

## Crosswalk: EPA RRP Regulations vs MN RRP Rules **(DRAFT)**

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.80</b>	<p><b>Purpose:</b></p> <p>This subpart contains regulations developed under sections 402 and 406 of the Toxic Substances Control Act (15 U.S.C. 2682 and 2686) and applies to all renovations performed for compensation in target housing and child-occupied facilities. The purpose of this subpart is to ensure the following:</p>	-	No comparable purpose statement.	The applicability section of the MN Rule ( <i>see</i> 4620.6000) is consistent with this purpose statement.
<b>§745.80(a)</b>	Owners and occupants of target housing and child-occupied facilities receive information on lead-based paint hazards before these renovations begin; and	-	No comparable purpose statement.	The pre-renovation education requirements and goals in the MN Rule are consistent ( <i>see</i> 4620.6175).
<b>§745.80(b)</b>	Individuals performing renovations regulated in accordance with §745.82 are properly trained; renovators and firms performing these renovations are certified; and the work practices in §745.85 are followed during these renovations.	-	No purpose statement.	The requirements surrounding training ( <i>see</i> 4620.6075), certification ( <i>see</i> 4620.6050), and work practices ( <i>see</i> 4620.6200) in the MN Rule are consistent.
<b>§745.81</b>	<b>Effective dates.</b>			

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<b>§745.81(a)</b>	<p><i>Training, certification and accreditation requirements and work practice standards.</i></p> <p>The training, certification and accreditation requirements and work practice standards in this subpart are applicable in any State or Indian Tribal area that does not have a renovation program that is authorized under subpart Q of this part. The training, certification and accreditation requirements and work practice standards in this subpart will become effective as follows:</p>	-	No comparable provisions addressing effective dates. The Minnesota RRP program will receive EPA certification and take effect when the MN rule is final.	The requirements surrounding training ( <i>see</i> 4620.6075), certification ( <i>see</i> 4620.6050), and work practices ( <i>see</i> 4620.6200) in the MN Rule are consistent.
<b>§745.81(a)(1)</b>	<p><i>Training programs.</i> Effective June 23, 2008, no training program may provide, offer, or claim to provide training or refresher training for EPA certification as a renovator or a dust sampling technician without accreditation from EPA under §745.225. Training programs may apply for accreditation under §745.225 beginning April 22, 2009.</p>	-	No comparable effective date provision	The MN Rule requires the Commissioner to issue training course permits ( <i>see</i> 4620.6250).
<b>§745.81(a)(2)(i)</b>	<p><i>Firms.</i> Firms may apply for certification under §745.89 beginning October 22, 2009.</p>	-	No comparable effective date provision	The MN Rule requires firm certification ( <i>see</i> 4620.6050).

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<b>§745.81(a)(2)(ii)</b>	On or after April 22, 2010, no firm may perform, offer, or claim to perform renovations without certification from EPA under §745.89 in target housing or child-occupied facilities, unless the renovation qualifies for one of the exceptions identified in §745.82(a) or (c).	-	No comparable effective date provision	The MN Rule requires certified firms to perform renovations in target housing and child-occupied facilities (see 4620.6050), subject to exemptions for certain minor renovations.
<b>§745.81(a)(3)</b>	<i>Individuals.</i> On or after April 22, 2010, all renovations must be directed by renovators certified in accordance with §745.90(a) and performed by certified renovators or individuals trained in accordance with §745.90(b)(2) in target housing or child-occupied facilities, unless the renovation qualifies for one of the exceptions in §745.82(a) or (c).	-	No comparable effective date provision	The MN Rule requires lead renovators to complete training (see 4620.6100) and requires individuals working on renovations to be trained by a lead renovator (see 4620.6075), unless the individuals hold existing state lead worker or supervisor licenses (see 4620.6075).
<b>§745.81(a)(4)(i)</b>	On or after April 22, 2010 and before July 6, 2010 all renovations must be performed in accordance with the work practice standards in § 745.85 and the associated recordkeeping requirements in § 745.86 (b)(6) in target housing or child-occupied facilities, unless the renovation qualifies for one of the exceptions identified in § 745.82(a). This does not apply to renovations in target housing for which the firm performing the renovation has	-	No comparable effective date provision	This EPA rule section is no longer applicable.

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	<p>obtained a statement signed by the owner that the renovation will occur in the owner's residence, no child under age 6 resides there, the housing is not a child-occupied facility, and the owner acknowledges that the work practices to be used during the renovation will not necessarily include all of the lead-safe work practices contained in EPA's renovation, repair, and painting rule. For the purposes of this section, a child resides in the primary residence of his or her custodial parents, legal guardians, and foster parents. A child also resides in the primary residence of an informal caretaker if the child lives and sleeps most of the time at the caretaker's residence.</p>			
<p><b>§745.81(a)(4)(ii)</b></p>	<p>On or after July 6, 2010, all renovations must be performed in accordance with the work practice standards in §745.85 and the associated recordkeeping requirements in §745.86(b)(1) and (b)(6) in target housing or child-occupied facilities, unless the renovation qualifies for the exception identified in §745.82(a).</p>	<p>-</p>	<p>No comparable effective date provision</p>	<p>The MN Rule requirements for recordkeeping (see 4620.6150) are primarily consistent, but some on-site records requirements differ. The MN Rule also has slight changes to address the organization of records in "Work Plans" and "Project Reports." The work practices (see 4620.6200) in the MN Rule are consistent.</p>
<p><b>§745.81(a)(5)</b></p>	<p>The suspension and revocation provisions in §745.91 are effective April 22, 2010.</p>	<p>-</p>	<p>No comparable effective date provision</p>	<p>The MN Rule refers to comparable authority to suspend or revoke licensure,</p>

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				certifications, and permits under existing state law.
<b>§745.81(b)</b>	<i>Renovation-specific pamphlet.</i> Before December 22, 2008, renovators or firms performing renovations in States and Indian Tribal areas without an authorized program may provide owners and occupants with either of the following EPA pamphlets: <i>Protect Your Family From Lead in Your Home</i> or <i>Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools</i> . After that date, <i>Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools</i> must be used exclusively.	-	No comparable effective date provision	The MN Rule pre-renovation education requirements and goals are consistent with current EPA requirements ( <i>see</i> 4620.6175).
<b>§745.81(c)</b>	<i>Pre-Renovation Education Rule.</i> With the exception of the requirement to use the pamphlet entitled <i>Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools</i> , the provisions of the Pre-Renovation Education Rule in this subpart have been in effect since June 1999.	-	No comparable effective date provision	The MN Rule pre-renovation education requirements and goals are consistent with current EPA requirements ( <i>see</i> 4620.6175).
<b>§745.82</b>	<b>Applicability.</b>	<b>4620.6000</b>	<b>GENERAL.</b>	

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<p><b>§745.82(a)</b></p>	<p>This subpart applies to all renovations performed for compensation in target housing and child-occupied facilities, except for the following:</p>	<p>4620.6000, subp. 1</p>	<p>Subpart 1. <b>Applicability.</b></p> <p>A. A person performing renovation is subject to parts 4620.6000 to 4620.6475 if a renovation is performed for compensation and:</p> <ol style="list-style-type: none"> <li>1) disturbs six square feet or more of painted surface in an interior room;</li> <li>2) disturbs 20 square feet or more of painted surface on an exterior surface;</li> <li>3) is less than six square feet in an interior room and involves the use of prohibited work practices under part 4620.6200, subpart 6;</li> <li>4) is less than 20 square feet on exterior surfaces and involves the use of prohibited work practices under part 4620.6200, subpart 6; or</li> <li>5) involves window replacement or any demolition of a painted surface, building component, or portion of a structure.</li> </ol> <p>B. Activities that disturb painted surfaces, other than emergency renovations, performed in the same room within 30 days of another</p>	<p>Applicability is consistent with EPA and incorporates provisions from EPA definition of <i>minor repair and maintenance</i>.</p>

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			activity that disturbs painted surfaces must be considered the same project for the purposes of the applicability criteria in this part.	
<b>§745.82(1)</b>	Renovations in target housing or child-occupied facilities in which a written determination has been made by an inspector or risk assessor (certified pursuant to either Federal regulations at §745.226 or a State or Tribal certification program authorized pursuant to §745.324) that the components affected by the renovation are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams/per square centimeter (mg/cm <sup>2</sup> ) or 0.5% by weight, where the firm performing the renovation has obtained a copy of the determination.	4620.6000, subp. 2(A)	<p><b>Exemptions.</b> A person performing renovation is exempt from parts 4620.6000 to 4620.6475 if:</p> <p>A. a lead inspector or lead risk assessor prepares a written determination that the building components affected by the renovation are free of lead-based paint and the person performing renovation has obtained a copy of the written determination under this item.</p>	Consistent. “Lead-based paint” is defined by the same criteria in the MN Rule definitions (see 4620.6025, subp. 18).
<b>§745.82(2)</b>	Renovations in target housing or child-occupied facilities in which a certified renovator, using an EPA recognized test kit as defined in §745.83 and following the kit manufacturer's instructions, has tested each component affected by the renovation and determined that the components are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 mg/cm <sup>2</sup> or 0.5% by weight. If the components make up an	4620.6000, subp. 2(B)	B. a lead renovator tests each building component affected by the renovation using a recognized test kit and prepares a written determination that building components affected by the renovation are free of lead-based paint. If the building components make up an integrated whole, such as the individual stair treads and risers of a single staircase, the lead renovator is required to test only one	Consistent

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	integrated whole, such as the individual stair treads and risers of a single staircase, the renovator is required to test only one of the individual components, unless the individual components appear to have been repainted or refinished separately.		of the individual components, unless the individual components appear to have been repainted or refinished separately;	
<b>§ 745.83</b>	See below for EPA “Minor Repair and Maintenance Activities” definition.	4620.6000, subp. 2(C)	C. the renovation disturbs less than six square feet of painted surface in an interior room and does not involve any prohibited work practices under part 4620.6200, subpart 6;	Consistent
<b>§ 745.83</b>	See below for EPA “Minor Repair and Maintenance Activities” definition.	4620.6000, subp. 2(D)	D. the renovation disturbs less than 20 square feet of painted surface on an exterior surface and does not involve any prohibited work practices under part 4620.6200, subpart 6; and	Consistent
<b>n/a</b>	See comments column.	4620.6000, subp. 2(E)	E. the renovation consists of the total demolition and disposal of an entire freestanding structure. For purposes of this item, “total demolition” means demolition and disposal of all interior and exterior painted surfaces, including windows. Unpainted foundation building components remaining after total demolition may be reused. Parts 4620.6000 to 4620.6475 rule do not apply to future	<a href="#">EPA Lead-Based Paint Program Frequently Asked Question 23002-15680</a> clarifies that demolition of an entire freestanding structure is not renovation. In addition, question 23002-18426 clarifies that “whole house gut rehabilitation” is not renovation and defines that term in a manner consistent with this part.



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			renovations of properties that have undergone total demolition.	<p>See definition of “Demolition” at part 4620.6025, subp. 11.</p> <p><i>Demolition means any activity that destroys or ruins a painted building component, structure, or portion of a structure.</i></p>
§745.82(a)(3)	<p>Renovations in target housing or child-occupied facilities in which a certified renovator has collected a paint chip sample from each painted component affected by the renovation and a laboratory recognized by EPA pursuant to section 405(b) of TSCA as being capable of performing analyses for lead compounds in paint chip samples has determined that the samples are free of paint or other surface coatings that contain lead equal to or in excess of 1.0 mg/cm<sup>2</sup> or 0.5% by weight. If the components make up an integrated whole, such as the individual stair treads and risers of a single staircase, the renovator is required to test only one of the individual components, unless the individual components appear to have been repainted or refinished separately.</p>	-	No comparable provision	<p>MDH does not allow a lead renovator to collect paint chip samples. Only a lead inspector or a lead risk assessor can perform this task under the MN Residential Lead Abatement Rule, though lead renovators may use recognized test kits.</p> <p>Paint sampling is covered under 144.9501, subd. 18: "Lead inspection" means a surface by surface investigation to determine the presence of lead content of paint and a visual identification of the existence and location of bare soil. MDH doesn't designate paint chip sampling as a definition. Any paint chip sampling is covered by the rule citation listed below.</p>
§745.82(b)	<p>The information distribution requirements in §745.84 do not apply to emergency renovations, which are renovation activities</p>	4620.6200, subp. 12	<b>Emergency renovation.</b>	<p>Consistent. See 4620.6025, subp. 15 for the definition of “emergency renovation.”</p>

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	<p>that were not planned but result from a sudden, unexpected event (such as non-routine failures of equipment) that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment and/or property with significant damage. Interim controls performed in response to an elevated blood lead level in a resident child are also emergency renovations. Emergency renovations other than interim controls are also exempt from the warning sign, containment, waste handling, training, and certification requirements in §§745.85, 745.89, and 745.90 to the extent necessary to respond to the emergency. Emergency renovations are not exempt from the cleaning requirements of §745.85(a)(5), which must be performed by certified renovators or individuals trained in accordance with §745.90(b)(2), the cleaning verification requirements of §745.85(b), which must be performed by certified renovators, and the recordkeeping requirements of §745.86(b)(6) and (b)(7).</p>		<p>A. A renovation activity that is deemed an emergency renovation is exempt to the extent necessary to respond to the emergency from:</p> <ul style="list-style-type: none"> <li>(1) the renovation firm certification requirements under part 4620.6050;</li> <li>(2) the disclosure pamphlet distribution requirements under part 4620.6175; and</li> <li>(3) the work practices under this part, except the cleaning requirements under subparts 8 to 11 and prohibited work practices under subpart 6.</li> </ul> <p>B. Work area cleaning under subparts 8 to 11 must be completed by qualified individuals under part 4620.6075, subpart 1.</p> <p>C. Cleaning verification or optional dust clearance sampling must be performed as described in part 4620.6225.</p> <p>D. The record-keeping requirements under part 4620.6150 must be followed.</p>	<p>“Interim control” requirements are separately addressed in the MN Residential Lead Abatement Rule and Lead Poisoning Prevention Act.</p>

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§745.83	<b>Definitions</b>	<b>4620.6025</b>	<b>DEFINITIONS.</b>	
§745.83	For the purposes of this part, the definitions in §745.103 as well as the following definitions apply.	4620.6025, subp. 1	<b>Scope.</b> The terms used in parts 4620.6000 to 4620.6475 have the meanings given them in this part.	Consistent
§745.83	<b>Administrator</b> means the Administrator of the Environmental Protection Agency.	4620.6025, subp. 8	<b>Commissioner.</b> “Commissioner” means the commissioner of health or the commissioner’s designee.	Consistent
§745.83	<b>Child-occupied facility</b> means <u>a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours.</u> <b>Child-occupied facilities may include, but are not limited to, day care centers, preschools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings.</b> With respect to common areas in public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under	4620.6025, subp. 2	<b>Affected property</b> A. "Affected property" means any of the following properties constructed before 1978:  (1) a single-family dwelling, including:  (a) attached structures, such as an attached porch, stoop, or garage, regardless of construction date;  (b) detached structures and improvements constructed before 1978;  (2) a dwelling unit in a multiunit housing building, including interior and exterior common areas of:  (a) the multiunit housing building;	<b>EPA definition:</b>  <u>Underscored language:</u>  Addressed in definition of “affected property”.  <b>Language in red:</b>  Not specifically addressed in definition of “affected property”, or elsewhere in rule.  <b>Language in blue:</b>  Addressed in definition of “common area”. See definition of “common area” for more detail (See 4620.6025, subp. 9).

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	<p>age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age 6.</p>		<p>(b) attached structures, regardless of construction date;</p> <p>(c) detached structures and improvements constructed before 1978;</p> <p>(3) a building or portion of a building, including interior and exterior common areas, that is visited by the same child at least two days per week, and:</p> <p>(a) the child's combined weekly visits last at least six hours; and</p> <p>(b) the child's combined annual visits last at least 60 hours.</p> <p>B. Affected property does not include:</p> <p>(1) housing for the elderly or persons with disabilities, unless at least one child resides or is expected to reside in the residence;</p> <p>(2) a zero-bedroom residence, unless at least one child resides or is expected to reside in the residence.</p>	<p>The term “affected property” appears twice in MN’s enabling legislation for RRP at Minn. Stat. §§ <a href="#">144.9501, subd. 26b</a> and <a href="#">144.9508, subd. 1(k)</a>. As used in Minnesota Statutes, the term covers both <i>target housing</i> and <i>child-occupied facility</i>.</p>

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§ 745.85(a)(2).	No comparable definition, but the definition is consistent with the work practices in 40 CFR § 745.85(a)(2).	4620.6025, subp. 3	<p><b>Area preparation.</b> “Area preparation” means:</p> <p>A. removing objects from the work area;</p> <p>B. installing work area barriers to isolate objects from the work area; or</p> <p>C. covering and sealing objects and structures in the work area.</p>	New definition consistent with EPA requirements.
§745.83	<b>Cleaning verification card</b> means a card developed and distributed, or otherwise approved, by EPA for the purpose of determining, through comparison of wet and dry disposable cleaning cloths with the card, whether post-renovation cleaning has been properly completed.	4620.6025, subp. 7	<b>Cleaning verification card.</b> “Cleaning verification card” means a card that is developed, distributed and approved by the EPA <b>and used as part of the process for determining if post renovation cleaning is complete.</b>	MDH incorporated suggested revision (in bold) from EPA.
§745.83	<b>Component or building component</b> means specific design or structural elements or fixtures of a building or residential dwelling that are distinguished from each other by form, function, and location. These include, but are not limited to, interior components such as: Ceilings, crown molding, walls, chair rails, doors, door trim, floors, fireplaces, radiators and other heating units, shelves, shelf supports, stair treads,	4620.6025, subp. 4	<b>Building component.</b> “Building component” means interior and exterior design elements, structural elements, or fixtures of an affected property that are distinguished from each other by form, function, and location. Building component includes interior components such as ceilings; crown molding; walls; chair rails; doors; door trim; floors; fireplaces;	Consistent

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	<p>stair risers, stair stringers, newel posts, railing caps, balustrades, windows and trim (including sashes, window heads, jambs, sills or stools and troughs), built in cabinets, columns, beams, bathroom vanities, counter tops, and air conditioners; and exterior components such as: Painted roofing, chimneys, flashing, gutters and downspouts, ceilings, soffits, fascia, rake boards, cornerboards, bulkheads, doors and door trim, fences, floors, joists, lattice work, railings and railing caps, siding, handrails, stair risers and treads, stair stringers, columns, balustrades or stools and troughs, casings, sashes and wells, and air conditioners.</p>		<p>radiators and other heating units; shelves; shelf supports; stair treads; stair risers; stair stringers; newel posts; railing caps; balustrades; windows and trim including sashes, window heads, jambs, sills or stools and troughs; built-in cabinets; columns; beams; bathroom vanities; counter tops; and air conditioners. Building components also include exterior components such as painted roofing, chimneys, flashing, gutters and downspouts, ceilings, soffits, fascias, rake boards, cornerboards, bulkheads, doors and door trim, fences, floors, joists, lattice work, railings and railing caps, siding, handrails, stair risers and treads, stair stringers, columns, balustrades or stools and troughs, casings, sashes and wells, and air conditioners.</p>	
<p>n/a</p>		<p>4620.6025, subp. 6</p>	<p><b>Child.</b> "Child" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 6a.</p>	
<p><a href="#"><u>Small Entity Compliance Guide to Renovate Right: EPA's Lead-Based Paint Renovation, Repair,</u></a></p>	<p><b>Is a renovation performed by a landlord or employees of a property management firm considered a compensated</b></p>	<p>4620.6025, subp. 10</p>	<p><b>Compensation.</b> "Compensation" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 33.</p>	<p>Refers to the statutory definition and means money or other mutually agreed upon form of payment given or received for regulated lead work, including rental</p>

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<a href="#">and Painting Program</a> (p. 16)	<p><b>renovation under EPA’s lead program rules?</b></p> <p>Yes. The receipt of rent payments or salaries derived from rent payments is considered compensation under EPA’s lead program. Therefore, renovation activities performed by landlords or employees of landlords are covered.</p>			payments, rental income, or salaries derived from rental payments.
§745.83	<p><b>Dry disposable cleaning cloth</b> means a commercially available dry, electrostatically charged, white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.</p>	4620.6025, subp. 14	<p><b>Dry disposable cleaning cloth.</b> “Dry disposable cleaning cloth” means a commercially available, dry, electrostatically charged, disposable cloth designed for cleaning hard surfaces such as uncarpeted floor or a countertop.</p>	MDH removed “white.” Dry cloths do not need to be white because they are used in the final cleaning and are not compared to the cleaning verification card per current RRP regulations.
<a href="#">EPA Lead-Based Paint Program Frequently Asked Questions</a>	<p>EPA clarifies throughout its FAQs that demolition that disturbs painted surfaces is covered by RRP, subject to exceptions (also in the MN Rule at 4620.6000) for minor disturbances, and total demolition and whole-house-gut rehabilitation that removes all painted surfaces and windows.</p>	4620.6025, subp. 11	<p><b>Demolition.</b> “Demolition” Demolition means any activity that destroys or ruins a painted building component, structure, or portion of a structure.</p>	MDH added this definition for clarification, as demolition may be total (exempt from RRP) and partial (subject to RRP if it disturbs a sufficient amount of painted surface).
§745.83	<p><b>Firm</b> means a company, partnership, corporation, sole proprietorship or individual doing business, association, or other business entity; a Federal, State,</p>	4620.6025, subp. 5	<p><b>Certified renovation firm.</b> “Certified renovation firm” has the meaning given in Minnesota Statutes, section 144.9501, subdivision 6e.</p>	Refers to the statutory definition and means a person that employs individuals to perform renovation and is certified by the

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	Tribal, or local government agency; or a nonprofit organization.			<p>commissioner under Minn. Stat. § 144.9505.</p> <p><b>Person</b> is defined at 4620.6025, subp. 27.</p> <p><i>"Person"</i> has the meaning given in Minn. Stat. § 326.71, subdivision 8 ("Person" means an individual, body, board, corporation, partnership, proprietorship, joint venture, fund, authority, or similar entity. This term also applies to the state, its political subdivisions, and any boards, commissions, schools, institutions, or authorities created or recognized by them).</p>
§ 745.83	<p>The EPA's "renovation" definition applies only to activities that disturb painted surfaces and incorporates the following list of examples:</p> <p>"The removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to</p>	4620.6025, subp. 13	<b>Disturb.</b> "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.	MN Rule definition based on same definition in WI RRP rules, <a href="#">WI 163.03 (26)</a> . Minn. Stat. § <a href="#">144.9501, subd. 26(b)</a> defines "renovation" but does not include clarifying examples.



