by name, work activity, and length of time spent in the work area.
- 17.14 D. The work plan must also include copies of the following documents:
- 17.15 (1) records demonstrating compliance with the disclosure pamphlet activities
17.16 in part 4620.6175, including all required certificates of mailing, written acknowledgments,
17.17 certifications that written acknowledgment could not be obtained, and statements certifying
17.18 the steps performed to comply with common area notice requirements to occupants and
17.19 parents and guardians;
- 17.20 (2) records required under subpart 1, item E, demonstrating that each person
17.21 performing renovation had current training, certification, licensure, or registration at the
17.22 time the person performed renovation;
- 17.23 (3) written determinations prepared by a lead inspector or lead risk assessor
17.24 under part 4620.6000, subpart 2, item A.

18.1 (4) documentation of recognized test kit results used to comply with part
18.2 4620.6000, subpart 2, item B, including a description of the building components or surfaces
18.3 that were tested and their locations, the product name of each recognized test kit used, and
18.4 the result of each test kit used.

18.5 E. If information under item C or D is not available before renovation begins
18.6 because an activity has not been performed or required, a certified renovation firm must
18.7 revise the work plan by the close of the business day after the practice is performed or
18.8 required. If any of the information under item C or D change during the course of renovation,
18.9 a certified renovation firm must revise the work plan by the close of the business day after
18.10 the change.

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

18.13 G. The work plan must be available for review by the commissioner under subpart
18.14 1, item A, and:

18.15 (1) all workers at the renovation site;

18.16 (2) the owner of the affected property undergoing renovation;

18.17 (3) adult occupants of the affected property undergoing renovation;

18.18 (4) the adult representative of a child-occupied facility undergoing renovation;

18.19 and

18.20 (5) parents and guardians of children using a child-occupied facility
18.21 undergoing renovation.

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

19.1 A. the work plan under subpart 2;

19.2 B. a description of all cleaning verification activities performed under part
19.3 4620.6225, subparts 2 to 5, including the name of the lead renovator who performed cleaning
19.4 verification, the results of any visual inspections and cleaning verification card procedures,
19.5 and the number of wet and dry cloths used; and

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

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

19.10 (2) the address of the affected property;

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

19.12 (4) the documented methodologies used;

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

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

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

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

19.19 Subp. 4. Project report; submission and posting.

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

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

20.1 (2) the adult occupant of the affected property if the adult occupant is not the
20.2 owner of the affected property; or

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

20.5 B. When a certified renovation firm performs renovation in a common area of an
20.6 affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation
20.7 firm must post the following within 30 days after the renovation is completed:

20.8 (1) the renovation project report or information on how interested adult
20.9 occupants of the affected property can obtain a copy of the report;

20.10 (2) the information in subitem (1) in areas where the information is likely to
20.11 be seen by the occupants of all affected units.

20.12 **4620.6175 DISCLOSURE PAMPHLET; DISTRIBUTION REQUIREMENTS.**

20.13 Subpart 1. Owner of a dwelling or dwelling unit; notice requirement. A certified
20.14 renovation firm performing a renovation in an affected property under part 4620.6025,
20.15 subpart 2, item A, subitems (1) and (2), must:

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

20.18 B. obtain a written acknowledgment under subparts 9 and 10 confirming that the
20.19 owner of the affected property being renovated has received the disclosure pamphlet; or

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

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

21.2 A. A certified renovation firm performing a renovation in an affected property
21.3 under part 4620.6025, subpart 2, item A, subitems (1) and (2), must:

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

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

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

21.11 B. If the certified renovation firm has not obtained a written acknowledgment
21.12 from the adult occupant under item A, then the certified renovation firm must prepare a
21.13 certification under subpart 10 stating that a disclosure pamphlet was delivered to the address
21.14 of the affected property unit undergoing renovation.