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	gain access to attics, planing thresholds to install weather-stripping), and interim controls that disturb painted surfaces.”			
<b>§745.82 (b)</b>	(b) [...] emergency renovations, which are renovation activities that were not planned but result from a sudden, unexpected event (such as non-routine failures of equipment) that, if not immediately attended to, presents a safety or public health hazard, or threatens equipment and/or property with significant damage. [...]	4620.6025, subp. 15	<b>Emergency renovation.</b> "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.	Based, in part, on § 40 CFR 745.82 (b).
<b>§ 763.83</b>	<i>High-efficiency particulate air (HEPA)</i> refers to a filtering system capable of trapping and retaining at least 99.97 percent of all monodispersed particles 0.3 µm in diameter or larger.	4620.6025, subp. 17	<b>HEPA filter.</b> “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.	EPA rule defines a HEPA vacuum as one that uses a HEPA filter, and EPA defines the filter in its asbestos rules.  Same definition is used in the MN Residential Lead Abatement Rules (see part 4761.2000, subp. 25).
<b>§745.83</b>	<b>HEPA vacuum</b> means a vacuum cleaner which has been designed with a high-efficiency particulate air (HEPA) filter as the last filtration stage. A HEPA filter is a filter that is capable of capturing particulates of 0.3 microns with 99.97% efficiency. The	4620.6025, subp. 18	<b>HEPA vacuum.</b> "HEPA vacuum" means a vacuum cleaner that is designed with a HEPA filter as the last filtration stage where all the air drawn into the machine is expelled through the HEPA filter with none of	Consistent  EPA FAQ 23002-20634 states that a shop vacuum fitted with a HEPA filter is not a “HEPA vacuum”.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	vacuum cleaner must be designed so that all the air drawn into the machine is expelled through the HEPA filter with none of the air leaking past it. HEPA vacuums must be operated and maintained in accordance with the manufacturer's instructions.		the air leaking past it. HEPA vacuums must be operated and maintained in accordance with the manufacturer's instructions.	
§745.83	<i>Interim controls</i> means a set of measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs.	-	No comparable provision in MN Rule.	<p>Definition is not used in renovation rules because “renovation” is defined in Minn. Stat. § 144.9501, subd. 26b to exclude lead hazard reduction activities, which follow the Minnesota Lead Poisoning Prevention Act and the Minnesota Residential Lead Abatement Rule. Interim controls are a temporary lead hazard reduction measure.</p> <p>See Minn. Stat. § 144.9501, subd 13a. <b>Interim controls.</b> "Interim controls" means a set of measures intended to temporarily reduce human exposure or likely exposure to known or presumed lead hazards, including specialized cleaning, repairs, maintenance, painting, temporary encapsulation, or enclosure.</p>
Several, including §§ 745.82(a)(1); 745.85(c); 745.90(a)(3)	The EPA references activities that may be performed by a lead inspector, including 40 CFR 745.82 (a)(1) (written determinations that surfaces are free of lead-based paint);	4620.6025, subp. 20	<b>Lead inspector.</b> "Lead inspector" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 19.	Refers to the statutory definition and means a person who is licensed by the commissioner to perform a lead inspection under section 144.9505.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	40 CFR 745.85(c) (optional dust clearance testing); and 40 CFR 745.90(a)(3) (dust sampling activities and training).			
<p><b>Several, including §§ 745.82(a)(1); 745.85(c); 745.90(a)(3)</b></p>	<p>The EPA references activities that may be performed by a lead risk assessor, including 40 CFR 745.82 (a)(1) (written determinations that surfaces are free of lead-based paint); 40 CFR 745.85(c) (optional dust clearance testing); and 40 CFR 745.90(a)(3) (dust sampling activities and training).</p>	<p>4620.6025, subp. 22</p>	<p><b>Lead risk assessor.</b> "Lead risk assessor" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 20c.</p>	<p>Refers to the statutory definition and means an individual who performs lead risk assessments or lead inspections and who has been licensed by the commissioner under section 144.9505 .</p>
<p><b>Several, including §§ 745.85(c); 745.89; 745.90</b></p>	<p>The EPA does not define dust sampling technician, but spells out activities (e.g., 40 CFR 745.85(c)), firm certification requirements for sampling activities (40 CFR 745.89); and training requirements (40 CFR 745.90)</p>	<p>4620.6025, subp. 23</p>	<p><b>Lead sampling technician.</b> "Lead sampling technician" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 22b.</p>	<p>Refers to the statutory definition and means an individual who performs clearance inspections for renovation sites and lead dust sampling for nonabatement sites.</p>
<p><b>§ 745.90(a)(2)</b></p>	<p>Lead abatement “supervisors” may become lead renovators under the EPA rule if they take a refresher renovator training.</p>	<p>4620.6025, subp. 24</p>	<p><b>Lead supervisor.</b> "Lead supervisor" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 22a.</p>	<p>Refers to the statutory definition and means an individual who is responsible for the on-site performance of abatement or interim controls and who has been licensed by the commissioner under section 144.9505.</p> <p>The MN Rule allows these professionals to perform certain activities without further training and abbreviates training</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				requirements for lead supervisors to serve as lead renovators.
§ 745.90(a)(2)	Lead abatement “workers” may become lead renovators under the EPA rule if they take a refresher renovator training.	4620.6025, subp. 25	<b>Lead worker.</b> "Lead worker" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 23.	<p>Refers to the statutory definition and means an individual who performs abatement or interim control work and who has been licensed by the commissioner under section 144.9505.</p> <p>The MN Rule allows these professionals to perform certain activities without further training and abbreviates training requirements for lead workers to serve as lead renovators.</p>
§745.83	<b>Minor repair and maintenance activities</b> are activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by §745.85(a)(3) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface	-	No comparable provision in MN Rule.	<p>Consistent.</p> <p>The content of this definition is used to describe the applicability of the MN Rule. See 4620.6000, subpart 1.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.</p>			
<p><b>§745.83</b></p>	<p><b>Painted surface</b> means a component surface covered in whole or in part with paint or other surface coatings.</p>	<p>4620.6025, subp. 27</p>	<p><b>Painted surface.</b> "Painted surface" means a building component surface covered in whole or in part with paint or other surface coatings, including latex and oil-based paint, stain, varnish, glaze, and sealant.</p>	<p>Consistent. MN Rule adds examples for clarity.</p>
<p><b>§745.83</b></p>	<p><b>Pamphlet</b> means the EPA pamphlet titled <i>Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools</i> developed under section 406(a) of TSCA for use in complying with section 406(b) of TSCA, or any State or Tribal pamphlet approved by EPA pursuant to 40 CFR 745.326 that is developed for the same purpose. This includes reproductions of the pamphlet when copied in full and without revision or deletion of material from the pamphlet (except for the addition or revision of State or local sources of information). Before December 22, 2008, the term "pamphlet" also means any pamphlet developed by EPA under section</p>	<p>4620.6025, subp. 12</p>	<p><b>Disclosure pamphlet.</b> "Disclosure pamphlet" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 8a.</p>	<p>Consistent. Minn. Stat. § 144.9501, subd. 8a ("Disclosure pamphlet" means the EPA pamphlet titled "Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools" developed under section 406(a) of the Toxic Substance Control Act).</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	406(a) of TSCA or any State or Tribal pamphlet approved by EPA pursuant to §745.326.			
§745.83	<b>Person</b> means any natural or judicial person including any individual, corporation, partnership, or association; any Indian Tribe, State, or political subdivision thereof; any interstate body; and any department, agency, or instrumentality of the Federal Government.	4620.6025, subp. 28	<b>Person.</b> "Person" has the meaning given in Minnesota Statutes, section 326.71, subdivision 8.	Consistent. Refers to the statutory definition and means an individual, body, board, corporation, partnership, proprietorship, joint venture, fund, authority, or similar entity. This term also applies to the state, its political subdivisions, and any boards, commissions, schools, institutions, or authorities created or recognized by them.
§745.83	<b>Recognized test kit</b> means a commercially available kit recognized by EPA under §745.88 as being capable of allowing a user to determine the presence of lead at levels equal to or in excess of 1.0 milligrams per square centimeter, or more than 0.5% lead by weight, in a paint chip, paint powder, or painted surface.	4620.6025, subp. 29	<b>Recognized test kit.</b> "Recognized test kit" means a commercially available kit, approved by the EPA under Code of Federal Regulations, title 40, section 745.88, or successor requirements, that allows a user to determine the presence of lead-based paint.	Consistent. Lead-based paint is separately defined and incorporates identical concentrations. See 4620.6025, subp. 19.
§745.83	<b>Renovation</b> means the modification of any existing structure, or portion thereof, that results in the disturbance of painted surfaces, unless that activity is performed as part of an abatement as defined by this part (40 CFR 745.223). The term renovation includes (but is not limited to): The	4620.6025, subp. 30	<b>Renovation.</b> "Renovation" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 26b.	Consistent. Refers to the statutory definition and means: (a) "Renovation" means the modification of any pre-1978 affected property for compensation that results in the disturbance of known or presumed lead-containing painted surfaces defined under section 144.9508, unless

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>removal, modification or repair of painted surfaces or painted components (e.g., modification of painted doors, surface restoration, window repair, surface preparation activity (such as sanding, scraping, or other such activities that may generate paint dust)); the removal of building components (e.g., walls, ceilings, plumbing, windows); weatherization projects (e.g., cutting holes in painted surfaces to install blown-in insulation or to gain access to attics, planing thresholds to install weather-stripping), and interim controls that disturb painted surfaces. A renovation performed for the purpose of converting a building, or part of a building, into target housing or a child-occupied facility is a renovation under this subpart. The term renovation does not include minor repair and maintenance activities.</p>			<p>that activity is performed as lead hazard reduction. A renovation performed for the purpose of converting a building or part of a building into an affected property is a renovation under this subdivision.</p> <p>(b) Renovation does not include minor repair and maintenance activities described in this paragraph. All activities that disturb painted surfaces and are performed within 30 days of other activities that disturb painted surfaces in the same room must be considered a single project when applying the criteria below. Unless the activity involves window replacement or demolition of a painted surface, building component, or portion of a structure, for purposes of this paragraph, "minor repair and maintenance" means activities that disturb painted surfaces totaling:</p> <p>(1) less than 20 square feet (two square meters) on exterior surfaces; or</p> <p>(2) less than six square feet (0.6 square meters) in an interior room.</p> <p>(c) Renovation does not include total demolition of a freestanding structure. For purposes of this paragraph, "total demolition" means demolition and disposal of all interior and exterior painted surfaces,</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				<p>including windows. Unpainted foundation building components remaining after total demolition may be reused.</p> <p>MN Rule has separate definitions for “disturb” and “demolish” to add clarity similar to the EPA definition. “Interim controls” are separately addressed in the MN Residential Lead Abatement Rule and Lead Poisoning Prevention Act.</p>
<p><b>§745.83</b></p>	<p><b>Renovator</b> means an individual who either performs or directs workers who perform renovations. A certified renovator is a renovator who has successfully completed a renovator course accredited by EPA or an EPA-authorized State or Tribal program.</p>	<p>4620.6025, subp. 21</p>	<p><b>Lead renovator.</b> "Lead renovator" has the meaning given in Minnesota Statutes, section 144.9501, subdivision 26c.</p>	<p>Consistent. Based on the statutory definition and means an individual who directs individuals who perform renovations. A lead renovator also performs renovation, surface coating testing, and cleaning verification.</p>
<p><b>§ 745.89</b></p>	<p>EPA requires <b>Authorized Agents</b> to represent the firm through the certification application process.</p>	<p>4620.6025, subp. 31</p>	<p><b>Responsible individual.</b> "Responsible individual" means an individual who has the authority to represent a certified renovation firm in all matters related to certification and is trained as a lead renovator under part 4620.6100.</p>	<p>Consistent. MDH requires designated individual to represent the firm.</p>
<p><b>§§ 745.223</b></p>	<p><b>Accredited training program</b> means a training program that has been accredited by EPA pursuant to 745.225 to provide</p>	<p>4620.6025, subp. 32</p>	<p><b>Training course.</b> "Training course" means an instruction course, permitted by the commissioner, for a</p>	<p>Minn. Stat. § 144.9505 requires training courses to receive a “permit,” which is</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	training for individuals engaged in lead-based paint activities.		lead renovator or a lead sampling technician.	consistent with the EPA accreditation requirement.
§745.83	<b>Training hour</b> means at least 50 minutes of actual learning, including, but not limited to, time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and hands-on experience.	4620.6025, subp. 33	<b>Training hour.</b> "Training hour" means at least 50 minutes of instruction, including time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and hands-on training components.	Consistent
§745.83	<b>Vertical containment</b> means a vertical barrier consisting of plastic sheeting or other impermeable material over scaffolding or a rigid frame, or an equivalent system of containing the work area. Vertical containment is required for some exterior renovations but it may be used on any renovation.	4620.6025, subp. 34	<b>Vertical containment.</b> "Vertical containment" means a vertical barrier consisting of plastic sheeting or other disposable, impermeable material over scaffolding or a rigid frame to contain the work area.	Consistent
§745.83	<b>Wet disposable cleaning cloth</b> means a commercially available, pre-moistened white disposable cloth designed to be used for cleaning hard surfaces such as uncarpeted floors or counter tops.	4620.6025, subp. 35	<b>Wet disposable cleaning cloth.</b> "Wet disposable cleaning cloth" means a commercially available, premoistened, disposable cloth that is white and designed for cleaning hard surfaces such as an uncarpeted floor or a countertop.	Consistent
§745.83	<b>Wet mopping system</b> means a device with the following characteristics: A long handle, a mop head designed to be used with	4620.6025, subp. 36	<b>Wet mopping system.</b> "Wet mopping system" means a device with a long handle, a mop head designed for use	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	disposable absorbent cleaning pads, a reservoir for cleaning solution, and a built-in mechanism for distributing or spraying the cleaning solution onto a floor, or a method of equivalent efficacy.		with disposable cleaning pads, a reservoir for cleaning solution, and a built-in mechanism for spraying the cleaning solution onto a floor.	
<b>§745.83</b>	<b>Work area</b> means the area that the certified renovator establishes to contain the dust and debris generated by a renovation.	4620.6025, subp. 37	<b>Work area.</b> "Work area" means an area that a lead renovator establishes to contain the dust and debris generated by a renovation. There may be more than one work area in the renovation of an affected property.	Consistent, and clarifies that some renovation sites include multiple work areas.
<b>§ 745.85(a)(2)</b>	EPA does not define "work area barrier," but imposes requirements to contain and isolate the work area with impermeable barriers, including through vertical containment and by covering doors, floors, windows, objects, and air ducts.	4620.6025, subp. 38	<b>Work area barrier.</b> "Work area barrier" means a barrier constructed of plastic sheeting or other disposable, impermeable material to separate and isolate a work area, including a vertical containment, containment walls used to isolate an interior work area, and a barrier installed over doors, floors, windows, objects, structures, building components, and air passageways.	New definition consistent with EPA requirements.
<b>§ 745.86(c)(3);</b> <a href="#">EPA Sample Recordkeeping Checklist</a>	The EPA does not use the terminology "work plan," but provides an optional recordkeeping checklist that collects largely the same fields.	4620.6025, subp. 39	<b>Work plan.</b> "Work plan" means the plan developed and used by a certified renovation firm to identify and describe the renovation site, specific work areas, and work practices used in a renovation project.	New definition. Like EPA, MDH will prepare a sample work plan that firms can use to meet the work plan requirement.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			A work plan may be written or electronic.	
§ 745.84	With certain exceptions, 40 CFR 745.84 requires a written acknowledgement from the recipient of a disclosure pamphlet.	4620.6025, subp. 40	<b>Written acknowledgment.</b> "Written acknowledgment" means documentation that a disclosure pamphlet was delivered to the owner or the adult occupant of an affected property to be renovated.	Consistent.  New definition based on requirements in §40 CFR 745.84.
	<b>Subpart F—Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property</b>			
§ 745.103	<b>Definitions.</b>	<b>4620.6025</b>	<b>Definitions.</b>	
§ 745.103	The following definitions apply to this subpart.	4620.6025, subp. 1	<b>Scope.</b> The terms used in parts 4620.6000 to 4620.6475 have the meanings given them in this part.	Consistent
§ 745.103	<b>The Act</b> means the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Agent</b> means any party who enters into a contract with a seller or lessor, including any party who enters into a contract with a representative of the seller or lessor, for	-	n/a	Term not relevant to RRP.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	the purpose of selling or leasing target housing. This term does not apply to purchasers or any purchaser's representative who receives all compensation from the purchaser.			
§ 745.103	<b>Available</b> means in the possession of or reasonably obtainable by the seller or lessor at the time of the disclosure.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Common area</b> means a portion of a building generally accessible to all residents/users including, but not limited to, hallways, stairways, laundry and recreational rooms, playgrounds, community centers, and boundary fences.	4620.6025, subp. 9	<b>Common area.</b> “Common area” means a portion of a building or exterior area that is generally accessible to all residential occupants, including a hallway, stairway, laundry or recreational room, play area, community area, garage, or boundary fence. In buildings containing a child-occupied facility, the child-occupied facility includes only those areas routinely used by children, such as a restroom, 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.	Consistent.  MDH added language to address common areas in a child-occupied facility (see 745.83 for definition of child-occupied facility).
§ 745.103	<b>Contract for the purchase and sale of residential real property</b> means any	-	n/a	Term not relevant to RRP.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	contract or agreement in which one party agrees to purchase an interest in real property on which there is situated one or more residential dwellings used or occupied, or intended to be used or occupied, in whole or in part, as the home or residence of one or more persons.			
§ 745.103	<b>EPA</b> means the Environmental Protection Agency.	4620.6025, subp. 16	<b>EPA.</b> "EPA" means the United States Environmental Protection Agency.	Consistent
§ 745.103	<b>Evaluation</b> means a risk assessment and/or inspection.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Foreclosure</b> means any of the various methods, statutory or otherwise, known in different jurisdictions, of enforcing payment of a debt, by the taking and selling of real property.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Housing for the elderly</b> means retirement communities or similar types of housing reserved for households composed of one or more persons 62 years of age or more at the time of initial occupancy.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>HUD</b> means the U.S. Department of Housing and Urban Development.	-	n/a	Term not relevant to RRP.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§ 745.103	<p><b>Inspection</b> means:</p> <p>(1) A surface-by-surface investigation to determine the presence of lead-based paint as provided in section 302(c) of the Lead-Based Paint Poisoning and Prevention Act [42 U.S.C. 4822], and</p> <p>(2) The provision of a report explaining the results of the investigation.</p>	-	n/a	MN rule does not use this term, but the Lead Poisoning Prevention Act contains a consistent definition, which is thus incorporated in the rule. (See 4620.6025, subp. 20).
§ 745.103	<p><b>Lead-based paint</b> means paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight.</p>	4620.6025, subp. 19	<b>Lead-based paint.</b> "Lead-based paint" has the meaning given in Minnesota Rules, part 4761.2510, subpart 1.	Consistent.  <a href="#">MN Rules, part 4761.2510</a> addresses lead standards in paint, dust, soil and water.
§ 745.103	<p><b>Lead-based paint hazard</b> means any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by the appropriate Federal agency.</p>	-	n/a	Term not relevant to RRP.
§ 745.103	<p><b>Lessee</b> means any entity that enters into an agreement to lease, rent, or sublease</p>	-	n/a	Term not relevant to RRP.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	target housing, including but not limited to individuals, partnerships, corporations, trusts, government agencies, housing agencies, Indian tribes, and nonprofit organizations.			
§ 745.103	<b>Lessor</b> means any entity that offers target housing for lease, rent, or sublease, including but not limited to individuals, partnerships, corporations, trusts, government agencies, housing agencies, Indian tribes, and nonprofit organizations.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Owner</b> means any entity that has legal title to target housing, including but not limited to individuals, partnerships, corporations, trusts, government agencies, housing agencies, Indian tribes, and nonprofit organizations, except where a mortgagee holds legal title to property serving as collateral for a mortgage loan, in which case the owner would be the mortgagor.	4620.6025, subp. 26	<b>Owner.</b> "Owner" means any person that has legal title to an affected property. Owner also includes a mortgagor, as defined by Minnesota Statutes, section 507.401, subdivision 1, paragraph (f), but does not include a mortgagee, as defined by Minnesota Statutes, section 507.401, subdivision 1, paragraph (d), that holds legal title to an affected property for the sole purpose of securing a mortgage.	Consistent, but incorporates pre-existing concepts in Minnesota Statutes.
§ 745.103	<b>Purchaser</b> means an entity that enters into an agreement to purchase an interest in target housing, including but not limited to individuals, partnerships, corporations, trusts, government agencies, housing	-	n/a	Term not relevant to RRP.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	agencies, Indian tribes, and nonprofit organizations.			
§ 745.103	<b>Reduction</b> means measures designed to reduce or eliminate human exposure to lead-based paint hazards through methods including interim controls and abatement.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Residential dwelling</b> means:  (1) A single-family dwelling, including attached structures such as porches and stoops; or  (2) A single-family dwelling unit in a structure that contains more than one separate residential dwelling unit, and in which each such unit is used or occupied, or intended to be used or occupied, in whole or in part, as the residence of one or more persons.	-	n/a	Term not relevant to RRP.
§ 745.103	<b>Risk assessment</b> means an on-site investigation to determine and report the existence, nature, severity, and location of lead-based paint hazards in residential dwellings, including:	-	n/a	Term not relevant to RRP.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>(1) Information gathering regarding the age and history of the housing and occupancy by children under age 6;</p> <p>(2) Visual inspection;</p> <p>(3) Limited wipe sampling or other environmental sampling techniques;</p> <p>(4) Other activity as may be appropriate; and</p> <p>(5) Provision of a report explaining the results of the investigation.</p>			
<p><b>§ 745.103</b></p>	<p><b>Secretary</b> means the Secretary of Housing and Urban Development.</p>	<p>-</p>	<p>n/a</p>	<p>Term not relevant to RRP.</p>
<p><b>§ 745.103</b></p>	<p><b>Seller</b> means any entity that transfers legal title to target housing, in whole or in part, in return for consideration, including but not limited to individuals, partnerships, corporations, trusts, government agencies, housing agencies, Indian tribes, and nonprofit organizations.</p> <p>The term “seller” also includes:</p>	<p>-</p>	<p>n/a</p>	<p>Term not relevant to RRP.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>(1) An entity that transfers shares in a cooperatively owned project, in return for consideration; and</p> <p>(2) An entity that transfers its interest in a leasehold, in jurisdictions or circumstances where it is legally permissible to separate the fee title from the title to the improvement, in return for consideration.</p>			
<p><b>§ 745.103</b></p>	<p><b>Target housing</b> means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling.</p>	<p>4620.6025, subp. 2</p>	<p><b>Affected property</b></p> <p>A. "Affected property" means any of the following properties constructed before 1978:</p> <p>(1) a single-family dwelling, including:</p> <p>(a) attached structures, such as an attached porch, stoop, or garage, regardless of construction date;</p> <p>(b) detached structures and improvements constructed before 1978;</p> <p>(2) a dwelling unit in a multiunit housing building, including interior and exterior common areas of:</p> <p>(a) the multiunit housing building;</p>	<p>The term "affected property" appears twice in MN's enabling legislation for RRP at Minn. Stat. §§ <a href="#">144.9501, subd. 26b</a> and <a href="#">144.9508, subd. 1(k)</a>. As used in Minnesota Statutes, the term covers both <i>target housing</i> and <i>child-occupied facility</i>.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(b) attached structures, regardless of construction date;</p> <p>(c) detached structures and improvements constructed before 1978;</p> <p>(3) a building or portion of a building, including interior and exterior common areas, that is visited by the same child at least two days per week, and:</p> <p>(a) the child's combined weekly visits last at least six hours; and</p> <p>(b) the child's combined annual visits last at least 60 hours.</p> <p>B. Affected property does not include:</p> <p>(1) housing for the elderly or persons with disabilities, unless at least one child resides or is expected to reside in the residence;</p> <p>(2) a zero-bedroom residence, unless at least one child resides or is expected to reside in the residence.</p>	
<p><b>§ 745.103</b></p>	<p><i>TSCA</i> means the Toxic Substances Control Act, 15 U.S.C. 2601.</p>	<p>-</p>	<p>n/a</p>	<p>Term not relevant to RRP.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§ 745.103	<b>0-bedroom dwelling</b> means any residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.	-	n/a	Definition of “affected property” excludes 0-bedroom dwelling.
§745.84	<b>Information distribution requirements.</b>	<b>4620.6175</b>	<b>DISCLOSURE PAMPHLET; DISTRIBUTION REQUIREMENTS.</b>	
§745.84(a)  §745.84(a)(1)	<b>Renovations in dwelling units.</b> No more than 60 days before beginning renovation activities in any residential dwelling unit of target housing, the firm performing the renovation must:  Provide the owner of the unit with the pamphlet, and comply with one of the following:	4620.6175, subp. 1(A)	<b>Owner of a dwelling or dwelling unit; notice requirement.</b> A certified renovation firm performing a renovation in an affected property under part 4620.6025, subpart 2, item A, subitems (1) and (2) must:  A. provide the owner of the affected property being renovated with a disclosure pamphlet no more than 60 days before renovation work begins; and	Consistent
§745.84(a)(1)(i)	Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet.	4620. 6175, subp. 1(B)	B. obtain a written acknowledgment confirming that the owner of the affected property being renovated	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			has received the disclosure pamphlet; or	
<b>§745.84(a)(2)(ii)</b>	Obtain a certificate of mailing at least 7 days prior to the renovation.	4620. 6175, subp. 1(C)	C. obtain a certificate of mailing confirming that the owner of the affected property being renovated was sent the disclosure pamphlet at least seven days before renovation begins.	Consistent
<b>§745.84(2)</b>	In addition to the requirements in paragraph (a)(1) of this section, if the owner does not occupy the dwelling unit, provide an adult occupant of the unit with the pamphlet, and comply with one of the following:	4620.6175, subp. 2(A)(1)	<p><b>Adult occupant of a dwelling or dwelling unit; notice requirement.</b></p> <p>A. A certified renovation firm performing renovation in an affected property under part 4620.6025, subpart 2, item A, subitems (1) and (2), must:</p> <p>(1) provide the adult occupant of the affected property being renovated with the disclosure pamphlet no more than 60 days before the renovation begins; and [...]</p>	Consistent
<b>§745.84(2)(i)</b>	Obtain, from the adult occupant, a written acknowledgment that the occupant has received the pamphlet; or certify in writing that a pamphlet has been delivered to the dwelling and that the firm performing the	4620. 6175, subp. 2 (A)(2), (B); subp. 10	A. A certified renovation firm performing renovation must in an affected property under part 4620.6025, subpart 2, item, must: [...]	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>renovation has been unsuccessful in obtaining a written acknowledgment from an adult occupant. Such certification must include the address of the unit undergoing renovation, the date and method of delivery of the pamphlet, names of the persons delivering the pamphlet, reason for lack of acknowledgment (e.g., occupant refuses to sign, no adult occupant available), the signature of a representative of the firm performing the renovation, and the date of signature.</p>		<p>(2) obtain a written acknowledgment confirming that the adult occupant of the affected property being renovated has received the disclosure pamphlet; or [...]</p> <p>B. If the certified renovation firm has not obtained a written acknowledgment from the adult occupant under item A, then the certified renovation firm must prepare a certification under subpart 10 stating that a disclosure pamphlet was delivered to the address of the affected property undergoing renovation.</p> <p>Subp. 10. <b>Written acknowledgment; certification.</b> A certified renovation firm performing renovation must certify in writing when it has not obtained a written acknowledgment from an adult occupant or an adult representative. The certification must include:</p> <p>A. the address of the affected property unit undergoing renovation;</p> <p>B. the date the disclosure pamphlet was delivered;</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>C. the method of delivery of the disclosure pamphlet;</p> <p>D. the name of the person delivering the disclosure pamphlet;</p> <p>E. the reason for lack of acknowledgment; and</p> <p>F. the signature and date of the responsible individual of the certified renovation firm performing the renovation.</p>	
<p><b>§745.84(2)(ii)</b></p>	<p>Obtain a certificate of mailing at least 7 days prior to the renovation.</p>	<p>4620. 6175, subp. 2(A)(3)</p>	<p><b>Adult occupant of a dwelling or dwelling unit; notice requirement.</b></p> <p>A.A certified renovation firm performing a renovation in an affected property under part 4620.6025, subpart 2, item A, subitems (1) and (2), must: [...]</p> <p>(3) obtain a certificate of mailing confirming that the adult occupant of the affected property being renovated was sent the disclosure pamphlet at least seven days before renovation begins.</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.84(b)	<b>Renovations in common areas.</b> No more than 60 days before beginning renovation activities in common areas of multi-unit target housing, the firm performing the renovation must:	4620. 6175, subp. 3	<b>Common area of multiunit housing; disclosure pamphlet requirements.</b> No more than 60 days before renovation work begins in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm performing a renovation must:	Consistent
§745.84(b)(1)	Provide the owner with the pamphlet, and comply with one of the following:	4620. 6175, subp. 3(A)	A. provide the owner of the affected property undergoing renovation with a disclosure pamphlet; and	Consistent
§745.84(b)(1)(i)	Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet.	4620. 6175, subp. 3(B)	B. obtain a written acknowledgment confirming that the owner of the affected property undergoing renovation has received a disclosure pamphlet; or	Consistent
§745.84(b)(1)(ii)	Obtain a certificate of mailing at least 7 days prior to the renovation.	4620. 6175, subp. 3(C)	C. obtain a certificate of mailing confirming that the owner of the affected property undergoing renovation was sent a disclosure pamphlet at least seven days before renovation begins.	Consistent
§745.84(b)(2)(i)	<i>Comply with one of the following.</i>  Notify in writing, or ensure written notification of, each affected unit and make	4620. 6175, subp. 4(B);	<b>Common area of multiunit housing; general notice requirements.</b> No more than 60 days before renovation work begins in a common area of an	Consistent, with language addressing the specific records requirements in the MN Rule.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>the pamphlet available upon request prior to the start of renovation. Such notification shall be accomplished by distributing written notice to each affected unit. The notice shall describe the general nature and locations of the planned renovation activities; the expected starting and ending dates; and a statement of how the occupant can obtain the pamphlet and a copy of the records required by §745.86(c) and (d), at no cost to the occupants, or</p>	<p>4620. 6175, subp. 5(A)(B)</p>	<p>affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm performing renovation must: [...]</p> <p>B. provide written notice under subpart 5 to all units of an affected property undergoing renovation; or [...]</p> <p><b>Written notice requirement; common area of multiunit housing.</b> When providing written notice under subpart 4, item B, a certified renovation firm performing renovation in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), must comply with the requirements of this subpart.</p> <p>A. A certified renovation firm must:</p> <ul style="list-style-type: none"> <li>(1) distribute written notice to each affected unit; and</li> <li>(2) make the disclosure pamphlet available upon request before the start of renovation.</li> </ul> <p>B. The written notice must:</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(1) describe the general nature and location of the planned renovation;</p> <p>(2) include the start and end dates of the planned renovation; and</p> <p>(3) include a statement describing how an adult occupant, parent, or guardian can obtain, at no cost:</p> <p>(a) a disclosure pamphlet;</p> <p>(b) a copy of the work plan under part 4620. 6150, subpart 2;</p> <p>(c) a copy of the project report under part 4620. 6150, subpart 3; and</p> <p>(d) a copy of the dust sampling report under part 4620. 6150, subpart 3, item C, if applicable.</p>	
<p><b>§745.84(b)(2)(ii)</b></p>	<p>While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they are likely to be seen by the occupants of all of the affected units. The signs must be accompanied by a posted copy of the pamphlet or information on how interested</p>	<p>4620. 6175, subp. 4(C)</p>	<p><b>Common area of multiunit housing; general notice requirements.</b> No more than 60 days before renovation work begins in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm performing renovation must: [...]</p>	<p>Consistent, with language addressing specific records requirements in the MN Rule.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>occupants can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to occupants. The signs must also include information on how interested occupants can review a copy of the records required by §745.86 (c) and (d) or obtain a copy from the renovation firm at no cost to the occupants.</p>	<p>4620. 6175, subp. 6</p>	<p>C. post informational signs under subpart 6.</p> <p><b>Informational sign requirements common area of multiunit housing.</b> When posting informational signs under subpart 4, item C, a certified renovation firm performing renovation in a common area of an affected property under 4620.6025, subpart 2, item A, subitem (2), must comply with the requirements in this subpart. Informational signs must:</p> <p>A. include the nature and locations of the planned renovation;</p> <p>B. include the start and end dates of the planned renovation;</p> <p>C. be displayed in a prominent location within the public viewing area;</p> <p>D. remain posted for the duration of the renovation;</p> <p>E. include a posted copy of the disclosure pamphlet or information describing how an occupant can obtain a copy of the disclosure</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>pamphlet at no cost to the occupant; and</p> <p>F. include a statement describing how an occupant may obtain, at no cost to the occupant:</p> <p>(1) a copy of the work plan under part 4620.6150, subpart 2;</p> <p>(2) a copy of the project report under 4620. 6150, subpart 3; and</p> <p>(3) a copy of the dust sampling report under part 4620. 6150, subpart 3, item C.</p>	
<p><b>§745.84(3)</b></p>	<p>Prepare, sign, and date a statement describing the steps performed to notify all occupants of the intended renovation activities and to provide the pamphlet.</p>	<p>4620. 6175, subp. 4(A)</p>	<p><b>Common area of multiunit housing; general notice requirements.</b> No more than 60 days before renovation work begins in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm performing renovation must:</p> <p>A. prepare, sign, and date a statement describing the steps performed to:</p> <p>(1) notify all occupants of the planned renovation; and</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			(2) provide the disclosure pamphlet; and either	
§745.84(b)(4)	If the scope, locations, or expected starting and ending dates of the planned renovation activities change after the initial notification, and the firm provided written initial notification to each affected unit, the firm performing the renovation must provide further written notification to the owners and occupants providing revised information on the ongoing or planned activities. This subsequent notification must be provided before the firm performing the renovation initiates work beyond that which was described in the original notice.	4620. 6175, subp. 5(C), subp. (6)(G)	<p><b>Written notice requirement; common area of multiunit housing.</b>                      When providing written notice under subpart 4, item A, a certified renovation firm performing renovation in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), must comply with the requirements of this subpart. [...]</p> <p>C. If the scope, location, or start and end dates of the planned renovation change after written notice under item B is distributed, then the certified renovation firm performing the renovation must:</p> <p>(1) provide additional written notice to the owner, adult occupant, and affected units containing revised information about the ongoing or planned renovation; and</p> <p>(2) provide the additional written notice before the certified renovation firm performing the renovation initiates work beyond that described</p>	Consistent.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>in the original written notice under item B.</p> <p><b>Informational sign requirements; common area of multiunit housing.</b> When posting informational signs under subpart 4, item C, a certified renovation firm performing renovation in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), must comply with the requirements in this subpart. Informational signs must: [...]</p> <p>G. be updated if the scope, location, or start and end dates of the planned renovation change by revising the information about the ongoing or planned renovation before the certified renovation firm performing the renovation initiates work beyond that described in the informational signs.</p>	
<p><b>§745.84(c)</b></p>	<p><b>Renovations in child-occupied facilities.</b> No more than 60 days before beginning renovation activities in any child-occupied facility, the firm performing the renovation must:</p>	<p>4620. 6175, subp. 7(A)</p>	<p>Subp. 7. <b>Child-occupied facility; disclosure pamphlet.</b></p> <p>A. No more than 60 days before renovation work begins in a child-occupied facility, a certified</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			renovation firm performing renovation must:	
§745.84(c)(1)(i)	Provide the owner of the building with the pamphlet, and comply with one of the following:	4620. 6175, subp. 7(A)(1)	(1) provide the owner of a child-occupied facility undergoing renovation with a disclosure pamphlet; and	Consistent
§745.84(c)(1)(i)(A)	Obtain, from the owner, a written acknowledgment that the owner has received the pamphlet.	4620. 6175, subp. 7(A)(2)	(2) obtain a written acknowledgment confirming that the owner of the child-occupied facility undergoing renovation has received the disclosure_pamphlet; or	Consistent
§745.84(c)(1)(i)(B)	Obtain a certificate of mailing at least 7 days prior to the renovation.	4620. 6175, subp. 7(A)(3)	(3) obtain a certificate of mailing confirming that the owner of the child-occupied facility undergoing renovation was sent a disclosure pamphlet at least seven days before renovation begins.	Consistent
§745.84(c)(1)(ii)	If the child-occupied facility is not the owner of the building, provide an adult representative of the child-occupied facility with the pamphlet, and comply with one of the following:	4620. 6175, subp. 7(B)	<b>Child-occupied facility; disclosure pamphlet. [...]</b>  B. If the operator of the child-occupied facility is not the owner of the child-occupied facility, then a certified renovation firm performing renovation must obtain:	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.84(c)(1)(ii)(A)</b></p>	<p>Obtain, from the adult representative, a written acknowledgment that the adult representative has received the pamphlet; or</p> <p>certify in writing that a pamphlet has been delivered to the facility and that the firm performing the renovation has been unsuccessful in obtaining a written acknowledgment from an adult representative. Such certification must include the address of the child-occupied facility undergoing renovation, the date and method of delivery of the pamphlet, names of the persons delivering the pamphlet, reason for lack of acknowledgment (e.g., representative refuses to sign), the signature of a representative of the firm performing the renovation, and the date of signature.</p>	<p>4620. 6175, subps. 7(B)(1) and (C); 9; 10.</p>	<p>B. If the operator of the child-occupied facility is not the owner of the child-occupied facility, then a certified renovation firm performing renovation must obtain:</p> <p>(1) a written acknowledgment under subparts 9 and 10 from an adult representative of the child-occupied facility; or [...]</p> <p>C. If a certified renovation firm performing renovation has not obtained a written acknowledgment from the adult representative of the child-occupied facility under item B, subitem (1), then the certified renovation firm performing renovation must prepare a certification under subpart 10 stating that a disclosure pamphlet was delivered to the child-occupied facility undergoing renovation.</p> <p><i>See also</i> 4620.6175, subp. 9 (written acknowledgment content) and 10 (certification when written acknowledgement cannot be obtained).</p>	<p>Consistent</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.84(c)(1)(ii)(B)</b>	Obtain a certificate of mailing at least 7 days prior to the renovation.	4620. 6175, subp. 7(B)(2)	<p>Subp. 7. <b>Child-occupied facility; disclosure pamphlet.</b> [...]</p> <p>(B) If the operator of the child-occupied facility is not the owner of the child-occupied facility, then a certified renovation firm performing renovation must obtain: [...]</p> <p>(2) a certificate of mailing confirming that the adult representative of the child-occupied facility undergoing renovation was sent a disclosure pamphlet at least seven days before renovation begins.</p>	Consistent
<b>§745.84(2)</b>	Provide the parents and guardians of children using the child-occupied facility with the pamphlet, information describing the general nature and locations of the renovation and the anticipated completion date, and information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the records required by §745.86(c) and (d) or obtain a copy from the renovation firm at no cost to the occupants by complying with one of the following:	4620. 6175, subp. 8(A)	<p><b>Child-occupied facility; information; parents; guardians.</b></p> <p>A. No more than 60 days before renovation work begins in a child-occupied facility, a certified renovation firm performing renovation must provide the parents or guardians of children using the child-occupied facility with:</p> <p>(1) a disclosure pamphlet; and</p> <p>(2) written notice under subpart 5, item B.</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.84(2)(i)	Mail or hand-deliver the pamphlet and the renovation information to each parent or guardian of a child using the child-occupied facility.	4620. 6175, subp. 8(B)(1)	<p>B. A certified renovation firm performing renovation must comply with item A by:</p> <p>(1) distributing the disclosure pamphlet and written notice to each parent or guardian of a child using the child-occupied facility; or [...]</p>	Consistent
§745.84(2)(ii)	While the renovation is ongoing, post informational signs describing the general nature and locations of the renovation and the anticipated completion date. These signs must be posted in areas where they can be seen by the parents or guardians of the children frequenting the child-occupied facility. The signs must be accompanied by a posted copy of the pamphlet or information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the pamphlet or obtain a copy from the renovation firm at no cost to the parents or guardians. The signs must also include information on how interested parents or guardians of children frequenting the child-occupied facility can review a copy of the records required by §745.86(c) and (d) or	<p>4620.6175, subp. 8(B)(2)</p> <p>4620. 6175, subp. 6(A)-(F)</p>	<p>B.A certified renovation firm performing renovation must comply with item A by:</p> <p>(2) posting informational signs that contain the information in subpart 6, items A to F.</p> <p><b>Informational sign requirements; common area of multiunit housing.</b> When posting informational signs under subpart 4, item C, a certified renovation firm performing renovation in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), must comply with the requirements in this subpart. Informational signs must:</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>obtain a copy from the renovation firm at no cost to the parents or guardians.</p>		<p>A. include the nature and locations of the planned renovation;</p> <p>B. include the start and end dates of the planned renovation;</p> <p>C. be displayed in a prominent location within the public viewing area;</p> <p>D. remain posted for the duration of the renovation;</p> <p>E. include a posted copy of the disclosure pamphlet or information describing how an occupant can obtain a copy of the disclosure pamphlet at no cost to the occupant;</p> <p>F. include a statement describing how an occupant may obtain, at no cost to the occupant:</p> <p>(1 ) a copy of the work plan under 4620.6150, subpart 2;</p> <p>(2) a copy of the project report under part 4620. 6150, subpart 3; and</p> <p>(3) a copy of the dust sampling report under part 4620. 6150, subpart 3, item C; and</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>G. be updated if the scope, location, or start and end dates of the planned renovation change by revising the information about the ongoing or planned renovation before the certified renovation firm performing the renovation initiates work beyond that described in the informational signs.</p>	
<p><b>§745.84(3)</b></p>	<p>The renovation firm must prepare, sign, and date a statement describing the steps performed to notify all parents and guardians of the intended renovation activities and to provide the pamphlet.</p>	<p>4620. 6175, subp. 8(C)(1)(2)</p>	<p><b>Child-occupied facility; information; parents; guardians.</b></p> <p>C. A certified renovation firm performing renovation must prepare, sign, and date a statement describing the steps performed to:</p> <p>(1) notify all parents or guardians of children using the child-occupied facility of the planned renovation; and</p> <p>(2) provide the disclosure pamphlet to all parents or guardians of children using the child-occupied facility.</p>	<p>Consistent</p>
<p><b>§745.84(d)</b></p>	<p><b>Written acknowledgment.</b> The written acknowledgments required by paragraphs (a)(1)(i), (a)(2)(i), (b)(1)(i), (c)(1)(i)(A), and (c)(1)(ii)(A) of this section must:</p>	<p>4620. 6175, subp. 9(A)</p>	<p><b>Written acknowledgment; content.</b></p> <p>A. A written acknowledgment required under this part must include:</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.84(d)(1)</b></p>	<p>Include a statement recording the owner or occupant's name and acknowledging receipt of the pamphlet prior to the start of renovation, the address of the unit undergoing renovation, the signature of the owner or occupant as applicable, and the date of signature.</p>	<p>4620. 6175, subp. 9(A)(1)-(5)</p>	<p><b>Written acknowledgment; content.</b></p> <p>A. A written acknowledgment required under this part must include:</p> <p>(1) a statement that the owner, the adult occupant, or the adult representative acknowledges the receipt of the disclosure pamphlet;</p> <p>(2) the name of the owner, the adult occupant, or the adult representative;</p> <p>(3) the signature of the owner, the adult occupant, or the adult representative acknowledging the receipt of the disclosure pamphlet;</p> <p>(4) the date of the signature of the owner, the adult occupant, or the adult representative;</p> <p>(5) the address of the affected property undergoing renovation.</p>	<p>Consistent</p>
<p><b>§745.84(d)(2)</b></p>	<p>Be either a separate sheet or part of any written contract or service agreement for the renovation.</p>	<p>4620. 6175 subp. 9(C)</p>	<p><b>Written acknowledgment; content.</b></p> <p>C. A written acknowledgment required under this part must be either a separate document or part of</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			a written contract or service agreement for the renovation.	
<b>§745.84(d)(3)</b>	Be written in the same language as the text of the contract or agreement for the renovation or, in the case of non-owner occupied target housing, in the same language as the lease or rental agreement or the pamphlet.	4620. 6175, subp. 9(B)(1)(2)	<b>Written acknowledgment; content.</b> B. A written acknowledgment required under this part must be written in the same language as the text of:  (1) the contract or service agreement for an adult occupant or adult representative for the renovation; or  (2) the lease or rental agreement, or the disclosure pamphlet.	Consistent
<b>§745.85</b>	<b>Work Practice Standards.</b>	<b>4620.6200</b>		
<b>§745.85(a)</b>	<i>Standards for renovation activities.</i> Renovations must be performed by certified firms using certified renovators as directed in §745.89. The responsibilities of certified firms are set forth in §745.89(d) and the responsibilities of certified renovators are set forth in §745.90(b).	4620.6200	<i>Rule addresses work practice responsibilities of firms, renovators, and other workers throughout work practices rule. See specific requirements below for more information.</i>	Consistent renovator responsibilities, and the work practices rule also makes clear that individuals (in addition to firms) can be held responsible for failure to follow work practices within their training and scope of work.
<b>§745.85(a)(1)</b>	<i>Occupant protection.</i> Firms must post signs clearly defining the work area and warning	4620.6200, subp. 1	<b>Posting the work area.</b> A person performing renovation must post	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>occupants and other persons not involved in renovation activities to remain outside of the work area. To the extent practicable, these signs must be in the primary language of the occupants. These signs must be posted before beginning the renovation and must remain in place and readable until the renovation and the post-renovation cleaning verification have been completed. If warning signs have been posted in accordance with 24 CFR 35.1345(b)(2) or 29 CFR 1926.62(m), additional signs are not required by this section.</p>		<p>warning signs according to this subpart.</p> <p>A. Warning signs must:</p> <p>(1) comply with Code of Federal Regulations, title 24, section 35.1345(b)(2) and Code of Federal Regulations, title 29, section 1926.62, paragraph (m)(1)(i), or successor requirements; or</p> <p>(2) clearly define the work area and warn occupants and other persons not involved in renovation activities to remain outside of the work area. To the extent practicable, warning signs must be written in the primary language of the occupants.</p> <p>B. The warning signs must be posted at the approaches to the work area before area preparation begins.</p> <p>C. Warning signs must remain posted until cleaning verification or dust clearance sampling under part 4620.6225 is complete.</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.85(a)(2)</b></p>	<p><b>Containing the work area.</b> Before beginning the renovation, the firm must isolate the work area so that no dust or debris leaves the work area while the renovation is being performed. In addition, the firm must maintain the integrity of the containment by ensuring that any plastic or other impermeable materials are not torn or displaced, and taking any other steps necessary to ensure that no dust or debris leaves the work area while the renovation is being performed. The firm must also ensure that containment is installed in such a manner that it does not interfere with occupant and worker egress in an emergency.</p>	<p>4620.6200, subp. 2</p> <p>4620.6200, subp. 11</p>	<p><b>Isolating the work area.</b> Before any painted surface is disturbed during an interior or exterior renovation, a person performing renovation must isolate the work area by installing a work area barrier so that no dust or debris leaves the work area. Work area barriers must not impede occupant and worker egress in an emergency.</p> <p><b>Confining dust and debris to the work area.</b> A person performing renovation must ensure that all individuals, including the individuals' clothing and exposed skin, and all equipment, tools, materials, and other items that will not be disposed of as waste under subpart 7 are free of dust and debris before leaving the work area. Methods of removing dust and debris from individuals or items before leaving the work area must include one or more of the following: HEPA vacuums, wet cleaning wipes, showers, handwashing stations, and other wet cleaning methods; removable coveralls or work clothing; or other equivalent methods or</p>	<p>Consistent, with detailed examples for clarity.</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			combinations of methods that confine dust and debris to work area.	
§745.85(a)(2)(i)	<i>Interior renovations.</i> The firm must:	4620.6200, subp. 3	<b>Work area barriers; interior renovations.</b> A person performing an interior renovation must install work area barriers and complete area preparation according to this subpart.	Consistent
§745.85(a)(2)(i)(A)	Remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting or other impermeable material with all seams and edges taped or otherwise sealed.	4620.6200, subp. 3(A)(1)	<b>Work area barriers; interior renovations.</b>  A. Before disturbing painted surfaces, a person performing an interior renovation must:  (1) remove and isolate objects from the work area using containment walls under item B, or cover objects in the work area with at least one layer of plastic sheeting or other disposable, impermeable material that is securely fastened to achieve an airtight seal around the object;	Consistent
§745.85(a)(2)(i)(B)	Close and cover all ducts opening in the work area with taped-down plastic sheeting or other impermeable material.	4620.6200, subp. 3(A)(2)	<b>Work area barriers; interior renovations.</b>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>A. Before disturbing painted surfaces, a person performing an interior renovation must:</p> <p>(2) cover any openings in the heating, ventilating, and air conditioning systems with plastic sheeting or other disposable impermeable material that is securely fastened to achieve an airtight seal around the opening; [...]</p>	
<p><b>§745.85(a)(2)(i)(C)</b></p>	<p>Close windows and doors in the work area. Doors must be covered with plastic sheeting or other impermeable material. Doors used as an entrance to the work area must be covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area.</p>	<p>4620.6200, subp. 3 (A)(3)(4)</p>	<p><b>Work area barriers; interior renovations.</b></p> <p>A. Before disturbing painted surfaces, a person performing an interior renovation must:</p> <p>(3) close windows and doors in the work area, and cover all doors or openings not used as an entrance to the work area with plastic sheeting or other disposable, impermeable material that is securely fastened to achieve an airtight seal over the opening;</p> <p>(4) seal doors used as an entrance to the work area with plastic sheeting or other disposable, impermeable material in a manner that allows</p>	<p>Consistent</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			workers to pass through while confining dust and debris to the work area;	
§745.85(a)(2)(i)(D)	Cover the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater. Floor containment measures may stop at the edge of the vertical barrier when using a vertical containment system consisting of impermeable barriers that extend from the floor to the ceiling and are tightly sealed at joints with the floor, ceiling and walls.	4620. 6200, subp. 3 (A)(5)(6)(7), (B)	<p><b>Work area barriers; interior renovations.</b></p> <p>A. Before disturbing painted surfaces, a person performing an interior renovation must:</p> <p>(5) cover floors with at least one layer of plastic sheeting or other disposable, impermeable material that is securely fastened to achieve an airtight seal to the floor and all adjoining walls, surfaces, or work area barriers;</p> <p>(6) extend and seal the disposable, impermeable floor material to any containment walls under item B within six feet of the perimeter of the surfaces undergoing renovation; and</p> <p>(7) except when sealed to a containment wall under subitem (6), extend the disposable, impermeable floor material six feet beyond the perimeter of the surfaces undergoing renovation or a sufficient distance to</p>	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
		<p>4620.6200, subp. 3(B)(1)-(4)</p>	<p>contain the dust, whichever is greater.</p> <p>B. Containment walls may be used to isolate and reduce the size of the interior work area. If used, containment walls must meet the following requirements:</p> <p>(1) containment walls must be constructed of at least one layer of plastic sheeting or other disposable, impermeable material;</p> <p>(2) any entrance to the work area in a containment wall must be sealed with plastic sheeting or other disposable, impermeable material in a manner that allows workers to pass through while confining the dust and debris to the work area;</p> <p>(3) except entrances under subitem (2), containment walls may not have openings between the work area and nonwork area; and</p> <p>(4) containment walls must be securely fastened to achieve an airtight seal to the plastic sheeting or other disposable, impermeable floor</p>	