21.15 Subp. 3. **Common area of multiunit housing; disclosure pamphlet**
21.16 **requirements.** No more than 60 days before renovation work begins in a common area of
21.17 an affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified
21.18 renovation firm performing a renovation must:

21.19 A. provide the owner of the affected property undergoing renovation with a
21.20 disclosure pamphlet; and

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

22.1 C. obtain a certificate of mailing confirming that the owner of the affected property
22.2 undergoing renovation was sent a disclosure pamphlet at least seven days before renovation
22.3 begins.

22.4 Subp. 4. **Common area of multiunit housing; general notice requirements.** No
22.5 more than 60 days before renovation work begins in a common area of an affected property
22.6 under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm performing
22.7 renovation must:

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

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

22.10 (2) provide the disclosure pamphlet; and either

22.11 B. provide written notice under subpart 5 to all units of an affected property
22.12 undergoing renovation; or

22.13 C. post informational signs under subpart 6.

22.14 Subp. 5. **Written notice requirement; common area of multiunit housing.** When
22.15 providing written notice under subpart 4, item B, a certified renovation firm performing
22.16 renovation in a common area of an affected property under part 4620.6025, subpart 2, item
22.17 A, subitem (2), must comply with the requirements of this subpart.

22.18 A. A certified renovation firm must:

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

22.20 (2) make the disclosure pamphlet available upon request before the start of
22.21 renovation.

22.22 B. The written notice must:

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

- 23.1 (2) include the start and end dates of the planned renovation; and
- 23.2 (3) include a statement describing how an adult occupant, parent, or guardian
- 23.3 can obtain, at no cost:
- 23.4 (a) a disclosure pamphlet;
- 23.5 (b) a copy of the work plan under part 4620.6150, subpart 2;
- 23.6 (c) a copy of the project report under part 4620.6150, subpart 3; and
- 23.7 (d) a copy of the dust sampling report under part 4620.6150, subpart 3,
- 23.8 item C, if applicable.
- 23.9 C. If the scope, location, or start and end dates of the planned renovation change
- 23.10 after written notice under item B is distributed, then the certified renovation firm performing
- 23.11 the renovation must:
- 23.12 (1) provide additional written notice to the owner, adult occupant, and affected
- 23.13 units containing revised information about the ongoing or planned renovation; and
- 23.14 (2) provide the additional written notice before the certified renovation firm
- 23.15 performing the renovation initiates work beyond that described in the original written notice
- 23.16 under item B.
- 23.17 **Subp. 6. Informational sign requirements; common area of multiunit**
- 23.18 **housing.** When posting informational signs under subpart 4, item C, a certified renovation
- 23.19 firm performing renovation in a common area of an affected property under part 4620.6025,
- 23.20 subpart 2, item A, subitem (2), must comply with the requirements in this subpart.
- 23.21 Informational signs must:
- 23.22 A. include the nature and locations of the planned renovation;
- 23.23 B. include the start and end dates of the planned renovation;

- 24.1 C. be displayed in a prominent location within the public viewing area;
- 24.2 D. remain posted for the duration of the renovation;
- 24.3 E. include a posted copy of the disclosure pamphlet or information describing
- 24.4 how an occupant can obtain a copy of the disclosure pamphlet at no cost to the occupant;
- 24.5 F. include a statement describing how an occupant may obtain, at no cost to the
- 24.6 occupant:
- 24.7 (1) a copy of the work plan under part 4620.6150, subpart 2;
- 24.8 (2) a copy of the project report under part 4620.6150, subpart 3; and
- 24.9 (3) a copy of the dust sampling report under part 4620.6150, subpart 3, item
- 24.10 C; and
- 24.11 G. be updated if the scope, location, or start and end dates of the planned renovation
- 24.12 change by revising the information about the ongoing or planned renovation before the
- 24.13 certified renovation firm performing the renovation initiates work beyond that described in
- 24.14 the informational signs.
- 24.15 **Subp. 7. Child-occupied facility; disclosure pamphlet.**
- 24.16 A. No more than 60 days before renovation work begins in a child-occupied
- 24.17 facility, a certified renovation firm performing renovation must:
- 24.18 (1) provide the owner of a child-occupied facility undergoing renovation with
- 24.19 a disclosure pamphlet; and
- 24.20 (2) obtain a written acknowledgment confirming that the owner of the
- 24.21 child-occupied facility undergoing renovation has received the disclosure pamphlet; or