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			material, the ceiling, and all adjoining surfaces or work area barriers.	
n/a	See comments.	4620.6200, subp. 3(C)	<p><b>Work area barriers; interior renovations.</b></p> <p>C. Any holes or tears in the plastic sheeting or other disposable, impermeable material used under items A or B must be repaired immediately.</p>	4620.6200, subp. 3(C) is not expressly required in §745.85(a)(2)(i)(D), but the EPA does require “impermeable” barriers and barriers with holes or tears do not meet this requirement. This clarification is derived from <a href="#">HUD guidance</a> .
§745.85(a)(2)(i)(E)	Use precautions to ensure that all personnel, tools, and other items, including the exteriors of containers of waste, are free of dust and debris before leaving the work area.	4620.6200, subp. 11	<p><b>Confining dust and debris to the work area.</b> A person performing renovation must ensure that all individuals, including the individuals’ clothing and exposed skin, and all equipment, tools, materials, and other items that will not be disposed of as waste under subpart 7 are free of dust and debris before leaving the work area. Methods of removing dust and debris from individuals or items before leaving the work area must include one or more of the following: HEPA vacuums, wet cleaning wipes, showers, handwashing stations, and other wet cleaning methods; removable coveralls or work clothing; or other equivalent methods or</p>	Consistent, but includes examples of methods that may be used to ensure workers and materials are free of dust and debris.

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			combinations of methods that confine dust and debris to work area.	
§745.85(a)(2)(ii)	<i>Exterior renovations.</i> The firm must:	4620.6200, subp. 4	<b>Work area barriers; exterior renovations.</b> A person performing an exterior renovation must install work area barriers according to this subpart.	Consistent  <i>*The language in subpart 4 is re-written to better align with up-to-date EPA RRP requirements and to incorporate a previous EPA review comment</i>
§745.85(a)(2)(ii)(A)	Close all doors and windows within 20 feet of the renovation. On multi-story buildings, close all doors and windows within 20 feet of the renovation on the same floor as the renovation, and close all doors and windows on all floors below that are the same horizontal distance from the renovation.	4620.6200, subp. 4(A)(B)	<b>Work area barriers; exterior renovations.</b>  A. All doors and windows must be closed that are within 20 feet of the exterior work area.  B. On all floors of a multistory building-undergoing renovation, all doors and windows within the area of the renovation must be closed. All doors and windows on floors below the area of the renovation must also be closed. For purposes of this subpart, "area of the renovation" means the area within 20 feet of any exterior renovation.	Consistent.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.85(a)(2)(ii)(B)	Ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area.	4620.6200, subp. 4(C)	<p><b>Work area barriers; exterior renovations.</b></p> <p>C. Doors within the work area that are used as an entrance must be sealed with plastic sheeting or other disposable, impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area.</p>	Consistent
§745.85(a)(2)(ii)(C)	Cover the ground with plastic sheeting or other disposable impermeable material extending 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents 10 feet of such ground covering. Ground containment measures may stop at the edge of the vertical barrier when using a vertical containment system.	4620.6200, subp. 4(D), (G)	<p><b>Work area barriers; exterior renovations.</b></p> <p>D. The ground must be covered with at least one layer of plastic sheeting or other disposable, impermeable material that extends ten feet beyond the perimeter of the surfaces undergoing renovation to collect falling paint debris, or a greater distance if ten feet does not collect falling paint and debris. The plastic sheeting or other disposable, impermeable material must extend to the property line if the property line prevents ten feet of ground covering.</p> <p>G. Ground containment measures, including plastic sheeting or other</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			disposable, impermeable material, may stop at the edge of the vertical barrier when using a vertical containment.	
n/a	See comments.	4620.6200, subp. 4(E), (H)	<p>E. The plastic sheeting or other disposable, impermeable material must be sealed to the side of the building so that no gaps exist between the plastic sheeting or other disposable, impermeable material and the building undergoing renovation.</p> <p>H. Any holes or tears in the plastic sheeting or other disposable, impermeable material used to install exterior work area barriers must be repaired immediately.</p>	<p>4620.6200, subp. 4(E) is not expressly required in §745.85(a)(2)(ii)(C). However, the EPA rule requires measures to confine dust and debris to the work area. To meet this requirement, the MN lead abatement rule similarly requires plastic sheeting to be sealed to the side of buildings to ensure debris is contained by plastic material. See 4761.2650, subp. 4.</p> <p>4620.6200, subp. 4(H) is not expressly required in §745.85(a)(2)(ii)(C). This requirement is derived from <a href="#">HUD guidance</a> and the EPA requirement that containment materials be “impermeable.”</p>
§745.85(a)(2)(ii)(D)	If the renovation will affect surfaces within 10 feet of the property line, the renovation firm must erect vertical containment or equivalent extra precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate adjacent buildings or migrate to adjacent properties. Vertical containment or equivalent extra	4620.6200, subp. 4(F)	F. A vertical containment must be installed if the renovation affects surfaces that are within ten feet of the property line and may be installed in other situations to prevent contamination of other areas of the property or adjacent properties or buildings.	Consistent



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	precautions in containing the work area may also be necessary in other situations in order to prevent contamination of other buildings, other areas of the property, or adjacent buildings or properties.			
§745.85(a)(3)	<b>Prohibited and restricted practices.</b> The work practices listed below are prohibited or restricted during a renovation as follows:	4620.6200, subp. 6	<b>Prohibited work practices.</b> The use of the following work practices are prohibited during any renovation:	Consistent
§745.85(a)(3)(i)	Open-flame burning or torching of painted surfaces is prohibited.	4620.6200, subp. 6(A)	<b>Prohibited work practices.</b> A. open-flame burning or torching on painted surfaces;	Consistent
§745.85(a)(3)(ii)	The use of machines designed to remove paint or other surface coatings through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, is prohibited on painted surfaces unless such machines have shrouds or containment systems and are equipped with a HEPA vacuum attachment to collect dust and debris at the point of generation. Machines must be operated so that no visible dust or release of air occurs outside the shroud or containment system.	4620.6200, subp. 6(D)	<b>Prohibited work practices.</b> D. powered-machine methods designed to remove lead-based paint through high-speed operation, unless the machines are equipped with manufacturer-designed shrouds or a HEPA vacuum attachment to collect dust and debris at the point of generation; and	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.85(a)(3)(iii)	Operating a heat gun on painted surfaces is permitted only at temperatures below 1,100 degrees Fahrenheit.	4620.6200, subp. 6(B)	<p><b>Prohibited work practices.</b></p> <p>B. heat guns operating at 1100 degrees Fahrenheit or higher on painted surfaces;</p>	Consistent
n/a	See comments.	4620.6200, subp. 6(C), (E)	<p><b>Prohibited work practices.</b></p> <p>C. chemical strippers containing methylene chloride;</p> <p>E. dry vacuuming, unless the vacuum cleaner used for dry vacuuming is a HEPA vacuum specifically designed for hazardous materials.</p>	<p>4620.6200, subp. 6(C) is not prohibited in §745.85(a)(3). The MN lead abatement rule prohibits use of this probable human carcinogen. See 4761.2620, item C.</p> <p>4620.6200, subp. 6(D) is not expressly prohibited in §745.85(a)(3), but the EPA rule (§ 745.85) implies this result by requiring HEPA vacuums to be used for cleaning. The MN lead abatement rule similarly prohibits other types of dry vacuuming, which increases the likelihood of dust and debris migration in the absence of a HEPA filter.</p>
§745.85(a)(4)(i) – (iii)	<p><b>Waste from renovations—</b></p> <p>(i) Waste from renovation activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal. If a chute is used to remove waste from the work area, it must be covered.</p>	4620.6200, subp. 7	<p><b>Waste management.</b></p> <p>A. For purposes of this part:</p> <p>(1) “waste” means paint chips; debris; dust; wastewater; used disposable cleaning equipment; or used cleaning materials that cannot be cleaned to remove dust, debris, or residue; and</p>	Consistent with §745.85(a)(4)(i) and Minnesota waste handling and disposal requirements. This section was developed with input from the Minnesota Pollution Control Agency.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>(ii) At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored under containment, in an enclosure, or behind a barrier that prevents release of dust and debris out of the work area and prevents access to dust and debris.</p> <p>(iii) When the firm transports waste from renovation activities, the firm must contain the waste to prevent release of dust and debris.</p>		<p>other renovation waste. Other examples of waste include used plastic sheeting or other disposable, impermeable material; used HEPA filters; used protective clothing; used respirators or face masks; and used gloves; and</p> <p>(2) "gooseneck knot" means a method of sealing a waste containment bag to prevent the contents of the bag from spilling, leaking, or falling out when the bag is inverted</p> <p>B. A person performing renovation must:</p> <p>(1) prevent the release of dust and debris before the waste is removed from the work area for storage and disposal by:</p> <p>(a) collecting and containing the waste in a bag that is three-mil thickness or greater, sealing the bag with a gooseneck knot, and cleaning the exterior of the bag with a HEPA vacuum; or</p> <p>(b) wrapping and sealing the waste in plastic sheeting or other</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>disposable, impermeable material and cleaning the exterior with a HEPA vacuum; and</p> <p>(2) at the end of each work day, store the collected waste from the renovation activity in a manner that prevents unauthorized access to the waste.</p> <p>C. If a chute is used to remove waste from the work area, it must be covered.</p>	
<p><b>§745.85(a)(5)</b></p>	<p><b><i>Cleaning the work area.</i></b> After the renovation has been completed, the firm must clean the work area until no dust, debris or residue remains.</p>	<p>4620.6200, subp. 8</p>	<p><b>Work area cleaning.</b> After renovation work is complete, a person performing renovation must:</p> <p>A. remove all work area barriers according to subpart 10; and</p> <p>B. clean the work area until no dust, debris, or residue remains.</p>	<p>Consistent</p>
<p><b>§745.85(a)(5)(i)</b></p>	<p><b><i>Interior and exterior renovations.</i></b> The firm must:</p>	<p>4620.6200, subps. 7, 8, 9, 10.</p>	<p>Several rule parts in the MN rule reflect requirements for collecting waste and removing work area barriers used for interior and exterior renovations.</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.85(a)(5)(i)(A)	Collect all paint chips and debris and, without dispersing any of it, seal this material in a heavy-duty bag.	4620.6200, subp. 7 (B)(1)(a) - (b)	<p><b>Waste management.</b></p> <p>B. A person performing renovation must:</p> <p>(1) prevent the release of dust and debris before the waste is removed from the work area for storage and disposal by:</p> <p>(a) collecting and containing the waste in a bag that is three-mil thickness or greater, sealing the bag with a gooseneck knot, and cleaning the exterior of the bag with a HEPA vacuum; or</p> <p>(b) wrapping and sealing the waste in plastic sheeting or other disposable, impermeable material and cleaning the exterior with a HEPA vacuum; and</p>	Consistent.
§745.85(a)(5)(i)(B)	Remove the protective sheeting. Mist the sheeting before folding it, fold the dirty side inward, and either tape shut to seal or seal in heavy-duty bags. Sheeting used to isolate contaminated rooms from non-contaminated rooms must remain in place until after the cleaning and removal of	4620.6200, subp. 10	<p><b>Removing interior and exterior work area barriers.</b> A person performing renovation must remove interior and exterior work area barriers following the order in items A to C.</p> <p>A. All work area barriers must be removed by:</p>	<p>Consistent</p> <p>MN Rule has the equivalent requirement – stepped process is established for clarity.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>other sheeting. Dispose of the sheeting as waste.</p>		<p>(1) misting the work area barriers with water; and</p> <p>(2) folding the work area barriers dirty side inward.</p> <p>B. Work area barriers must be stored and disposed of as waste under subpart 7. Work area barriers that are folded and sealed in an airtight manner that fully contains all dust and debris do not need to be sealed in a separate bag or container under subpart 7. Dust, debris, and residue must be removed from sealed work area barriers before removal from the work area.</p> <p>C. Work area barriers used to isolate the work area from nonwork areas must remain in place until after the cleaning and removal of all other work area barriers and waste.</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.85(a)(5)(ii)</b></p>	<p><b>Additional cleaning for interior renovations.</b> The firm must clean all objects and surfaces in the work area and within 2 feet of the work area in the following manner, cleaning from higher to lower:</p>	<p>4620.6200, subp. 9</p> <p>4620.6200, subp. 11</p>	<p><b>Interior work area cleaning.</b> A person performing renovation must:</p> <p>A. clean all building components and surfaces in an interior work area and within two feet of the interior work area by using a HEPA vacuum, a wet mopping system, or wet methods; and</p> <p>B. dispose of waste, including cleaning waste and wastewater.</p> <p><b>Subp. 11. Confining dust and debris to the work area.</b> A person performing renovation must ensure that all individuals, including the individuals' clothing and exposed skin, and all equipment, tools, materials, and other items that will not be disposed of as waste required under subpart 7 are free of dust and debris before leaving the work area. Methods of removing dust and debris from individuals or items before leaving the work area must include one or more of the following: HEPA vacuums, wet cleaning wipes, showers, handwashing stations, and other wet cleaning methods; removable coveralls or work clothing; or other equivalent methods or</p>	<p>Consistent. MN rule is performance based and does not require cleaning from higher to lower.</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			combinations of methods that confine dust and debris to work area.	
<b>De§745.85(a)(5)(ii)(A)</b>	<i>Walls.</i> Clean walls starting at the ceiling and working down to the floor by either vacuuming with a HEPA vacuum or wiping with a damp cloth.	4620.6200, subps. 9, 11	<i>Follow subparts 9, 11</i>	Consistent, but phrasing is performance based.
<b>§745.85(a)(5)(ii)(B)</b>	<i>Remaining surfaces.</i> Thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum. The HEPA vacuum must be equipped with a beater bar when vacuuming carpets and rugs.	4620.6200, subps. 9, 11	<i>Follow subparts 9, 11</i>	Consistent, but phrasing is performance based.
<b>§745.85(a)(5)(ii)(C)</b>	Wipe all remaining surfaces and objects in the work area, except for carpeted or upholstered surfaces, with a damp cloth. Mop uncarpeted floors thoroughly, using a mopping method that keeps the wash water separate from the rinse water, such as the 2-bucket mopping method, or using a wet mopping system.	4620.6200, subps. 9, 11	<i>Follow subparts 9, 11</i>	Consistent, but phrasing is performance based.
<b>n/a</b>	See comments.	4620.6200, subp. 5	<b>Use of water.</b> Except when disturbing paint near electrocution hazards, such as live electrical outlets, a person performing renovation must mist or dampen all painted surfaces to be disturbed during renovation to	4620.6200, subp. 5 is not required in § 745.85, but page 19 of <a href="#">EPA's Steps to Lead Safe Renovation, Repair, and Painting</a> urges the use of wet methods and notes that wet