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

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

25.6 (1) a written acknowledgment under subparts 9 and 10 from an adult
25.7 representative of the child-occupied facility; or

25.8 (2) a certificate of mailing confirming that the adult representative 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 C. If a certified renovation firm performing renovation has not obtained a written
25.12 acknowledgment from the adult representative of the child-occupied facility under item B,
25.13 subitem (1), then the certified renovation firm performing renovation must prepare a
25.14 certification under subpart 10 stating that a disclosure pamphlet was delivered to the
25.15 child-occupied facility undergoing renovation.

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

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

25.20 (1) a disclosure pamphlet; and

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

25.22 B. A certified renovation firm performing renovation must comply with item A
25.23 by:

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

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

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

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

26.9 (2) provide the disclosure pamphlet to all parents or guardians of children
26.10 using the child-occupied facility.

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

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

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

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

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

26.18 (4) the date of the signature of the owner, the adult occupant, or the adult
26.19 representative; and

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

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

27.1 (1) the contract or service agreement for an adult occupant or adult
27.2 representative for the renovation; or

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

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

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

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

27.11 B. the date the disclosure pamphlet was delivered;

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

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

27.14 E. the reason for lack of acknowledgment; and

27.15 F. the signature and date of the responsible individual of the certified renovation
27.16 firm performing the renovation.

27.17 **4620.6200 WORK PRACTICES.**

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

27.20 A. Warning signs must:

27.21 (1) comply with Code of Federal Regulations, title 24, section 35.1345(b)(2),
27.22 and Code of Federal Regulations, title 29, section 1926.62, paragraph (m)(1)(i), or successor
27.23 requirements; or

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

28.4 B. The warning signs must be posted at the approaches to the work area before
28.5 area preparation begins.

28.6 C. Warning signs must remain posted until cleaning verification or dust clearance
28.7 sampling under part 4620.6225 is completed.

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

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

28.15 A. Before disturbing painted surfaces, a person performing an interior renovation
28.16 must:

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

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

29.1 (3) close windows and doors in the work area, and cover all doors or openings
29.2 not used as an entrance to the work area with plastic sheeting or other disposable,
29.3 impermeable material that is securely fastened to achieve an airtight seal over the opening;

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

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

29.10 (6) extend and seal the disposable, impermeable floor material to any
29.11 containment walls under item B within six feet of the perimeter of the surfaces undergoing
29.12 renovation; and

29.13 (7) except when sealed to a containment wall under subitem (6), extend the
29.14 disposable, impermeable floor material six feet beyond the perimeter of the surfaces
29.15 undergoing renovation or a sufficient distance to contain the dust, whichever is greater.

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

29.18 (1) containment walls must be constructed of at least one layer of plastic
29.19 sheeting or other disposable, impermeable material;

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

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

30.1 (4) containment walls must be securely fastened to achieve an airtight seal
30.2 to the plastic sheeting or other disposable, impermeable floor material, the ceiling, and all
30.3 adjoining surfaces or work area barriers.

30.4 C. Any holes or tears in the plastic sheeting or other disposable, impermeable
30.5 material used under items A or B must be repaired immediately.

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

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

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

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

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

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

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

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

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

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

31.12 Subp. 6. Prohibited work practices. The use of the following work practices by a
31.13 person performing renovation are prohibited during any renovation:

31.14 A. open-flame burning or torching on painted surfaces;

31.15 B. heat guns operating at 1,100 degrees Fahrenheit or higher on painted surfaces;

31.16 C. chemical strippers containing methylene chloride;

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

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

31.22 Subp. 7. Waste management.

31.23 A. For purposes of this part:

32.1 (1) "waste" means paint chips; debris; dust; wastewater; used disposable
32.2 cleaning equipment; or used cleaning materials that cannot be cleaned to remove dust,
32.3 debris, or residue; and other renovation waste. Other examples of waste include used plastic
32.4 sheeting or other disposable, impermeable material; used HEPA filters; used protective
32.5 clothing, used respirators or face masks; and used gloves; and

32.6 (2) "gooseneck knot" means a method of sealing a waste containment bag to
32.7 prevent the contents of the bag from spilling, leaking, or falling out when the bag is inverted.

32.8 B. A person performing renovation must:

32.9 (1) prevent the release of dust and debris before the waste is removed from
32.10 the work area for storage and disposal by:

32.11 (a) collecting and containing the waste in a bag that is three-mil thickness
32.12 or greater, sealing the bag with a gooseneck knot, and cleaning the exterior of the bag with
32.13 a HEPA vacuum; or

32.14 (b) wrapping and sealing the waste in plastic sheeting or other disposable,
32.15 impermeable material and cleaning the exterior with a HEPA vacuum; and

32.16 (2) at the end of each work day, store the collected waste from the renovation
32.17 activity in a manner that prevents unauthorized access to the waste.

32.18 C. If a chute is used to remove waste from the work area, it must be covered.

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

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

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

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

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

33.4 B. dispose of waste, including cleaning waste and wastewater.

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

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

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

33.10 (2) folding the work area barriers dirty side inward.

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

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

33.18 Subp. 11. **Confining dust and debris to the work area.** A person performing
33.19 renovation must ensure that all individuals, including the individuals' clothing and exposed
33.20 skin, and all equipment, tools, materials, and other items that will not be disposed of as
33.21 waste as required under subpart 7 are free of dust and debris before leaving the work area.
33.22 Methods of removing dust and debris from individuals or items before leaving the work
33.23 area must include one or more of the following: HEPA vacuums, wet cleaning wipes,
33.24 showers, handwashing stations, and other wet cleaning methods; removable coveralls or

34.1 work clothing; or other equivalent methods or combinations of methods that confine dust
34.2 and debris to the work area.

34.3 Subp. 12. **Emergency renovation.**

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

34.6 (1) the renovation firm certification requirements under part 4620.6050;

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

34.8 and

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

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

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

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

34.16 **4620.6225 CLEANING VERIFICATION AND DUST CLEARANCE SAMPLING.**

34.17 Subpart 1. **Reoccupying a work area.** Before a work area is reoccupied, a certified
34.18 renovation firm must complete cleaning verification or dust clearance sampling according
34.19 to this part. For an exterior work area, a certified renovation firm must complete cleaning
34.20 verification according to subpart 5. For an interior work area, a certified renovation firm
34.21 must:

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

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

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

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

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

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

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

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

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

35.17 (2) comparing the darkest part of the cleaning cloth to the cleaning verification
35.18 card; and

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

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

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

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

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

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

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

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

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

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

36.13 C. If the darkest part of the wet disposable cleaning cloth used under subpart 3 is
36.14 darker than the cleaning verification card, then the horizontal surface is not clean and a
36.15 qualified individual must reclean the horizontal surface according to part 4620.6200, subpart
36.16 9.

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

36.20 E. The wet disposable cleaning cloth must be compared to the cleaning verification
36.21 card.

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

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

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

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

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

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

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

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

37.16 **Subp. 6. Dust clearance sampling.**

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

37.19 B. Dust sampling for clearance purposes must follow the procedures under part
37.20 4761.2670, subpart 3, and documented methodologies under part 4761.2000, subpart 15.