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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>B. If dust, debris, or residue are still present, then a lead renovator or qualified individual must remove the dust, debris, or residue by recleaning.</p> <p>C. After completing the recleaning under item B, a lead renovator must conduct a visual inspection of the work area under items A and B.</p>	
<p><b>§745.85(b)(ii)</b></p>	<p>After a successful visual inspection, a certified renovator must:</p>	<p>4620.6225, subp. 3</p>	<p><b>Cleaning verification; interior work area.</b></p> <p>For the purpose of this part, a “horizontal surface” means windowsills, uncarpeted floors, countertops, and other similar horizontal surfaces. Following the visual inspection under subpart 2, a lead renovator performing a cleaning verification for an interior renovation must:</p>	<p>Consistent</p>
<p><b>§745.85(b)(ii)(A)</b></p>	<p>Verify that each windowsill in the work area has been adequately cleaned, using the following procedure.</p>	<p>4620.6225, subp. 3(A)</p>	<p>A. verify that each windowsill in the interior work area is free of dust and debris by:</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.85(b)(ii)(A)(1)	Wipe the windowsill with a wet disposable cleaning cloth that is damp to the touch. If the cloth matches or is lighter than the cleaning verification card, the windowsill has been adequately cleaned.	4620.6225, subp. 3, (A)(1)(2)(3)  4620.6225, subp. 4(A)(B)	<p><b>Cleaning verification; interior work area.</b></p> <p>A. verify that each windowsill in the interior work area is free of dust and debris by:</p> <p>(1) wiping the entire surface of the windowsill with a new wet disposable cleaning cloth;</p> <p>(2) comparing the darkest part of the cleaning cloth to the cleaning verification card; and</p> <p>(3) following the cleaning verification card procedure under subpart 4;</p> <p><b>Cleaning verification card procedure.</b></p> <p>A. A lead renovator performing a cleaning verification in an interior renovation must use an unexpired cleaning verification card and follow items B to H in order.</p> <p>B. If the darkest part of the wet disposable cleaning cloth used under subpart 3 matches or is lighter than the cleaning verification card, then the horizontal surface is clean.</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.85(b)(ii)(A)(2)</b></p>	<p>If the cloth does not match and is darker than the cleaning verification card, re-clean the windowsill as directed in paragraphs (a)(5)(ii)(B) and (a)(5)(ii)(C) of this section, then either use a new cloth or fold the used cloth in such a way that an unused surface is exposed, and wipe the surface again. If the cloth matches or is lighter than the cleaning verification card, that windowsill has been adequately cleaned.</p>	<p>4620.6225, subp.4(C), (D), (E), (F)</p>	<p><b>Cleaning verification card procedure.</b></p> <p>C. If the darkest part of the wet disposable cleaning cloth used under subpart 3 is darker than the cleaning verification card, then the horizontal surface is not clean and a qualified individual must reclean the horizontal surface according to part 4620.6200, subpart 9.</p> <p>D. After completing the recleaning in item C, a lead renovator must rewipe the entire horizontal surface that failed the cleaning verification card procedure with a new wet disposable cleaning cloth.</p> <p>E. The wet disposable cleaning cloth must be compared to the cleaning verification card.</p> <p>F. If the darkest part of the wet disposable cleaning cloth matches or is lighter than the cleaning verification card, then the horizontal surface is clean.</p>	<p>Consistent</p>
<p><b>§745.85(b)(ii)(A)(3)</b></p>	<p>If the cloth does not match and is darker than the cleaning verification card, wait for</p>	<p>4620.6225, subp.4(G)</p>	<p>G. If the darkest part of the wet disposable cleaning cloth used is</p>	<p>Consistent</p>

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	1 hour or until the surface has dried completely, whichever is longer.		darker than the cleaning verification card, then the horizontal surface is not clean and a lead renovator must wait one hour or until the surface is dry, whichever is longer.	
<b>§745.85(b)(ii)(A)(4)</b>	After waiting for the windowsill to dry, wipe the windowsill with a dry disposable cleaning cloth. After this wipe, the windowsill has been adequately cleaned.	4620.6225, subp.4(H)	H. A lead renovator must rewipe the dry horizontal surface with a dry disposable cleaning cloth to be considered clean.	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.85(b)(ii)(B)</b></p>	<p>Wipe uncarpeted floors and countertops within the work area with a wet disposable cleaning cloth. Floors must be wiped using an application device with a long handle and a head to which the cloth is attached. The cloth must remain damp at all times while it is being used to wipe the surface for post-renovation cleaning verification. If the surface within the work area is greater than 40 square feet, the surface within the work area must be divided into roughly equal sections that are each less than 40 square feet. Wipe each such section separately with a new wet disposable cleaning cloth. If the cloth used to wipe each section of the surface within the work area matches the cleaning verification card, the surface has been adequately cleaned.</p>	<p>4620.6225, subp. 3(B)</p>	<p><b>Cleaning verification; interior work area.</b></p> <p>B. verify that each additional horizontal surface in the interior work area is free of dust and debris by:</p> <p>(1) dividing the surface area into roughly equal sections of 40 square feet or less, if the surface area exceeds 40 square feet;</p> <p>(2) wiping each 40-square-foot section using a new wet disposable cleaning cloth, which may be attached to a wet mopping system;</p> <p>(3) comparing the cleaning cloth to the cleaning verification card; and</p> <p>(4) following the cleaning verification card procedure under subpart 4; and</p> <p><b>Cleaning verification card procedure.</b></p> <p>A. A lead renovator performing a cleaning verification in an interior renovation must use an unexpired cleaning verification card and follow items B to H in order.</p>	<p>Consistent, but phrasing is performance based.</p>

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		4620.6225, subp.4(A)(B)	B. If the darkest part of the wet disposable cleaning cloth used under subpart 3 matches or is lighter than the cleaning verification card, then the horizontal surface is clean.	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.85(b)(ii)(B)(1)</b></p>	<p>If the cloth used to wipe a particular surface section does not match the cleaning verification card, re-clean that section of the surface as directed in paragraphs (a)(5)(ii)(B) and (a)(5)(ii)(C) of this section, then use a new wet disposable cleaning cloth to wipe that section again. If the cloth matches the cleaning verification card, that section of the surface has been adequately cleaned.</p>	<p>4620.6225, subp. 3(B)</p>	<p><b>Cleaning verification; interior work area.</b></p> <p>B. verify that each additional horizontal surface in the interior work area is free of dust and debris by:</p> <p>(1) dividing the surface area into roughly equal sections of 40 square feet or less, if surface area exceeds 40 square feet;</p> <p>(2) wiping each 40-square-foot section with a new wet disposable cleaning cloth, which may be attached to a wet mopping system;</p> <p>(3) comparing the cleaning cloth to the cleaning verification card; and</p> <p>(4) following the cleaning verification card procedure under subpart 4; and</p> <p><b>Cleaning verification card procedure.</b></p> <p>C. If the darkest part of the wet disposable cleaning cloth used under subpart 3 is darker than the cleaning verification card, then the horizontal surface is not clean and a qualified individual must reclean the horizontal</p>	<p>Consistent</p>



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		4620.6225, subp.4(C), (D), (E), (F)	<p>surface according to part 4620.6200, subpart 9.</p> <p>D. After completing the recleaning in item C, a lead renovator must rewipe the entire horizontal surface that failed the cleaning verification card procedure with a new wet disposable cleaning cloth.</p> <p>E. The wet disposable cleaning cloth must be compared to the cleaning verification card.</p> <p>F. If the darkest part of the wet disposable cleaning cloth matches or is lighter than the cleaning verification card, then the horizontal surface is clean.</p>	
<b>§745.85(b)(ii)(B)(2)</b>	If the cloth used to wipe a particular surface section does not match the cleaning verification card after the surface has been re-cleaned, wait for 1 hour or until the entire surface within the work area has dried completely, whichever is longer.	4620.6225, subp.4(G)	G. If the darkest part of the wet disposable cleaning cloth used is darker than the cleaning verification card, then the horizontal surface is not clean and a lead renovator must wait one hour or until the surface is dry, whichever is longer.	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.85(b)(ii)(B)(3)	After waiting for the entire surface within the work area to dry, wipe each section of the surface that has not yet achieved post-renovation cleaning verification with a dry disposable cleaning cloth. After this wipe, that section of the surface has been adequately cleaned.	4620.6225, subp.4(H)	H. A lead renovator must rewipe the dry horizontal surface with a dry disposable cleaning cloth to be considered clean.	Consistent
§745.85(b)(iii)	When the work area passes the post-renovation cleaning verification, remove the warning signs.	4620.6225, subp. 3(C)	C. remove warning signs required under part 4620.6200, subpart 1, when the cleaning verification card procedure under subpart 4 or dust clearance sampling under subpart 6 is completed.	Consistent
§745.85(b)(iii)(2)	<b>Exteriors.</b> A certified renovator must perform a visual inspection to determine whether dust, debris or residue is still present on surfaces in and below the work area, including windowsills and the ground. If dust, debris or residue is present, these conditions must be eliminated and another visual inspection must be performed. When the area passes the visual inspection, remove the warning signs.	4620.6225, subp. 5	<b>Cleaning verification; exterior work area.</b>  A. A lead renovator must perform a visual inspection to determine that the surfaces in or below the work area are free of dust, debris, or residue. "Surface" means the ground, windowsills, building components, structures, objects, vegetation, and other items or surfaces.  B. If a visual inspection of the exterior work area under item A identifies	Consistent. <a href="#">EPA Lead-Based Paint Program Frequent Questions (October 28, 2023)</a> address this rule and clarify that exterior areas subject to cleaning verification include vegetation and other nearby objects and structures.

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			<p>dust, debris, or residue then a qualified individual must reclean the exterior work area.</p> <p>C. After completing the recleaning under item B, a lead renovator must conduct a visual inspection of the work area under items A and B.</p> <p>D. When the exterior work area passes the visual inspection, a lead renovator must remove the warning signs required under part 4620.6200.</p>	
<p><b>§745.85(c)</b></p>	<p><i>Optional dust clearance testing.</i> Cleaning verification need not be performed if the contract between the renovation firm and the person contracting for the renovation or another Federal, State, Territorial, Tribal, or local law or regulation requires:</p>	<p>4620.6225, subp. 1(A)(B)</p>	<p><b>Reoccupying a work area.</b> Before a work area is reoccupied, a certified renovation firm must complete cleaning verification or dust clearance sampling according to this part. For an exterior work area, a certified renovation firm must complete cleaning verification according to subpart 5. For an interior work area, a certified renovation firm must:</p> <p>A. complete interior work area cleaning verification, which must be performed by a lead renovator and comply with subparts 2 to 4; or</p>	<p>Consistent. Dust clearance sampling is also an optional procedure under the MN rule.</p>

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			B. complete dust clearance sampling of the interior work area under subpart 6.	
§745.85(c)(1)	The renovation firm to perform dust clearance sampling at the conclusion of a renovation covered by this subpart.	4620.6225, subp. 6 (A)-(G)	<p><b>Dust clearance sampling.</b></p> <p>A. Only a licensed lead inspector, a licensed lead risk assessor, or a lead sampling technician may collect dust clearance samples.</p> <p>B. Dust sampling for clearance purposes must follow the procedures under part 4761.2670, subpart 3, and documented methodologies under part 4761.2000, subpart 15.</p> <p>C. Dust clearance samples must be collected at least one hour after completing the cleaning procedures under part 4620.6200, subpart 9.</p> <p>D. Single-surface dust clearance sample results must be less than the applicable lead dust standards under part 4761.2510, subpart 2.</p> <p>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-</p>	Consistent

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			<p>half of the number of subsamples that make up the composite sample.</p> <p>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.</p> <p>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.</p>	
<p><b>§745.85(c)(2)</b></p>	<p>The dust clearance samples are required to be collected by a certified inspector, risk assessor or dust sampling technician</p>	<p>4620.6225, subp. 6(A)</p>	<p>A. Only a licensed lead inspector, a licensed lead risk assessor, or a lead sampling technician may collect dust clearance samples.</p>	<p>Consistent</p>
<p><b>§745.85(c)(3)</b></p>	<p>The renovation firm is required to re-clean the work area until the dust clearance sample results are below the clearance standards in §745.227(e)(8) or any</p>	<p>4620.6225, subp. 6(F)</p>	<p>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</p>	<p>Consistent</p>

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	applicable State, Territorial, Tribal, or local standard.		results are below the clearance standards in part 4761.2510, subpart 2.	
<b>§745.85(d)</b>	<i>Activities conducted after post-renovation cleaning verification.</i> Activities that do not disturb paint, such as applying paint to walls that have already been prepared, are not regulated by this subpart if they are conducted after post-renovation cleaning verification has been performed.	4620.6225, subp. 7	<b>Postrenovation activity.</b> 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.	Consistent
<b>§745.86</b>	<b>Recordkeeping and reporting requirements.</b>	<b>4620.6150</b>	<b>Records.</b>	
<b>§745.86(a)</b>	Firms performing renovations must retain and, if requested, make available to EPA all records necessary to demonstrate compliance with this subpart for a period of 3 years following completion of the renovation. This 3-year retention requirement does not supersede longer obligations required by other provisions for retaining the same documentation, including any applicable State or Tribal laws or regulations.	4620.6150, subp. 1(A),(F)	<b>Records and retention.</b> A. A certified renovation firm is responsible for preparing and maintaining records according to this part. Upon request, copies of records must be made available to the commissioner at no charge to verify compliance with parts 4620.6000 to 4620.6475. Copies must be legible, photographs must be recognizable,	Consistent

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			<p>and copies may be provided in an electronic format.</p> <p>F. A certified renovation firm must maintain records required under this part for three years after the date a renovation project is complete.</p>	
<p><b>§745.86(b)</b></p>	<p>Records that must be retained pursuant to paragraph (a) of this section shall include (where applicable):</p>	<p>4620.6150</p>	<p>MDH records rule, including work plan and post-renovation project report requirements.</p>	<p>Consistent</p> <p>MN Rule expressly identifies records that must be kept in an on-site work plan. EPA FAQs clarify that certain records (e.g., training documentation for renovators) must be available on-site, but others do not. See <a href="#">EPA Lead-Based Paint Program Frequent Questions (October 28, 2023)</a>, pp. 69-70. MDH intends to take a more direct role in on-site verification. As a result, the MN rule requires a broader list of records on-site and requires timely updates to the on-site work plan. MDH intends to alleviate burden on firms by providing an easy-to-complete work plan template and by allowing records to be kept electronically on a mobile device.</p> <p>The remainder of the rule addresses who has access to records (consistent with § 745.84, and § 745.86); clarifies that certified renovation firms have ultimate</p>

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				responsibility (consistent with § 745.89(d)); explains that lead renovators must complete certain documentation (consistent with §§ 745.86 and .90); requires a post-renovation project report that includes the on-site work plan and cleaning verification and/or clearance sampling documents (consistent with § 745.86 but uses different terminology); and requires the post-renovation project report to be sent to or posted for the same individuals and in the same manner as § 745.86(c).
<b>§745.86(b)(1)</b>	Records or reports certifying that a determination had been made that lead-based paint was not present on the components affected by the renovation, as described in §745.82(a). These records or reports include:	4620.6150, subp. 1(B)(C); subp. 2 (D)(3)(4)		Consistent. MN rule requires copies of these determinations made by the certifying individual and requires them to be part of the on-site work plan.
<b>§745.86(b)(1)(i)</b>	Reports prepared by a certified inspector or certified risk assessor (certified pursuant to either Federal regulations at §745.226 or an EPA-authorized State or Tribal certification program).	4620.6150, subp. 1(C)	C. Written determinations prepared under part 4620.6000, subpart 2, item A, must be completed, signed, and dated by the lead inspector or lead risk assessor who performed the activity.	Consistent. Subpart 2(D)(3) requires these determinations to be part of the on-site work plan.



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<p><b>§745.86(b)(1)(ii)</b></p>	<p>Records prepared by a certified renovator after using EPA-recognized test kits, including an identification of the manufacturer and model of any test kits used, a description of the components that were tested including their locations, and the result of each test kit used.</p>	<p>4620.6150, subp. 1(B)(3); subp. 2(D)(4)</p>	<p>Subpart 1. <b>Records and Retention.</b></p> <p>B. A lead renovator must:</p> <p>3. document, sign, and date recognized test kit results the lead renovator prepared under subpart 2, item D, subitem (4); and [...]</p> <p>Subp. 2. <b>On-site work plan.</b></p> <p>D. The work plan must also include copies of the following documents:</p> <p>(4) documentation of recognized test kit results used to comply with part 4620.6000, subpart 2, item B, including a description of the building components or surfaces that were tested and their locations, the product name of each recognized test kit used, and the result of each test kit used.</p>	<p>Consistent</p>
<p><b>§745.86(b)(1)(iii)</b></p>	<p>Records prepared by a certified renovator after collecting paint chip samples, including a description of the components that were tested including their locations, the name and address of the NLLAP-recognized entity performing the analysis, and the results for each sample.</p>	<p>-</p>	<p>No comparable provision</p>	<p>Existing Minnesota law only allows lead inspectors and lead risk assessors to conduct paint chip sampling.</p> <p>Paint sampling is covered under 144.9501, Subd. 18: "Lead inspection" means a surface by surface investigation to determine the presence of lead content of</p>

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				paint and a visual identification of the existence and location of bare soil. We don't spell out paint chip sampling but any paint sampling is covered by this section.
§745.86(b)(2)	Signed and dated acknowledgments of receipt as described in §745.84(a)(1)(i), (a)(2)(i), (b)(1)(i), (c)(1)(i)(A), and (c)(1)(ii)(A).	4620.6150, subp. 2(B), (D)(1)	<p><b>On-site work plan.</b></p> <p>B. The work plan must be available on-site throughout the duration of the renovation.</p> <p>D. The work plan must also include copies of the following documents:</p> <p>(1) records demonstrating compliance with the disclosure pamphlet activities in part 4620.6175, including all required certificates of mailing, written acknowledgements, certifications that written acknowledgment could not be obtained, and statements certifying the steps performed to comply with common area notice requirements to occupants and parents and guardians.</p>	Consistent
§745.86(b)(3)	Certifications of attempted delivery as described in §745.84(a)(2)(i) and (c)(1)(ii)(A).	4620.6150, subp. 2(B), (D)(1)	See previous row for 4620.6150, subp. 2(B) and (D)(1)	Consistent

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§745.86(b)(4)	Certificates of mailing as described in §745.84(a)(1)(ii), (a)(2)(ii), (b)(1)(ii), (c)(1)(i)(B), and (c)(1)(ii)(B).	4620.6150, subp. 2(B), (D)(1)	See previous row for 4620.6150, subp. 2(B) and (D)(1)	Consistent
§745.86(b)(5)	Records of notification activities performed regarding common area renovations, as described in §745.84(b)(3) and (b)(4), and renovations in child-occupied facilities, as described in §745.84(c)(2).	4620.6150, subp. 2(B), (D)(1)	See previous row for 4620.6150, subp. 2(B) and (D)(1)	Consistent
§745.86(b)(6)	Documentation of compliance with the requirements of §745.85, including documentation that a certified renovator was assigned to the project, that the certified renovator provided on-the-job training for workers used on the project, that the certified renovator performed or directed workers who performed all of the tasks described in §745.85(a), and that the certified renovator performed the post-renovation cleaning verification described in §745.85(b). If the renovation firm was unable to comply with all of the requirements of this rule due to an emergency as defined in §745.82, the firm must document the nature of the emergency and the provisions of the rule that were not followed. This documentation must include a copy of the	4620.6150, subp. 2, (C)(3)  4620.6150, subp. 2(D)(2)  4620.6150, subp. 3(A)  4620.6150, subp. 2(C)(9)	C. (3) the names of the responsible individual and any other lead renovator, if any, assigned to the renovation;  D. (2) records required under subpart 1, item E, demonstrating that each person performing renovation had current training, certification, licensure, or registration at the time the person performed renovation;  A. the work plan under subpart 2;  (9) if applicable, a description of the circumstances that required an emergency renovation under part 4620.6200, subpart 12, and the work practices that were not followed	Consistent. The majority of the MN Rule requirements are derived from the EPA sample recordkeeping checklist referenced in § 745.86(c). See <a href="#">Sample Renovation Recordkeeping Checklist</a> .