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

37.23 D. Single-surface dust clearance sample results must be less than the applicable
37.24 lead dust standards under part 4761.2510, subpart 2.

E. Composite dust clearance sample results must be less than the lead dust standard under part 4761.2510, subpart 2, which is divided by one-half of the number of subsamples that make up the composite sample.

F. If dust clearance sample results are not less than the standards under items D and E, the person performing renovation must reclean the work area until the dust clearance sample results are below the clearance standards in part 4761.2510, subpart 2.

G. A person performing dust clearance sampling must provide the dust sampling report to the person completing the renovation project report under part 4620.6150 within 30 days of the dust clearance sampling.

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

4620.6250 APPLICATION FOR TRAINING COURSE PERMIT.

Subpart 1. Initial application for a training course permit.

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

- (1) complete an application on a form provided by the commissioner;
- (2) submit a nonrefundable application fee required under Minnesota Statutes, section 144.9505, subdivision 1i, payable to the Minnesota Department of Health; and
- (3) submit the following training course materials at least 60 days before the training course start date:
 - (a) the training course curriculum;
 - (b) a sample daily attendance log required under part 4620.6325;

- 39.1 (c) the instructor manual;
- 39.2 (d) the training course participant manual;
- 39.3 (e) copies of presentation slides used for instruction;
- 39.4 (f) other media used for instruction;
- 39.5 (g) all instructional materials provided to the training course participant;
- 39.6 (h) a sample diploma under part 4620.6275;
- 39.7 (i) all potential questions that might be used in the training course written
39.8 examination with the correct answers identified;
- 39.9 (j) a description of the proportion of the training course written
39.10 examination questions devoted to each major topic in the course;
- 39.11 (k) for courses that include a hands-on training component, a description
39.12 of the hands-on skills evaluation of a training course participant's ability to do work practices;
- 39.13 (l) a description of the training manager's qualifications under part
39.14 4620.6375, subpart 3;
- 39.15 (m) a description of the principal instructor's qualifications under part
39.16 4620.6375, subpart 5;
- 39.17 (n) a description of all training course instructors' qualifications under
39.18 part 4620.6375, subpart 7;
- 39.19 (o) the description of the facility where the training course provider is
39.20 presenting the training course; and
- 39.21 (p) a copy of any enforcement action taken against the training course
39.22 provider by the EPA or a state or tribal lead program.

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

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

40.4 A. The commissioner shall:

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

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

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

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

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

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

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

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

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

40.20 E. includes copies of changes to the written examination required under part
40.21 4620.6375, subpart 10, item F, and all documents and descriptions required under subpart
40.22 1 that have changed since the approved initial permit application, approved renewal
40.23 applications, or approved amended notices under part 4620.6300, subpart 3; and

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

41.2 Subp. 4. Foreign language training course.

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

41.4 (1) meet the requirements under subpart 1;

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

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

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

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

41.13 Subp. 5. Denial of training course permit application.

41.14 A. The commissioner shall deny an application for a training course permit
41.15 according to Minnesota Statutes, section 144.99, subdivision 8.

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

41.18 (1) the reasons for the denial; and

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

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

42.1 **4620.6275 TRAINING COURSE DIPLOMA.**

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

- 42.5 A. the name and address of the training course participant;
42.6 B. a unique numeric identifier;
42.7 C. the training course name that the training course participant completed;
42.8 D. the dates of the training course;
42.9 E. the name, address, and telephone number of the training course provider;
42.10 F. a photograph of the training course participant that is:
42.11 (1) a recognizable image of the individual; and
42.12 (2) no smaller than one inch square reproduced on the diploma;
42.13 G. the location of the training course; and
42.14 H. the statement "Approved by the State of Minnesota under Minnesota Rules,
42.15 parts 4620.6000 to 4620.6475."

42.16 **4620.6300 TRAINING COURSE ADVANCE NOTICE AND AMENDMENTS.**

42.17 Subpart 1. Advance notice of permitted training course. A training course provider
42.18 must submit to the commissioner an advance notice of the date of a permitted training
42.19 course. The advance notice must be:

- 42.20 A. on a form provided by the commissioner;
42.21 B. sent by United States mail, courier, facsimile, or electronic means; and

43.1 C. received by the commissioner at least five days before the start date of the
43.2 training course.

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

43.6 A. on a form provided by the commissioner;

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

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

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

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

43.14 B. The commissioner shall provide written notice of approval or denial under part
43.15 4620.6250, subparts 2 and 5, of new or revised training course material submitted.

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

43.19 D. The commissioner shall approve or deny any material submitted under item C
43.20 according to part 4620.6250, subparts 2 and 5.

43.21 E. A training course provider must receive written approval from the commissioner
43.22 before using new or revised training course material in a permitted training course and
43.23 before allowing new training instructors or managers to instruct or manage a permitted
43.24 training course.

44.1 **4620.6325 ATTENDANCE REQUIREMENTS.**

44.2 A. A training course participant must attend the entire training course as a condition
44.3 for completion of the training course.

44.4 B. A training course provider must:

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

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

44.9 C. The daily attendance log must include:

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

44.12 (2) the name of the training course;

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

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

44.15 (5) the dates of the training course;

44.16 (6) the location where the training course was presented; and

44.17 (7) each training course participant's diploma number.

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

44.20 **4620.6350 ENROLLMENT LIMITS.**

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

45.1 A. the number of training course participants in a class must not exceed 24; and

45.2 B. the training course participant-to-instructor ratio for a hands-on training
45.3 component must not exceed eight to one.

45.4 **4620.6375 TRAINING COURSE CONDITIONS.**

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

45.8 Subp. 2. **Training courses; separate instruction.** Lead renovator and lead sampling
45.9 technician courses must be taught separately.

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

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

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

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

45.20 D. at least two years of experience in managing a training program in
45.21 environmental hazards.

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

45.23 A. A training manager's duties include:

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

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

(3) verifying that a guest presenter's presentation material under part 4620.6375, subpart 9, is specific to the training course topic; and

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

B. A quality control plan must include procedures for:

(1) periodic revision of training course materials; and

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

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

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

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

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

(2) lead sampling technician training course must complete a lead sampling training course approved by the EPA or a state or Tribal program authorized by the EPA,

47.1 except that a lead risk assessor or lead inspector may act as a principal lead or dust sampling
47.2 instructor without further training; and

47.3 C. have demonstrated experience, education, or training in lead or asbestos
47.4 abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or
47.5 industrial hygiene.

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

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

47.9 B. A principal instructor must:

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

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

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

47.14 **Subp. 7. Training course instructor; qualifications.** A training course instructor
47.15 must have:

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

47.18 B. demonstrated experience, education, or training in lead or asbestos abatement,
47.19 painting, carpentry, renovation, remodeling, occupational safety and health, or industrial
47.20 hygiene.

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

47.23 A. presenting the training course materials;

48.1 B. documenting each training course participant's attendance and participation;
48.2 and

48.3 C. evaluating a training course participant's understanding of the training course
48.4 material.

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

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

48.8 B. The guest presenter in attendance must be documented on the daily attendance
48.9 log.

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

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

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

48.16 B. A training course provider must:

48.17 (1) administer the written examination;

48.18 (2) not reveal any portion of the written examination contents to any course
48.19 participant before administering the examination;

48.20 (3) secure the written examination until the written examination is
48.21 administered;

48.22 (4) require that each training course participant takes the examination
48.23 independently and without assistance from other participants or instructors; and

49.1 (5) prohibit all written or electronic material, other than the written
49.2 examination materials, within a course participant's viewing distance.

49.3 C. The written examination for an initial training course and a refresher training
49.4 course must contain questions about applicable state and federal law governing renovation.