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	<p>certified renovator's training certificate, and a certification by the certified renovator assigned to the project that:</p>	<p>4620.6150, subp. 3(B)(C)</p>	<p>during the emergency renovation; and</p> <p>B. a description of all cleaning verification activities performed under part 4620.6225, subparts 2 to 5, including the name of the lead renovator who performed cleaning verification, the results of any visual inspections and cleaning verification card procedures, and the number of wet and dry cloths used; and;</p> <p>C. if performed, a copy of a report of dust clearance sampling activities under part 4620.6225, subpart 6, which must include:</p> <ul style="list-style-type: none"> <li>(1) the name of the risk assessor, lead inspector, or lead sampling technician who performed the dust sampling;</li> <li>(2) the address of the affected property;</li> <li>(3) the date the dust sampling was performed;</li> <li>(4) the documented methodologies used;</li> <li>(5) the room or locations in the work area where the dust sampling was performed;</li> </ul>	

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			<p>(6) the surfaces on which the dust sampling was performed;</p> <p>(7) the analytical results of the dust sampling, including a comparison of results to the dust lead standards in part 4761.2510; and</p> <p>(8) the name of the analytic laboratory that conducted the analysis.</p>	
<p><b>§745.86(b)(6)(i)</b></p>	<p>Training was provided to workers (topics must be identified for each worker).</p>	<p>4620.6150, subps. 1(A)(E); 2(D)(2)</p>	<p><b>Records and retention.</b></p> <p>A. A certified renovation firm is responsible for preparing and maintaining records according to this part. Upon request, copies of records must be made available to the commissioner at no charge to verify compliance with parts 4620.6000 to 4620.6475. Copies must be legible, photographs must be recognizable, and copies may be provided in an electronic format.</p> <p>E. Certified renovation firms are responsible for maintaining records documenting current training and licensure for all individuals who perform renovation on behalf of the certified renovation firm. Certified</p>	<p>Consistent</p>

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			<p>renovation firms must maintain documentation demonstrating that:</p> <p>(1) all renovators and lead sampling technicians have completed the training required under parts 4620.6100 and 4620.6125;</p> <p>(2) all lead supervisors, lead workers, lead inspectors, and risk assessors have completed the required training and hold a current license in the state of Minnesota;</p> <p>(3) all noncertified workers under part 4620.6075, subpart 1, item D have been trained by a lead renovator in compliance with part 4620.6075, subpart 2;</p> <p>(4) all subcontractors engaged or employed to perform renovation on behalf of the certified renovation firm and all individuals performing renovation on behalf of subcontractors hold the necessary licensure, training, certification, or registration to perform renovation.</p> <p><b>On-site work plan.</b></p> <p>D. The work plan must also include copies of the following documents:</p>	

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			(2) records required under subpart 1, item E, demonstrating that each person performing renovation had current training, certification, licensure, or registration at the time the person performed renovation;	
<b>§745.86(b)(6)(ii)</b>	Warning signs were posted at the entrances to the work area.	4620.6150, subp. 2(C)(8)	<p><b>On-site work plan.</b> [...]</p> <p>(C) The work plan must include: [...]</p> <p>(8) a description for each work area of work practices performed under part 4620.6200;</p>	Consistent
<b>§745.86(b)(6)(iii)</b>	If test kits were used, that the specified brand of kits was used at the specified locations and that the results were as specified.	4620.6150, subp. 2(D)(4)	<p><b>On-site work plan.</b> [...]</p> <p>D. The work plan must also include copies of the following documents: [...]</p> <p>(4) documentation of recognized test kit results used to comply with part 4620.6000, subpart 2, item B, including a description of the building components or surfaces that were tested and their locations, the product name of each recognized test kit used, and the result of each test kit used.</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.86(b)(6)(v)	The work area was contained by:	4620.6150, subp. 2(C)(8)	<p><b>On-site work plan.</b> [...]</p> <p>C. The records must include: [...]</p> <p>(8) a description for each work area of work practices performed under part 4620.6200;</p>	<p>Consistent</p> <p>Containing/isolating the work area is a work practice under part 4620.6200.</p>
§745.86(b)(6)(v)(A)	Removing or covering all objects in the work area (interiors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	<p>Consistent</p> <p>This is a work practice under part 4620.6200.</p>
§745.86(b)(6)(v)(B)	Closing and covering all HVAC ducts in the work area (interiors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	<p>Consistent</p> <p>This is a work practice under part 4620.6200.</p>
§745.86(b)(6)(v)(C)	Closing all windows in the work area (interiors) or closing all windows in and within 20 feet of the work area (exteriors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	<p>Consistent</p> <p>This is a work practice under part 4620.6200.</p>
§745.86(b)(6)(v)(D)	Closing and sealing all doors in the work area (interiors) or closing and sealing all doors in and within 20 feet of the work area (exteriors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	<p>Consistent</p> <p>This is a work practice under part 4620.6200.</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.86(b)(6)(v)(E)</b>	Covering doors in the work area that were being used to allow passage but prevent spread of dust.	4620.6150, subp. 2(C)(8)	See previous row for 4w620.6150, subp. 2(C)(8)	Consistent  This is a work practice under part 4620.6200.
<b>§745.86(b)(6)(v)(F)</b>	Covering the floor surface, including installed carpet, with taped-down plastic sheeting or other impermeable material in the work area 6 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to contain the dust, whichever is greater (interiors) or covering the ground with plastic sheeting or other disposable impermeable material anchored to the building extending 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater, unless the property line prevents 10 feet of such ground covering, weighted down by heavy objects (exteriors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	Consistent  These measures are required work practices under part 4620.6200.
<b>§745.86(b)(6)(v)(G)</b>	Installing (if necessary) vertical containment to prevent migration of dust and debris to adjacent property (exteriors).	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	Consistent  This is a work practice under part 4620.6200.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.86(b)(6)(iv)</b>	If paint chip samples were collected, that the samples were collected at the specified locations, that the specified NLLAP-recognized laboratory analyzed the samples, and that the results were as specified.	-	No comparable provision	See above—existing Minnesota law requires this practice to be performed by a lead inspect or lead risk assessor.
<b>§745.86(b)(6)(v)</b>	Waste was contained on-site and while being transported off-site.	4620.6150, subp. 2(C)(8)	See previous row for 4620.6150, subp. 2(C)(8)	Consistent  Waste handling and transportation are subject to work practice requirements under part 4620.6200 and PCA’s existing requirements under those Minnesota Rule Parts referenced at 4620.6400, subpart 2, items B and C.
<b>§745.86(b)(6)(vi)</b>	The work area was properly cleaned after the renovation by:	4620.6150, subp. 2(C)(8)	See previous column for 4620.6150, subp. 2(C)(8)	Consistent  This is a work practice under part 4620.6200.
<b>§745.86(b)(6)(vi)(A)</b>	Picking up all chips and debris, misting protective sheeting, folding it dirty side inward, and taping it for removal.	4620.6150, subp. 2(C)(8)	See previous column for 4620.6150, subp. 2(C)(8)	Consistent  This is a work practice under part 4620.6200.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.86(b)(6)(vi)(B)	Cleaning the work area surfaces and objects using a HEPA vacuum and/or wet cloths or mops (interiors).	4620.6150, subp. 2(C)(8)	See previous column for 4620.6150, subp. 2(C)(8)	Consistent  This is a work practice under part 4620.6200.
§745.86(b)(6)(vii)	The certified renovator performed the post-renovation cleaning verification (the results of which must be briefly described, including the number of wet and dry cloths used).	4620.6150, subp. 3(B)	<b>Project report.</b> [...]  B. a description of all cleaning verification activities performed under part 4620.6225, subparts 2 to 5, including the name of the lead renovator who performed cleaning verification, the results of any visual inspections and cleaning verification card procedures, and the number of wet and dry cloths used; and [...]	Consistent  Required in the renovation project report.
§745.86(c)(1)	When the final invoice for the renovation is delivered or within 30 days of the completion of the renovation, whichever is earlier, the renovation firm must provide information pertaining to compliance with this subpart to the following persons:	4620.6150, subp. 4(A)	<b>Project report; submission and posting.</b>  A. No later than 30 calendar days after a renovation is completed, a certified renovation firm must submit a copy of the project report under subpart 3 to:	Consistent
§745.86(c)(1)(i)	The owner of the building; and, if different,	4620.6150, subp. 4(A)(1)	(1) the owner of the affected property; and	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.86(c)(1)(ii)</b></p>	<p>An adult occupant of the residential dwelling, if the renovation took place within a residential dwelling, or an adult representative of the child-occupied facility, if the renovation took place within a child-occupied facility.</p>	<p>4620.6150, subp. 4(A)(2)(3)</p>	<p>(2) the adult occupant of the affected property if the adult occupant is not the owner of the affected property; or</p> <p>(3) the adult representative of the child-occupied facility if the renovation took place in a child-occupied facility.</p>	<p>Consistent</p>
<p><b>§745.86(c)(2)</b></p>	<p>When performing renovations in common areas of multi-unit target housing, renovation firms must post the information required by this subpart or instructions on how interested occupants can obtain a copy of this information. This information must be posted in areas where it is likely to be seen by the occupants of all of the affected units.</p>	<p>4620.6150, subp. 4(B)(1)(2)</p>	<p>B. When a certified renovation firm performs renovation in a common area of an affected property under part 4620.6025, subpart 2, item A, subitem (2), a certified renovation firm must post the following within 30 days after the renovation is completed:</p> <p>(1) the renovation project report or information on how interested adult occupants of the affected property can obtain a copy of the report;</p> <p>(2) the information in subitem (1) in areas where the information is likely to be seen by the occupants of all affected units.</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.86(c)(3)</b>	The information required to be provided by paragraph (c) of this section may be provided by completing the sample form titled “Sample Renovation Recordkeeping Checklist” or a similar form containing the test kit information required by §745.86(b)(1)(ii) and the training and work practice compliance information required by §745.86(b)(6).	4620.6150, subp. 2  4620.6150, subp. 3		Records requirements are consistent, but MN Rule requires a work plan and project report, both of which are modeled on the EPA <a href="#">Sample Renovation Recordkeeping Checklist</a> .
<b>§745.86(d)</b>	If dust clearance sampling is performed in lieu of cleaning verification as permitted by §745.85(c), the renovation firm must provide, when the final invoice for the renovation is delivered or within 30 days of the completion of the renovation, whichever is earlier, a copy of the dust sampling report to:	4620.6150, subp. 4(A)	A. No later than 30 calendar days after a renovation is completed, a certified renovation firm must submit a copy of the renovation project report under subpart 3 to:	Consistent  The renovation project report required under 4620.6150 subp. 3, includes a copy of the dust clearance sampling report, if sampling was performed.
<b>§745.86(d)(1)</b>	The owner of the building; and, if different,	4620.6150, subp. 4(A)(1)	(1) the owner of the affected property; and	Consistent  The renovation project report required under 4620.6150 subp. 3, includes a copy of the dust clearance sampling report, if sampling was performed.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.86(d)(2)</b>	An adult occupant of the residential dwelling, if the renovation took place within a residential dwelling, or an adult representative of the child-occupied facility, if the renovation took place within a child-occupied facility.	4620.6150, subp. 4(A)(2)(3)	(2) the adult occupant of the affected property if the adult occupant is not the owner of the affected property; or  (3) the adult representative of the child-occupied facility if the renovation took place in a child-occupied facility.	Consistent  The renovation project report required under 4620.6150 subp. 3, includes a copy of the dust clearance sampling report, if sampling was performed.
<b>§745.86(d)(3)</b>	When performing renovations in common areas of multi-unit target housing, renovation firms must post these dust sampling reports or information on how interested occupants of the housing being renovated can obtain a copy of the report. This information must be posted in areas where they are likely to be seen by the occupants of all of the affected units.	4620.6150, subp. 4 (A)(1)(2)(3)	A. No later than 30 calendar days after a renovation is completed, a certified renovation firm must submit a copy of the renovation project report under subpart 3 to:  (1) the owner of the affected property; and  (2) the adult occupant of the affected property if the adult occupant is not the owner of the affected property; or  (3) the adult representative of the child-occupied facility if the renovation took place in a child-occupied facility.	Consistent  The renovation project report required under 4620.6150 subp. 3, includes a copy of the dust clearance sampling report, if sampling was performed.

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.87</b>	<b>Enforcement and inspections.</b>	<b>4620.6450</b>		
<b>§745.87(a)</b>	Failure or refusal to comply with any provision of this subpart is a violation of TSCA section 409 (15 U.S.C. 2689).	4620.6450	<p>The commissioner shall determine enforcement action for any violation of parts 4620.6000 to 4620.6475 under Minnesota Statutes, sections 144.989 to 144.993.</p> <p>See Minn. Stat. § 144.991, subd. 7, 9.</p>	<p>Part 4620.6450 refers the regulated party to the Health Enforcement Consolidation Act (HECA) under Minn. Stat. §§ 144.989-144.993. The Department of Health is required to follow its <a href="#">Plan for the Use of Administrative Penalty Order, Cease and Desist Authority, and Other Enforcement Tools</a> when using its enforcement authority.</p>
<b>§745.87(b)</b>	Failure or refusal to establish and maintain records or to make available or permit access to or copying of records, as required by this subpart, is a violation of TSCA sections 15 and 409 (15 U.S.C. 2614 and 2689).	4620.6450	<p>See above row for rule text.</p> <p>See also part 4620.6150</p>	<p>Part 4620.6450 refers the regulated party to the Health Enforcement Consolidation Act (HECA) under Minn. Stat. §§ 144.989-144.993. HECA also grants access to records.</p> <p>Minn. Stat. § 144.99, subd. 2(1)</p> <p>Subd. 2. <b>Access to information and property.</b></p> <p>The commissioner or an employee or agent authorized by the commissioner, upon presentation of credentials, may:</p> <p>(1) examine and copy any books, papers, records, memoranda, or data of any person</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				subject to regulation under the statutes listed in subdivision 1; and [...]
§745.87(c)	Failure or refusal to permit entry or inspection as required by 40 CFR 745.87 and TSCA section 11 (15 U.S.C. 2610) is a violation of sections 15 and 409 (15 U.S.C. 2614 and 2689).	4620.6450	See above for rule text.	<p>Part 4620.6450 refers the regulated party to the Health Enforcement Consolidation Act (HECA) under Minn. Stat. §§ 144.989-144.993, which also grants access to premises.</p> <p>See Minn. Stat. §144.99, Subd. 2(2)</p> <p><b>Subd. 2. Access to information and property.</b></p> <p>The commissioner or an employee or agent authorized by the commissioner, upon presentation of credentials, may: [...]</p> <p>(2) enter upon any property, public or private, for the purpose of taking any action authorized under statutes, rules, or other actions listed in subdivision 1 including obtaining information from a person who has a duty to provide information under the statutes listed in subdivision 1, taking steps to remedy violations, or conducting surveys or investigations.</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.87(d)</b></p>	<p>Violators may be subject to civil and criminal sanctions pursuant to TSCA section 16 (15 U.S.C. 2615) for each violation.</p>	<p>4620.6450</p>	<p>See above for rule text.</p>	<p>Part 4620.6450 refers the regulated party to the Health Enforcement Consolidation Act (HECA) under Minn. Stat. §§ 144.989-144.993. In addition, the Department of Health is required to follow its <a href="#">Plan for the Use of Administrative Penalty Order, Cease and Desist Authority, and Other Enforcement Tools</a> when using its enforcement authority. The EPA maximum civil penalties are higher (up to \$37,500 per violation, per day) than the fines under MDH authority (between \$5,000 and \$10,000 per violation, per day). In addition, EPA criminal penalties are more stringent (up to \$50,000 per violation, per day, and up to one year of imprisonment) than MDH criminal penalties (a misdemeanor, which is punishable up to 90 days in jail and a fine of up to \$1,000). See 15 U.S.C. § 2615 for EPA penalty authority.</p> <p>See Minn. Stat. §144.99</p> <p>Subd. 4. <b>Administrative penalty orders.</b></p> <p>(c) Notwithstanding paragraph (a), the commissioner may issue to a certified lead firm or person performing regulated lead work, an administrative penalty order imposing a penalty of at least \$5,000 per violation per day, not to exceed \$10,000 for each violation of sections 144.9501 to</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				<p>144.9512 and rules adopted thereunder. All revenue collected from monetary penalties in this section shall be deposited in the state treasury and credited to the state government special revenue fund.</p> <p>Subd. 11. <b>Misdemeanor penalties.</b></p> <p>A person convicted of violating a statute or rule listed in subdivision 1 is guilty of a misdemeanor.</p>
<p><b>§745.87(e)</b></p>	<p>Lead-based paint is assumed to be present at renovations covered by this subpart. EPA may conduct inspections and issue subpoenas pursuant to the provisions of TSCA section 11 (15 U.S.C. 2610) to ensure compliance with this subpart.</p>	<p>4620.6150</p>	<p>The MN records rule guarantees access to records for the purposes of conducting inspections and ensuring compliance in subp. 1(A) and subp. 2(F).</p>	<p>Part 4620.6450 refers the regulated party to the Health Enforcement Consolidation Act (HECA) under Minn. Stat. §§ 144.989-144.993.</p> <p>See Minn. Stat. §144.99.</p> <p>Subd. 2. <b>Access to information and property.</b></p> <p>The commissioner or an employee or agent authorized by the commissioner, upon presentation of credentials, may:</p> <p>(1) examine and copy any books, papers, records, memoranda, or data of any person subject to regulation under the statutes listed in subdivision 1; and</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				<p>(2) enter upon any property, public or private, for the purpose of taking any action authorized under statutes, rules, or other actions listed in subdivision 1 including obtaining information from a person who has a duty to provide information under the statutes listed in subdivision 1, taking steps to remedy violations, or conducting surveys or investigations.</p> <p><i>See also</i> Minn. Stat. § 144.054 (addressing subpoena power of the commissioner of health to investigate serious health threats or locate persons who may have been exposed to toxic substances).</p>
<p><b>§745.88</b></p>	<p><b>Recognized test kits.</b></p>		<p>n/a</p>	
<p><b>§745.88(a)</b></p>	<p>Effective June 23, 2008, EPA recognizes the test kits that have been determined by National Institute of Standards and Technology research to meet the negative response criteria described in paragraph (c)(1) of this section. This recognition will last until EPA publicizes its recognition of the first test kit that meets both the negative response and positive response criteria in paragraph (c) of this section.</p>	<p>-</p>	<p>No comparable provision</p>	<p>Certified renovation firms must use recognized test kits that meet the requirements of the definition at 4620.6025, subp. 29.</p> <p>MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.88(b)</b>	No other test kits will be recognized until they are tested through EPA's Environmental Technology Verification Program or other equivalent EPA approved testing program.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(b)(1)</b>	Effective September 1, 2008, to initiate the testing process, a test kit manufacturer must submit a sufficient number of kits, along with the instructions for using the kits, to EPA. The test kit manufacturer should first visit the following website for information on where to apply: <i><a href="http://www.epa.gov/etv/howtoapply.html">http://www.epa.gov/etv/howtoapply.html</a></i> .	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(b)(2)</b>	After the kit has been tested through the Environmental Technology Verification Program or other equivalent approved EPA testing program, EPA will review the report to determine whether the required criteria have been met.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(b)(3)</b>	Before September 1, 2010, test kits must meet only the negative response criteria in paragraph (c)(1) of this section. The recognition of kits that meet only this criteria will last until EPA publicizes its recognition of the first test kits that meets	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	both of the criteria in paragraph (c) of this section.			
<b>§745.88(b)(4)</b>	After September 1, 2010, test kits must meet both of the criteria in paragraph (c) of this section.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(b)(5)</b>	If the report demonstrates that the kit meets the required criteria, EPA will issue a notice of recognition to the kit manufacturer, provide them with the report, and post the information on EPA's website.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(b)(6)</b>	If the report demonstrates that the kit does not meet the required criteria, EPA will notify the kit manufacturer and provide them with the report.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
<b>§745.88(c)(1)</b>	<i>Response criteria—(1) Negative response criteria.</i> For paint containing lead at or above the regulated level, 1.0 mg/cm <sup>2</sup> or 0.5% by weight, a demonstrated probability (with 95% confidence) of a negative response less than or equal to 5% of the time.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.88(c)(2)	<i>Positive response criteria.</i> For paint containing lead below the regulated level, 1.0 mg/cm <sup>2</sup> or 0.5% by weight, a demonstrated probability (with 95% confidence) of a positive response less than or equal to 10% of the time.	-	No comparable provision	MDH does not have a verification program or other equivalent EPA approved testing program for recognized test kits.
§745.89	<b>Firm certification.</b>	<b>4620.6050</b>		
§745.89(a)(1)	<i>Initial certification.</i> (1) Firms that perform renovations for compensation must apply to EPA for certification to perform renovations or dust sampling. To apply, a firm must submit to EPA a completed “Application for Firms,” signed by an authorized agent of the firm, and pay at least the correct amount of fees. If a firm pays more than the correct amount of fees, EPA will reimburse the firm for the excess amount.	4620.6050, subp. 1 (A)(B)(C)	<p><b>General Requirements.</b></p> <p>A. A person who performs renovation for compensation must be certified by the commissioner as a certified renovation firm or be a qualified individual under part 4620.6075 who performs renovation on behalf of a certified renovation firm.</p> <p>B. A certified renovation firm must employ or contract with a responsible individual who is trained as a lead renovator. A certified renovation firm may designate an alternate responsible individual, who must be trained as a lead renovator, when the responsible individual is unavailable.</p> <p>C. A certified renovation firm certification is not transferable.</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
		4620.6050, subp. 2(A)-(E)	<p><b>Certification Application.</b> An applicant for renovation firm certification must submit to the commissioner:</p> <p>A. a completed application on a form provided by the commissioner;</p> <p>B. a nonrefundable application fee required under Minnesota Statutes section 144.9505, subdivision 1h, payable to the Minnesota Department of Health;</p> <p>C. the name, contact information, and renovation course diploma number of the responsible individual;</p> <p>D. the Social Security number or individual taxpayer identification number and the Minnesota business identification number, as applicable; and</p> <p>E. evidence of workers' compensation insurance as required under Minnesota Statutes, section 176.182, unless the applicant is exempt from the requirements under Minnesota Statutes, chapter 176. If the applicant is exempt from the requirements under Minnesota Statutes, chapter 176, the applicant must submit an</p>	<p>Consistent</p> <p>MDH will develop an online certification application and payment process that will only accept the correct fee amount.</p> <p>Minnesota Statutes, section 176.181 and .182 require states to collect evidence of workers compensation insurance prior to licensure. In addition, Minnesota Statutes, section 270C.72, subdivision 4 requires licensing agencies to collect social security numbers or taxpayer ID and MN business ID numbers, as applicable.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			explanation to the commissioner stating why the applicant is exempt.	
§745.89(a)(2)	After EPA receives a firm's application, EPA will take one of the following actions within 90 days of the date the application is received:	-	See part 4620.6050	MDH has developed an online application and payment process that will issue a certification or a denial on the same day an application is submitted. As a result, a processing timeline is not necessary.
§745.89(a)(2)(i)	EPA will approve a firm's application if EPA determines that it is complete and that the environmental compliance history of the firm, its principals, or its key employees does not show an unwillingness or inability to maintain compliance with environmental statutes or regulations. An application is complete if it contains all of the information requested on the form and includes at least the correct amount of fees. When EPA approves a firm's application, EPA will issue the firm a certificate with an expiration date not more than 5 years from the date the application is approved. EPA certification allows the firm to perform renovations covered by this section in any State or Indian Tribal area that does not have a renovation program that is authorized under subpart Q of this part.	4620.6050, subs. 3, 4	<p><b>Certification expiration and renewal.</b></p> <p>A. A certification issued under this part is valid for two years from the date of issuance.</p> <p>B. A certification firm may renew its certification by submitting the information and the nonrefundable fee required under subpart 2.</p> <p><b>Denial of certification application.</b></p> <p>A. The commissioner shall deny an application for a renovation firm certification according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2.</p> <p>B. Before the commissioner denies an application, the commissioner:</p>	<p>Renovation firm certification is valid for two years according to Minn. Stat. § 144.9505, subd. 1(h). Firms have to renew more frequently but the overall fee amount is less for the same issuance period as EPA (5 years).</p> <p>EPA - \$300; MN - \$250.</p> <p>Certified firm renovation certification is valid in Minnesota only.</p>



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(1) must notify the applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10, and state whether deficiencies in the application can be corrected under subitem (2) to receive certification; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant submits the corrected deficiencies listed in the commissioner's denial letter within 30 days of receipt of the denial letter. An applicant must apply for an initial certification under subpart 2 if the deficiencies are not corrected within 30 days.</p>	
<p><b>§745.89(a)(2)(ii)</b></p>	<p>EPA will request a firm to supplement its application if EPA determines that the application is incomplete. If EPA requests a firm to supplement its application, the firm must submit the requested information or pay the additional fees within 30 days of the date of the request.</p>	<p>4620.6050, subp. 4(B)</p>	<p><b>Denial of certification application.</b> [...]</p> <p>B. Before the commissioner denies an application, the commissioner:</p> <p>(1) must notify the applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10, and state whether deficiencies in the application can be corrected</p>	<p>Consistent</p> <p>A certification issued under this part is valid for two years from the date of issuance.</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>under item (2) to receive certification; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant submits the corrected deficiencies listed in the commissioner's denial within 30 days of receipt of the denial. An applicant must apply for an initial certification under subpart 2 if the deficiencies are not corrected within 30 days.</p>	
<p><b>§745.89(a)(2)(iii)</b></p>	<p>EPA will not approve a firm's application if the firm does not supplement its application in accordance with paragraph (a)(2)(ii) of this section or if EPA determines that the environmental compliance history of the firm, its principals, or its key employees demonstrates an unwillingness or inability to maintain compliance with environmental statutes or regulations. EPA will send the firm a letter giving the reason for not approving the application. EPA will not refund the application fees. A firm may reapply for certification at any time by filing a new, complete application that includes the correct amount of fees.</p>	<p>4620.6050, subp. 4 (A)(B)</p>	<p><b>Denial of certification application.</b></p> <p>A. The commissioner shall deny an application for a renovation firm certification according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2.</p> <p>B. Before the commissioner denies an application, the commissioner:</p> <p>(1) must notify an applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant</p>	<p>Consistent</p> <p>Minnesota's Health Enforcement Consolidation Act details similar grounds that require denial of an application in Minnesota Statute, section 144.99, subdivision 8.</p>

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			submits the corrected deficiencies enumerated in the commissioner’s denial within 30 days of receipt of the denial. An applicant must apply for an initial certification under subpart 2 if the deficiencies are not corrected within 30 days.	
§745.89(b)	<b>Re-certification.</b> To maintain its certification, a firm must be re-certified by EPA every 5 years.	4620.6050, subp. 3(A)	<b>Certification expiration and renewal.</b> A. A certification issued under this part is valid for two years from the date of issuance.	Minn. Stat. § 144.9505, subd. 1(h) and this MN Rule part require recertification after two years.
§745.89(b)(1)	<b>Timely and complete application.</b> To be re-certified, a firm must submit a complete application for re-certification. A complete application for re-certification includes a completed “Application for Firms” which contains all of the information requested by the form and is signed by an authorized agent of the firm, noting on the form that it is submitted as a re-certification. A complete application must also include at least the correct amount of fees. If a firm pays more than the correct amount of fees, EPA will reimburse the firm for the excess amount.	4620.6050, subp. 3(B)	<b>Certification expiration and renewal.</b> B. A certified renovation firm may renew its certification by submitting the information and nonrefundable fee under subpart 2.	Consistent  MDH has developed an online licensing and certification system that will accept only correct fee amount.
§745.89(b)(1)(i)	An application for re-certification is timely if it is postmarked 90 days or more before the date the firm's current certification	-	No comparable provision	MDH has developed and implemented an online certification application system where an end-user will be able to log in and

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	<p>expires. If the firm's application is complete and timely, the firm's current certification will remain in effect until its expiration date or until EPA has made a final decision to approve or disapprove the re-certification application, whichever is later.</p>			<p>renew firm certification on the same day the renewal application is submitted.</p>
<p><b>§745.89(b)(1)(ii)</b></p>	<p>If the firm submits a complete re-certification application less than 90 days before its current certification expires, and EPA does not approve the application before the expiration date, the firm's current certification will expire and the firm will not be able to conduct renovations until EPA approves its re-certification application.</p>	<p>-</p>	<p>No comparable provision</p>	<p>MDH does not have a provision for this scenario, but a firm does need to be certified to conduct renovation work. MDH has developed and will implement an online certification system to process renewals on the same day the renewal application is submitted</p>
<p><b>§745.89(b)(1)(iii)</b></p>	<p>If the firm fails to obtain recertification before the firm's current certification expires, the firm must not perform renovations or dust sampling until it is certified anew pursuant to paragraph (a) of this section.</p>	<p>4620.6050, subp. 1(A)</p>	<p><b>General Requirements.</b> A. A person who performs renovation for compensation must be certified by the commissioner as a certified renovation firm or be a qualified individual under part 4620.6075 who performs renovation on behalf of a certified renovation firm.</p>	<p>Consistent. MN Rule does not address this scenario specifically but requires certification.</p>
<p><b>§745.89(b)(2)</b></p>	<p><i>EPA action on an application.</i> After EPA receives a firm's application for re-certification, EPA will review the</p>	<p>n/a</p>	<p>No comparable provision</p>	<p>MDH has developed and will implement on online certification system that will process applications on day of submission.</p>

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	application and take one of the following actions within 90 days of receipt:			
§745.89(b)(2)(i)	EPA will approve a firm's application if EPA determines that it is timely and complete and that the environmental compliance history of the firm, its principals, or its key employees does not show an unwillingness or inability to maintain compliance with environmental statutes or regulations. When EPA approves a firm's application for re-certification, EPA will issue the firm a new certificate with an expiration date 5 years from the date that the firm's current certification expires. EPA certification allows the firm to perform renovations or dust sampling covered by this section in any State or Indian Tribal area that does not have a renovation program that is authorized under subpart Q of this part.	4620.6050, subp 4 (A)(B)(1)(2)	<p><b>Denial of certification application.</b></p> <p>A. The commissioner shall deny an application for a renovation firm certification according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2.</p> <p>B. Before the commissioner denies an application, the commissioner:</p> <p>(1) must notify the applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10, and state whether deficiencies in the application can be corrected under item (2) to receive certification; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant submits the corrected deficiencies listed in the commissioner's denial within 30 days of receipt of the denial. An applicant must apply for an initial certification under subpart 2 if</p>	<p>Consistent</p> <p>Unless the commissioner denies the application under part 4630.4050, subpart 4, the application will be approved.</p>

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			the deficiencies are not corrected within 30 days.	
§745.89(b)(2)(ii)	EPA will request a firm to supplement its application if EPA determines that the application is incomplete.	4620.6050, subp. 4 (B)(1)(2)	<p><b>Denial of certification application.</b></p> <p>B. Before the commissioner denies an application, the commissioner:</p> <p>(1) must notify the applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10, and state whether deficiencies in the application can be corrected under item (2) to receive certification; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant submits the corrected deficiencies listed in the commissioner's denial within 30 days of receipt of the denial. An applicant must apply for an initial certification under subpart 2 if the deficiencies are not corrected within 30 days.</p>	Consistent
§745.89(b)(2)(iii)	EPA will not approve a firm's application if it is not received or is not complete as of the date that the firm's current certification expires, or if EPA determines that the	4620.6050, subp. 4 (A)(B)	<p><b>Denial of certification application.</b></p> <p>A. The commissioner shall deny an application for a renovation firm</p>	Consistent. Minn. Stat. § 144.99 governs denial of certifications and addresses similar criteria.

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	<p>environmental compliance history of the firm, its principals, or its key employees demonstrates an unwillingness or inability to maintain compliance with environmental statutes or regulations. EPA will send the firm a letter giving the reason for not approving the application. EPA will not refund the application fees. A firm may reapply for certification at any time by filing a new application and paying the correct amount of fees.</p>		<p>certification according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2.</p> <p>B. Before the commissioner denies an application, the commissioner:</p> <p>(1) must notify the applicant in writing and provide the reasons for the denial according to Minnesota Statutes, section 144.99, subdivision 10, and state whether deficiencies in the application can be corrected under item (2) to receive certification; and</p> <p>(2) must not require the applicant to pay an additional fee if the applicant submits the corrected deficiencies listed in the commissioner's denial letter within 30 days of receipt of the denial letter. An applicant must apply for an initial certification under subpart 2 if the deficiencies are not corrected within 30 days.</p>	
<p><b>§745.89(c)</b></p>	<p>Amendment of certification. A firm must amend its certification within 90 days of the date a change occurs to information included in the firm's most recent application. If the firm fails to amend its</p>	<p>4620.6050, subp. 5</p>	<p><b>Amending certified renovation firm application.</b></p> <p>A certified renovation firm must notify the commissioner, on a form</p>	<p>Consistent</p> <p>MDH has developed and will implement an online certification system where an end-</p>

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	certification within 90 days of the date the change occurs, the firm may not perform renovations or dust sampling until its certification is amended.		provided by the commissioner, within 90 days of a change to any of the information contained in the certified renovation firm's most recent application.	user will be able to log in and update certified renovation firm changes at any time.
<b>§745.89(c)(1)</b>	To amend a certification, a firm must submit a completed "Application for Firms," signed by an authorized agent of the firm, noting on the form that it is submitted as an amendment and indicating the information that has changed. The firm must also pay at least the correct amount of fees.	-	No comparable provision	MDH has developed and will implement an online certification system where an end-user will be able to log in and update certified renovation firm changes at any time.  There is no fee for amending an application.
<b>§745.89(c)(2)</b>	If additional information is needed to process the amendment, or the firm did not pay the correct amount of fees, EPA will request the firm to submit the necessary information or fees. The firm's certification is not amended until the firm complies with the request.	-	No comparable provision	MDH permits firms to update information at any time. If the commissioner needs more information about an update or amendment, the commissioner is authorized by the MN rule and statute to request more information.
<b>§745.89(c)(3)</b>	Amending a certification does not affect the certification expiration date.	-	No comparable provision	
<b>§745.89(d)</b>	<b><i>Firm responsibilities.</i></b> Firms performing renovations must ensure that:	4620.6050	<b>Renovation Firm Certification.</b>	



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.89(d)(1)</b></p>	<p>All individuals performing renovation activities on behalf of the firm are either certified renovators or have been trained by a certified renovator in accordance with §745.90.</p>	<p>4620.6075, subps. 1, 2</p>	<p><b>USE OF QUALIFIED INDIVIDUALS.</b></p> <p>Subpart 1. <b>Qualified individuals.</b> A certified renovation firm must only use the following individuals to perform a renovation:</p> <ul style="list-style-type: none"> <li>A. a lead renovator;</li> <li>B. a lead supervisor;</li> <li>C. a lead worker; or</li> <li>D. a noncertified worker who is trained by a lead renovator.</li> </ul> <p>Subp 2. <b>Training conducted by a lead renovator.</b></p> <ul style="list-style-type: none"> <li>A. Noncertified workers under subpart 1, item D, must be trained by a lead renovator to perform each work practice under part 4620.6200 before performing the work practice during a renovation.</li> <li>B. A certified renovation firm must maintain documentation of the training under item A and include:                             <ul style="list-style-type: none"> <li>(1) the name of the lead renovator who conducted the training;</li> </ul> </li> </ul>	<p>MDH allows individuals who already have the skills and training in lead hazard mitigation to perform renovation work under their existing licensure without further training.</p>

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			(2) the names of all individuals trained;  (3) the date of the training; and  (4) the specific work practices included in the training for each individual.	



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			<p>3) while the work area cleaning is performed under part 4620.6200, subparts 8, 9, and 10.</p> <p><b>RECORDS.</b></p> <p><b>Records and retention. [...]</b></p> <p>B. A lead renovator must:</p> <p>(1) complete the work plan requirements in subpart 2;</p> <p>(2) document training the lead renovator provided to qualified individuals under item E, subitem (3);</p> <p>(3) document, sign, and date recognized test kit results the lead renovator prepared under subpart 2, item D, subitem (4); and</p> <p>(4) document cleaning verification the lead renovator performed under subpart 3, item B.</p> <p><b>On-site work plan. [...]</b></p> <p>B. The work plan must be available on site throughout the duration of the renovation.</p>	

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			<p>C. The work plan must include: [...]</p> <p>(3) the names of the responsible individual and any other lead renovator assigned to the renovation; [...]</p>	
<b>§745.89(d)(3)</b>	All renovations performed by the firm are performed in accordance with the work practice standards in §745.85.	4620.6200  4620.6000, subp. 1	<p>See directive language used in part 4620.6200 – “A person performing renovation must: [...]”</p> <p>1. A person performing renovation on an affected property is subject to parts 4620.6000 to 4620.6475 if a renovation is performed for compensation and: [...]</p>	<p>Consistent</p> <p>A certified renovation firm must comply with applicable rule requirements governing renovation, including work practices under part 4620.6200. The MN rule uses the term “person” because MDH intends to evaluate firm and individual responsibility when evaluating compliance issues to promote equitable enforcement.</p>
<b>§745.89(d)(4)</b>	The pre-renovation education requirements of §745.84 have been performed.	4620.6175; 4620.6000, subp. 1.	See directive language used in part 4620.6175– “A certified renovation firm performing renovation must: [...]” and above language in 4620.6000, subpart 1.	Consistent
<b>§745.89(d)(5)</b>	The recordkeeping requirements of §745.86 are met.	4620.6150, subp. 1(A)	A. A certified renovation firm is responsible for preparing and maintaining records according to this part. Upon request, copies of records must be made available to the	Consistent—records requirements are discussed in greater detail, above.

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			<p>commissioner at no charge to verify compliance with parts 4620.6000 to 4620.6475. Copies must be legible, photographs must be recognizable, and copies may be provided in an electronic format.</p>	
<p>§745.90</p>	<p><b>Renovator certification and dust sampling technician certification</b></p>			
<p>§745.90(a)(1)</p>	<p><i>Renovator certification and dust sampling technician certification.</i> (1) To become a certified renovator or certified dust sampling technician, an individual must successfully complete the appropriate course accredited by EPA under §745.225 or by a State or Tribal program that is authorized under subpart Q of this part. The course completion certificate serves as proof of certification. EPA renovator certification allows the certified individual to perform renovations covered by this section in any State or Indian Tribal area that does not have a renovation program that is authorized under subpart Q of this part. EPA dust sampling technician certification allows the certified individual to perform dust clearance sampling under §745.85(c) in any State or Indian Tribal area that does not have a renovation program</p>	<p>4620.6100, subp. 1(A)</p> <p>4620.6100, subp. 1</p>	<p><b>General requirements.</b></p> <p>A. An individual who directs renovation activities must hold a valid lead renovator training course diploma from a training course approved by the commissioner.</p> <p><b>General requirements.</b></p> <p>A. An individual who directs renovation activities must hold a valid lead renovator training course diploma from a training course approved by the commissioner.</p> <p>B. Lead renovator training is valid for 48 months from the course completion date on the diploma.</p>	<p>Consistent</p> <p>EPA requires refresher trainings in either three- or five-year intervals depending on course content, and the MN rule requires one refresher training every 48 months (4 years). All other requirements are consistent. State-approved EPA programs differ in certification length, several being shorter than 48-months. Minnesota’s single 48-month standard is consistent with</p>

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	<p>that is authorized under subpart Q of this part.</p>	<p>4620.6125, subp. 1(A)</p>	<p>C. An individual may renew lead renovator training under subpart 4.</p> <p><b>General requirements.</b></p> <p>(A) An individual who performs lead sampling activities must:</p> <p>(1) hold a valid lead sampling technician training course diploma from a training course approved by the commissioner; or</p> <p>(2) hold a valid lead inspector or lead risk assessor license.</p> <p><b>General requirements.</b></p> <p>A. An individual who performs lead sampling activities must:</p> <p>(1) hold a valid lead sampling technician training course diploma from a training course approved by the commissioner; or</p> <p>(2) hold a valid lead inspector or lead risk assessor license.</p>	<p>Wisconsin’s RRP program. See <a href="#">Wisconsin Legislature: DHS 163.11(3)(a)1.b.</a></p> <p>EPA requires a dust sampling refresher course every five years, and the MN rule requires a refresher course every 48 months (4 years). Similar to lead renovator training, this standard is consistent with Wisconsin RRP and other state programs vary in certification length. See <a href="#">Wisconsin Legislature: DHS 163.11(3)(a)1.b.</a></p>

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		4620.6125, subp. 1 (A)(B)(C)	<p>B. Lead sampling technician training is valid for 48 months from the course completion date on the diploma.</p> <p>C. An individual may renew lead sampling technician training under subpart 3.</p>	
§745.90(a)(2)	Individuals who have successfully completed an accredited abatement worker or supervisor course, or individuals who successfully completed an EPA, HUD, or EPA/HUD model renovation training course before October 4, 2011 may take an accredited refresher renovator training course in lieu of the initial renovator training course to become a certified renovator.	4620.6100, subps. 2, 3	<p><b>2. Previous training.</b> An individual is only required to complete a lead renovator refresher training course to be a lead renovator if the individual:</p> <p>A. is a lead worker; or</p> <p>B. a lead supervisor.</p> <p><b>3. Temporary use of EPA and out-of-state training.</b></p> <p>A. This subpart applies only to lead renovator training diplomas currently</p>	Consistent



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			<p>valid on the effective date of parts 4620.6000 to 4620.6475.</p> <p>B. An individual may use a current training diploma issued by a lead renovator training program accredited by the EPA or an EPA-authorized state or Tribal program to meet the training requirements of this part and meet the application requirement under part 4620.6050, subpart 2, item C, until December 31, 2025, or the diploma expires under applicable EPA or EPA-authorized state or Tribal program regulations, whichever is earlier.</p>	
<p><b>§745.90(a)(3)</b></p>	<p>Individuals who have successfully completed an accredited lead-based paint inspector or risk assessor course October 4, 2011 may take an accredited refresher dust sampling technician course in lieu of the initial training to become a certified dust sampling technician. Individuals who are currently certified as lead-based paint inspectors or risk assessors may act as certified dust sampling technicians without further training.</p>	<p>4620. 6125, subp. 1(A)</p>	<p><b>General requirements.</b></p> <p>A. An individual who performs lead sampling activities must:</p> <p>(1) hold a valid lead sampling technician training course diploma from a training course approved by the commissioner; or</p> <p>(2) hold a valid lead inspector or lead risk assessor license.</p>	<p>Consistent</p>

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		4620.6125, subp. 2	<p><b>Temporary use of EPA and out-of-state training.</b></p> <p>A. This subpart applies only to lead sampling technician training diplomas currently valid on the effective date of parts 4620.6000 to 4620.6475.</p> <p>B. An individual may use a current training diploma issued by a lead sampling technician training program accredited by the EPA or an EPA-authorized state or Tribal program to meet the training requirements of this part until December 31, 2025, or the diploma expires under applicable EPA or EPA-authorized state or Tribal program regulations, whichever is earlier.</p>	
§745.90(a)(4)	To maintain renovator certification or dust sampling technician certification, an individual must complete a renovator or dust sampling technician refresher course accredited by EPA under §745.225 or by a State or Tribal program that is authorized under subpart Q of this part within 5 years of the date the individual completed the initial course described in paragraph (a)(1) of this section. If the individual does not complete a refresher course within this	4620.6100, subp. 4 (A)(B)(C)	<p><b>Renewal requirements; refresher training.</b></p> <p>A. An individual who holds a lead renovator may renew training by completing a lead renovator refresher training course within 48 months of the course completion date on the diploma.</p>	The EPA allows renovators to take an abbreviated refresher course that does not include a hands-on component to obtain a 3-year recertification. A renovator who obtains a 3-year recertification must take a refresher course with a hands-on component at their next recertification. EPA-certified dust sampling technicians must take a refresher course every 5 years. The MN rule requires a refresher course every 48-months (4 years) for both roles,

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	<p>time, the individual must re-take the initial course to become certified again.                      Individuals who complete a renovator course accredited by EPA or an EPA authorized program on or before March 31, 2010, must complete a renovator refresher course accredited by EPA or an EPA authorized program on or before March 31, 2016, to maintain renovator certification.                      Individuals who completed a renovator course accredited by EPA or an EPA authorized program between April 1, 2010 and March 31, 2011, will have one year added to their original 5-year certification.</p>	<p>4620.6125,                      subp. 3                      (A)(B)(C)</p>	<p>B. Lead renovator renewal training is valid for 48 months.</p> <p>C. An individual must complete an initial lead renovator training course if more than 48 months have elapsed since the course completion date on the diploma.</p> <p><b>Renewal requirements; refresher training.</b></p> <p>A. An individual who holds a lead sampling technician diploma may renew this training by completing a lead sampling technician refresher training course within 48 months of the course completion date on the diploma.</p> <p>B. Lead sampling technician refresher training is valid for 48 months.</p> <p>C. An individual must complete an initial lead sampling technician training course before performing lead sampling activities if more than 48 months have elapsed since the course completion date on the diploma.</p>	<p>which is consistent with Wisconsin’s RRP program and less stringent than some state programs. See <a href="#">Wisconsin Legislature: DHS 163.11(3)(a)1.b.</a></p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.90(b)</b></p>	<p><i>Renovator responsibilities.</i> Certified renovators are responsible for ensuring compliance with §745.85 at all renovations to which they are assigned. A certified renovator:</p>	<p>4620.6075, subp. 3 (A)(B)(C)(1)(2) (3)</p>	<p><b>Lead renovator assigned to renovation.</b></p> <p>A. A certified renovation firm must assign a lead renovator to a renovation project.</p> <p>B. Lead renovators are responsible for directing renovation work practices under 4620.6200 and performing the tasks assigned to lead renovators under parts 4620.6000 to 4620.6475 at all renovations to which they are assigned.</p> <p>C. A lead renovator assigned to a renovation must be available on site or must be able to be contacted at all times when renovation work is being performed. In addition, a renovator must be physically present at the renovation site:</p> <p>(1) when warning signs are posted under part 4620.6200, subpart 1;</p> <p>(2) while the interior and exterior work area barriers are being installed under part 4620.6200, subparts 3 and 4; and</p>	<p>Consistent.</p>

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			(3) while the work area cleaning is performed under part 4620.6200, subparts 8, 9, and 10.	
§745.90(b)(1)	Must perform all of the tasks described in §745.85(b) and must either perform or direct workers who perform all of the tasks described in §745.85(a).	4620.6075, subp. 3 (A)(B)(C)(1)(2)(3)	See previous column for 4620.6075, subp. 3 (A)(B)(C)(1)(2)(3)	Consistent. See also 4620.6075, which addresses qualified individuals and lead renovator training of individuals, and 4620.6225, which addresses cleaning verification that must be performed by renovators.
§745.90(b)(2)	Must provide training to workers on the work practices required by §745.85(a) that they will be using in performing their assigned tasks.	4620.6075, subp. 2(A)	<p><b>Training conducted by a lead renovator.</b></p> <p>A . Noncertified workers under subpart 1, item D, must be trained by a lead renovator to perform each work practice under part 4620.6200 before performing the work practice during a renovation.</p>	Training requirement for noncertified workers is consistent. Licensed lead supervisors and lead workers do not require lead renovator training under the MN rule.
§745.90(b)(3)	Must be physically present at the work site when the signs required by §745.85(a)(1) are posted, while the work area containment required by §745.85(a)(2) is being established, and while the work area cleaning required by §745.85(a)(5) is performed.	4620.6075, subp. 3(C)	<p><b>Lead renovator assigned to renovation.</b></p> <p>C. lead renovator assigned to a renovation must be available on site or must be able to be contacted at all times when renovation work is being performed. In addition, a renovator</p>	Consistent.