49.5 D. A training course participant must achieve a score of 70 percent or greater to
49.6 pass all training course written examinations.

49.7 E. The initial and refresher written examination for a lead renovator and for a lead
49.8 sampling technician must consist of at least 25 multiple choice questions.

49.9 F. A training course provider must submit an updated written examination to the
49.10 commissioner for review upon renewal of the training course permit that:

49.11 (1) replaces existing questions;

49.12 (2) alters the order of questions; or

49.13 (3) alters the answers to questions.

49.14 Subp. 11. **Completion of initial or refresher training course.** To complete an initial
49.15 training course or a refresher training course, a training course participant must:

49.16 A. attend the entire training course;

49.17 B. demonstrate proficiency, as determined by the principal instructor, during the
49.18 hands-on skills assessment of the training course; and

49.19 C. pass a closed-book, written examination that meets the requirements of subpart
49.20 10.

49.21 Subp. 12. **Training course location.** All training courses must be presented in
49.22 Minnesota.

50.1 **4620.6400 TRAINING COURSE CONTENT.**

50.2 Subpart 1. **General.** A training course provider is responsible for meeting the
50.3 requirements of this part.

50.4 Subp. 2. **Incorporating Minnesota and federal law.** A training course provider must
50.5 incorporate Minnesota and federal law into training course material and instruction relating
50.6 to:

50.7 A. regulated lead work according to Minnesota Statutes, sections 144.9501 to
50.8 144.9512;

50.9 B. disposal of waste and wastewater according to chapters 7035 and 7045;

50.10 C. transportation of waste according to chapters 7035 and 7045; and

50.11 D. worker safety and worker protection according to Code of Federal Regulations,
50.12 title 29, section 1926.62.

50.13 Subp. 3. **Incorporating new material into training course.** A training course provider
50.14 must incorporate any new information into training course material as required by the
50.15 commissioner on or before the date of a training course provider's permit renewal for the
50.16 training course requiring new information.

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

50.18 A. An initial lead renovator training course must be a minimum of eight training
50.19 hours.

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

50.21 (1) lectures;

50.22 (2) demonstrations;

50.23 (3) a hands-on skills component; and

51.1 (4) a written examination according to part 4620.6375, subpart 10.

51.2 C. Initial renovator training course instruction must cover:

51.3 (1) the roles and responsibilities of a lead renovator;

51.4 (2) information on lead and its adverse health effects;

51.5 (3) information on lead-based paint and renovation activities including federal,
51.6 state, and local regulations and guidance;

51.7 (4) procedure for using recognized test kits;

51.8 (5) work practices under part 4620.6200;

51.9 (6) visual inspection and cleaning verification under part 4620.6225;

51.10 (7) training for workers; and

51.11 (8) work plan and project report preparation under part 4620.6150.

51.12 Subp. 5. Length and content requirements of initial lead sampling technician
51.13 training course.

51.14 A. An initial lead sampling technician training course must be a minimum of eight
51.15 training hours.

51.16 B. An initial lead sampling technician training course must include:

51.17 (1) lectures;

51.18 (2) demonstrations;

51.19 (3) a hands-on skills component; and

51.20 (4) a written examination according to part 4620.6375, subpart 10.

51.21 C. Initial lead sampling technician training course instruction must cover:

- 52.1 (1) the roles and responsibilities of a lead sampling technician;
- 52.2 (2) information on lead and its adverse health effects;
- 52.3 (3) information on lead-based paint and renovation activities including federal,
- 52.4 state, and local regulations and guidance;
- 52.5 (4) dust clearance sampling methodologies, clearance standards, and clearance
- 52.6 inspection under part 4620.6225, subpart 6; and
- 52.7 (5) dust sampling clearance report preparation under part 4620.6150, subpart
- 52.8 3, item C.

52.9 **Subp. 6. Lead renovator hands-on training component.**

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

52.11 is at least two training hours.

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

- 52.13 (1) demonstration by the instructor of:
- 52.14 (a) disassembling, cleaning, and reassembling of a half-face air purifying
- 52.15 respirator; and
- 52.16 (b) respirator fit checking; and
- 52.17 (2) practice by each training course participant of:
- 52.18 (a) donning and doffing protective clothing;
- 52.19 (b) using a recognized test kit;
- 52.20 (c) work practices under part 4620.6200;
- 52.21 (d) visual inspection and cleaning verification under part 4620.6225;
- 52.22 and

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

53.2 **Subp. 7. Lead sampling technician hands-on training component.**

53.3 A. Initial lead sampling technician training must include a hands-on training
53.4 component that is at least two training hours.

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

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

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

53.9 (3) dust sampling clearance report preparation under part 4620.6150, subpart
53.10 3, item C.

53.11 **Subp. 8. Refresher courses; lead renovator and lead sampling technician.** Refresher
53.12 courses for a lead renovator and a lead sampling technician must:

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

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

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

53.18 D. review federal and state regulations regarding regulated lead work;

53.19 E. review new technologies and methods pertaining to the applicable lead renovator
53.20 or lead sampling technician discipline;

53.21 F. include a hands-on training component; and

53.22 G. include a written examination according to part 4620.6375, subpart 10.

54.1 Subp. 9. **Additional time for a training course.** If additional time is required to
54.2 complete the prescribed instruction of a permitted training course, then the training course
54.3 provider must notify the commissioner under part 4620.6300.

54.4 **4620.6425 RECORD KEEPING FOR A TRAINING COURSE PROVIDER.**

54.5 Subpart 1. **Record retention period.** A training course provider must maintain the
54.6 records under subpart 2 for four years for each training course at the address specified on
54.7 the permit application and make the records under this part available to the commissioner
54.8 upon request.

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

54.10 A. documents that demonstrate the qualifications of all training instructors,
54.11 including the training manager, principal instructor, and other training course instructors
54.12 according to part 4620.6375;

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

54.15 C. current curriculum and training course materials under part 4620.6250, subpart
54.16 1, including any new or revised material in submitted amended notices or renewal
54.17 applications approved by the commissioner;

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

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

54.22 (1) who performs the evaluation;

54.23 (2) how the skills are graded;

54.24 (3) what facilities are used; and

- 55.1 (4) the passing and failure rates;
- 55.2 F. the quality control plan under part 4620.6375, subpart 4, item B;
- 55.3 G. the results of each training course participant's hands-on skills evaluation and
- 55.4 written examination;
- 55.5 H. a record of each training course participant's diploma under part 4620.6275;
- 55.6 and
- 55.7 I. a record of each training course participant's attendance on a daily attendance
- 55.8 log under part 4620.6325.

55.9 Subp. 3. **Change of address.** A training course provider must notify the commissioner,

55.10 in writing, no later than 30 days after changing the address provided as part of the permit

55.11 application under part 4620.6250, subpart 1.

55.12 **4620.6450 ENFORCEMENT.**

55.13 The commissioner shall determine enforcement action for any violation of parts

55.14 4620.6000 to 4620.6475 under Minnesota Statutes, sections 144.989 to 144.993.

55.15 **4620.6475 VARIANCES.**

55.16 The commissioner is authorized to grant a variance to parts 4620.6000 to 4620.6425,

55.17 except applicable numerical standards for the concentrations of lead in paint, dust, and bare

55.18 soil, according to the procedures and criteria in parts 4717.7000 to 4717.7050.

55.19 **4717.7000 VARIANCE REQUEST.**

55.20 Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance

55.21 from the following items:

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

56.1 Q. lead abatement, lead renovation, and lead poisoning prevention, parts 4620.6000
56.2 to 4620.6425, 4761.2000 to 4761.2700, except parts 4761.2000, 4761.2100, 4761.2200,
56.3 4761.2220, and 4761.2510;

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

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