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			must be physically present at the renovation site:  (1) when warning signs are posted under part 4620.6200, subpart 1;  (2) while the interior and exterior work area barriers are being installed under part 4620.6200, subparts 3 and 4; and  (3) while the work area cleaning is performed under part 4620.6200, subparts 8, 9, and 10.	
<p><b>§745.90(b)(4)</b></p>	<p>Must regularly direct work being performed by other individuals to ensure that the work practices required by §745.85(a) are being followed, including maintaining the integrity of the containment barriers and ensuring that dust or debris does not spread beyond the work area.</p>	<p>4620.6075, subp. 3(B)</p>	<p><b>Lead renovator assigned to renovation.</b></p> <p>B. Lead renovators are responsible for directing renovation work practices under 4620.6200 and performing the tasks assigned to lead renovators under parts 4620.6000 to 4620.6475 at all renovations to which they are assigned.</p>	<p>Consistent. As noted above and below, subpart 3 also requires a lead renovator to be available at all times renovation is occurring and physically present during certain activities as a means of ensuring proper supervision (consistent with EPA).</p>
<p><b>§745.90(b)(5)</b></p>	<p>Must be available, either on-site or by telephone, at all times that renovations are being conducted.</p>	<p>4620.6075, subp. 3(C)</p>	<p><b>Lead renovator assigned to renovation.</b></p> <p>C. A lead renovator assigned to a renovation must be available on site</p>	<p>Consistent.</p>

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			or must be able to be contacted at all times when renovation work is being performed. In addition, a renovator must be physically present at the renovation site: [...]	
§745.90(b)(6)	When requested by the party contracting for renovation services, must use an acceptable test kit to determine whether components to be affected by the renovation contain lead-based paint.	-	No comparable provision	MDH requires that a lead renovator use a recognized test kit but does not direct a renovator to do so when requested by a contracting party. See 4620.6000, subp. 2(B).
§745.90(b)(7)	Must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate.	4620.6100, subp. 5	<b>Training documentation.</b> A lead renovator must have a copy of the initial training diploma and, if applicable, the most recent refresher training diploma available at the renovation site for review by the commissioner. For purposes of this part, the copy must be legible, the photograph must be recognizable, and the copy may be provided in an electronic format.	Consistent, and expressly clarifies that copies must be legible and may be electronic.
§745.90(b)(8)	Must prepare the records required by §745.86(b) (1)(ii) and (6).	4620.6150, subp. 1	<b>Records and retention.</b> [...] B. A lead renovator must:	Consistent  See above for consistent EPA records requirements (§745.86(b)).

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			<p>(1) complete the work plan requirements in subpart 2;</p> <p>(2) document training the lead renovator provided to qualified individuals under item E, subitem (3);</p> <p>(3) document, sign, and date recognized test kit results the lead renovator prepared under subpart 2, item D, subitem (4); and</p> <p>(4) document cleaning verification the lead renovator performed under subpart 3, item B.</p>	
<p><b>§745.90(c)</b></p>	<p><i>Dust sampling technician responsibilities.</i> When performing optional dust clearance sampling under §745.85(c), a certified dust sampling technician:</p>	<p>4620.6225, subp. 6(A)</p>	<p><b>Dust clearance sampling.</b></p> <p>A. Only a licensed lead inspector, a licensed lead risk assessor, or a lead sampling technician may collect dust clearance samples.</p>	<p>Consistent. EPA also allows lead inspectors and risk assessors to perform dust clearance sampling.</p>
<p><b>§745.90(c)(1)</b></p>	<p>Must collect dust samples in accordance with §745.227(e)(8), must send the collected samples to a laboratory recognized by EPA under TSCA section 405(b), and must compare the results to the clearance levels in accordance with §745.227(e)(8).</p>	<p>4620.6225, subp. 6 (A)-(G)</p>	<p><b>Dust clearance sampling.</b></p> <p>A. Only a licensed lead inspector, a licensed lead risk assessor, or a lead sampling technician may collect dust clearance samples.</p>	<p>This section cites the MN lead abatement sampling process, which is consistent with the EPA process.</p>



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			<p>B. Dust sampling for clearance purposes must follow the procedures under part 4761.2670, subpart 3, and documented methodologies under part 4761.2000, subpart 15.</p> <p>C. Dust clearance samples must be collected at least one hour after completing the cleaning procedures under part 4620.6200, subpart 9.</p> <p>D. Single-surface dust clearance sample results must be less than the applicable lead dust standards under part 4761.2510, subpart 2.</p> <p>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.</p> <p>F. If dust clearance sample results are 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.</p>	

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			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.	
§745.90(c)(2)	Must have with them at the work site copies of their initial course completion certificate and their most recent refresher course completion certificate.	4620.6125, subp. 4	<b>Training documentation.</b> A lead sampling technician must have a copy of the initial training diploma and the most recent refresher training diploma available at the renovation site for review by the commissioner. For purposes of this part, the copy must be legible, the photograph must be recognizable, and the copy may be provided in an electronic format.	Consistent
§745.91	<b>Suspending, revoking, or modifying an individual's or firm's certification.</b>	<b>4620.6450</b>	<b>Enforcement.</b>	
§745.91(a)(1)	<i>Grounds for suspending, revoking, or modifying an individual's certification.</i> EPA may suspend, revoke, or modify an individual's certification if the individual fails to comply with Federal lead-based paint statutes or regulations. EPA may also suspend, revoke, or modify a certified	4620.6450	The commissioner shall determine enforcement action for any violation of parts 4620.6000 to 4620.6475 under Minnesota Statutes, sections 144.989 to 144.993.	Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act)  Minn. Stat. § 144.99, Subd. 9. <b>Suspension or revocation of permits, licenses, registrations, or certificates.</b> The

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	<p>renovator's certification if the renovator fails to ensure that all assigned renovations comply with §745.85. In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes, for purposes of this section, evidence of a failure to comply with relevant statutes or regulations.</p>			<p>commissioner may suspend, place conditions on, or revoke a permit, license, registration, or certificate issued under the statutes or rules cited in subdivision 1 for:</p> <p>(1) serious or repeated violations of the requirements in the statutes, rules, or other actions listed in subdivision 1 that apply to the permit, license, registration, or certificate;</p> <p>(2) submitting false material information to the department in connection with activities for which the permit, license, registration, or certificate is issued;</p> <p>(3) allowing the alteration or use of one's own permit, license, registration, or certificate by another; or</p> <p>(4) within the previous five years, conviction of a crime in connection with activities for which the permit, license, registration, or certificate was issued.</p>
<p><b>§745.91(a)(2)</b></p>	<p><i>Grounds for suspending, revoking, or modifying a firm's certification.</i> EPA may suspend, revoke, or modify a firm's certification if the firm:</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. § 144.99, Subd. 9. <b>Suspension or revocation of permits, licenses,</b></p>

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				<p><b>registrations, or certificates.</b> The commissioner may suspend, place conditions on, or revoke a permit, license, registration, or certificate issued under the statutes or rules cited in subdivision 1 for: [...]</p>
<p><b>§745.91(a)(2)(i)</b></p>	<p>Submits false or misleading information to EPA in its application for certification or re-certification.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 9. <b>Suspension or revocation of permits, licenses, registrations, or certificates.</b></p> <p>The commissioner may suspend, place conditions on, or revoke a permit, license, registration, or certificate issued under the statutes or rules cited in subdivision 1 for: [...]</p> <p>(2) submitting false material information to the department in connection with activities for which the permit, license, registration, or certificate is issued;</p> <p>See also Minn. Stat. §144.992. <b>False Information.</b></p> <p>A person subject to any of the requirements listed in section 144.99,</p>

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				subdivision 1, may not make a false material statement, representation, or certification in; omit material information from; or alter, conceal, or fail to file or maintain a notice, application, record, report, plan, or other document required under the statutes, rules, or other actions listed in section 144.99, subdivision 1.
§745.91(a)(2)(ii)	Fails to maintain or falsifies records required in §745.86.	4620.6450	See above for rule language.	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>See previous row for Minn. Stat § 144.992.</p>
§745.91(a)(2)(iii)	Fails to comply, or an individual performing a renovation on behalf of the firm fails to comply, with Federal lead-based paint statutes or regulations. In addition to an administrative or judicial finding of violation, execution of a consent agreement in settlement of an enforcement action constitutes, for purposes of this section, evidence of a failure to comply with relevant statutes or regulations.	4620.6450	See above for rule language.	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 9. <b>Suspension or revocation of permits, licenses, registrations, or certificates.</b></p> <p>The commissioner may suspend, place conditions on, or revoke a permit, license, registration, or certificate issued under the statutes or rules cited in subdivision 1 for: [...]</p>

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				<p>(1) serious or repeated violations of the requirements in the statutes, rules, or other actions listed in subdivision 1 that apply to the permit, license, registration, or certificate;</p> <p><i>See also</i> Minn. Stat. § 144.99, which address the enforceability of “all rules, orders, stipulation agreements, settlements, compliance agreements, licenses, registrations, certificates, and permits adopted or issued by the department or under any other law now in force or later enacted for the preservation of public health . . .”</p>
<p><b>§745.91(b)(1)</b></p>	<p><i>Process for suspending, revoking, or modifying certification.</i> Prior to taking action to suspend, revoke, or modify an individual's or firm's certification, EPA will notify the affected entity in writing of the following:</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, Subd. 10. <b>Contested case hearings; license, certificate, registration.</b> If the commissioner proposes to deny, refuses to renew, suspends, or revokes a permit, license, registration, or certificate under subdivision 8 or 9, the commissioner must first notify, in writing, the person against whom the action is proposed to be taken and provide the person an opportunity to request a hearing</p>

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				<p>under the contested case provisions of chapter 14. If the person does not request a hearing by notifying the commissioner within 20 days after receipt of the notice of proposed action, the commissioner may proceed with the action without a hearing. This subdivision does not apply to:</p> <p>(1) the denial of or refusal to renew a permit, license, registration, or certificate based on the applicant's failure to meet or maintain the minimum qualifications for holding the permit, license, registration, or certificate; or</p> <p>(2) the denial of, refusal to renew, suspension of, or revocation of a permit, license, registration, or certificate if the person against whom the action is proposed to be taken has been granted a hearing under this subdivision within the previous 12 months.</p>
<p><b>§745.91(b)(1)(i)</b></p>	<p>The legal and factual basis for the proposed suspension, revocation, or modification.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 requires written notice to a party and refers to</p>

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				<p>contest case procedures in Minn. Stat., ch. 14.</p> <p>Minn. Stat. 14.58. <b>Notice and Hearing.</b></p> <p>In any contested case all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the case, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. [...]</p>
<p><b>§745.91(b)(1)(ii)</b></p>	<p>The anticipated commencement date and duration of the suspension, revocation, or modification.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p>See previous row and Minn. Stat. 144.99, subd. 10, which generally requires an opportunity for a hearing prior to a denial, suspension, or revocation, and states that</p>



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				the commissioner may proceed with an action if the person does not request a hearing within 20 days of receiving notice.
§745.91(b)(1)(iii)	Actions, if any, which the affected entity may take to avoid suspension, revocation, or modification, or to receive certification in the future.	4620.6450	See above for rule language.	<p>MDH has separate correction order authority that allows MDH to require corrective action, and the contested case procedures in Minn. Stat., ch. 14 contain processes for informal disposition and settlement of enforcement actions (see. Minn. Stat. § 14.59).</p> <p>See Minn. Stat. 144.99, subd. 3. <b>Correction orders.</b></p> <p>(a) The commissioner may issue correction orders that require a person to correct a violation of the statutes, rules, and other actions listed in subdivision 1. The correction order must state the deficiencies that constitute the violation; the specific statute, rule, or other action; and the time by which the violation must be corrected.</p> <p>(b) If the person believes that the information contained in the commissioner's correction order is in error, the person may ask the commissioner to reconsider the parts of the order that are alleged to be in error. The request must be in writing, delivered to the commissioner</p>

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				<p>by certified mail within seven calendar days after receipt of the order, and:</p> <p>(1) specify which parts of the order for corrective action are alleged to be in error;</p> <p>(2) explain why they are in error; and</p> <p>(3) provide documentation to support the allegation of error.</p> <p>The commissioner must respond to requests made under this paragraph within 15 calendar days after receiving a request. A request for reconsideration does not stay the correction order; however, after reviewing the request for reconsideration, the commissioner may provide additional time to comply with the order if necessary. The commissioner's disposition of a request for reconsideration is final.</p>
<p><b>§745.91(b)(1)(iv)</b></p>	<p>The opportunity and method for requesting a hearing prior to final suspension, revocation, or modification.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act). MDH notices contain detail about appeal opportunities and methods for exercising appeal rights.</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under</p>

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				<p>Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p><i>See also</i> Minn. Stat. 14.58 which further details notice requirements.</p>
<p><b>§745.91(b)(2)</b></p>	<p>If an individual or firm requests a hearing, EPA will:</p>	<p>4620.6450</p>	<p><i>See above</i> for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p>
<p><b>§745.91(b)(2)(i)</b></p>	<p>Provide the affected entity an opportunity to offer written statements in response to EPA’s assertions of the legal and factual basis for its proposed action.</p>	<p>4620.6450</p>	<p><i>See above</i> for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p><i>See also</i> Minn. Stat. 14.48 to 14.62, and Minn. R. 1400.5010 to .8400, which explain the contested case procedures before an administrative law judge at the Office of Administrative Hearings.</p>

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<p><b>§745.91(b)(2)(ii)</b></p>	<p>Appoint an impartial official of EPA as Presiding Officer to conduct the hearing.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p>Minn. Stat. § 14.50 <b>HEARINGS BEFORE ADMINISTRATIVE LAW JUDGE.</b> All hearings of state agencies required to be conducted under this chapter shall be conducted by an administrative law judge assigned by the chief administrative law judge or by a workers' compensation judge assigned by the chief administrative law judge as provided in section 14.48. [...] It shall be the duty of the judge to: (1) advise an agency as to the location at which and time during which a hearing should be held so as to allow for participation by all affected interests; (2) conduct only hearings for which proper notice has been given; (3) see to it that all hearings are conducted in a fair and impartial manner. Except in the case of workers' compensation hearings involving claims for compensation it shall also be the duty of the judge to make a report on each proposed agency action in which the</p>

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				<p>administrative law judge functioned in an official capacity, stating findings of fact and conclusions and recommendations, taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant procedural requirements of law or rule, and (iii) in rulemaking proceedings, demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts.</p>
<p><b>§745.91(b)(3)</b></p>	<p>The Presiding Officer will:</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p>An administrative law judge must preside over contested case hearings. See Minn. Stat. 14.50.</p>
<p><b>§745.91(b)(3)(i)</b></p>	<p>Conduct a fair, orderly, and impartial hearing within 90 days of the request for a hearing.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p>

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				<p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p>An administrative law judge must preside over contested case hearings, which must be conducted in a fair and impartial manner. <i>See</i> Minn. Stat. 14.50.</p> <p><i>See</i> Minn. R. 1400.5400. <b>ASSIGNMENT OF ADMINISTRATIVE LAW JUDGE.</b></p> <p>Within ten days of the receipt of a request pursuant to part 1400.5300, the chief judge shall assign a judge to hear the case and set the time, date, and place for hearing or prehearing conference, taking into account the agency's request.</p>
§745.91(b)(3)(ii)	Consider all relevant evidence, explanation, comment, and argument submitted.	4620.6450	<i>See</i> above for rule language.	<p>Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p><i>See</i> Minn. Stat. 14.48 to 14.62, and Minn. R. 1400.5010 to .8400, which explain the</p>

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				contested case procedures before an administrative law judge at the Office of Administrative Hearings, including the right to present evidence and argument.
§745.91(b)(3)(iii)	Notify the affected entity in writing within 90 days of completion of the hearing of his or her decision and order. Such an order is a final agency action which may be subject to judicial review. The order must contain the commencement date and duration of the suspension, revocation, or modification.	4620.6450	See above for rule language.	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 10 refers parties to the contested case procedures under Minn. Stat. chapter 14 (Administrative Procedure Act).</p> <p>See Minn. Stat. 14.62 Decisions, Orders., and Minn. Stat. 14.63 through 14.70, which govern judicial review of agency decisions after a contested case.</p>
§745.91(b)(4)	If EPA determines that the public health, interest, or welfare warrants immediate action to suspend the certification of any individual or firm prior to the opportunity for a hearing, it will:	4620.6450	See above for rule language.	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Program can issue cease and desist order to a regulated party in such circumstances. After 72 hours, the program would need to file for an injunction or other type of administrative action.</p>

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				<p>Minn. Stat. 14.99, Subd. 6. <b>Cease and desist.</b> The commissioner, or an employee of the department designated by the commissioner, may issue an order to cease an activity covered by subdivision 1 if continuation of the activity would result in an immediate risk to public health. An order issued under this paragraph is effective for a maximum of 72 hours. In conjunction with the issuance of the cease and desist order, the commissioner may post a sign to cease an activity until the cease and desist order is lifted and the sign is removed by the commissioner. The commissioner must seek an injunction or take other administrative action authorized by law to restrain activities for a period beyond 72 hours. The issuance of a cease and desist order does not preclude the commissioner from pursuing any other enforcement action available to the commissioner.</p>
<p>§745.91(b)(4)(i)</p>	<p>Notify the affected entity in accordance with paragraph (b)(1)(i) through (b)(1)(iii) of this section, explaining why it is necessary to suspend the entity's certification before an opportunity for a hearing.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program's enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 14.99, Subd. 7. <b>Plan for use of administrative penalties and cease and desist authority.</b> The commissioner of</p>



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				<p>health shall prepare a plan for using the administrative penalty and cease and desist authority in this section. The commissioner shall provide a 30-day period for public comment on the plan. The plan must be finalized by December 1, 1993.</p> <p><a href="#">Minnesota’s Administrative Penalty Order Plan</a>, starting page 14 (Section 9), requires written notice within 24 hours of a cease and desist order and the factual and legal basis, except in cases of extreme emergency where a written order is not possible {written notice follows later in such cases}.</p>
<p><b>§745.91(b)(4)(ii)</b></p>	<p>Notify the affected entity of its right to request a hearing on the immediate suspension within 15 days of the suspension taking place and the procedures for the conduct of such a hearing.</p>	<p>4620.6450</p>	<p>See above for rule language.</p>	<p>Program’s enforcement authority is found in Minn. Stat. 144.989-144.993 (Health Enforcement Consolidation Act).</p> <p>Minn. Stat. 144.99, subd. 6 states that cease and desist orders are effective for a maximum of 72 hours. If the commissioner intends to restrain activities beyond 72 hours, the commissioner must seek an injunction in Minnesota district court. Cease and desist orders may be accompanied by correction orders, penalty orders, or other sanctions, and the appeal and reconsideration rights for each form of</p>

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				action are detailed in Minn. Stat. 144.99 and 144.991.
<b>§745.91(b)(5)</b>	Any notice, decision, or order issued by EPA under this section, any transcript or other verbatim record of oral testimony, and any documents filed by a certified individual or firm in a hearing under this section will be available to the public, except as otherwise provided by section 14 of TSCA or by part 2 of this title. Any such hearing at which oral testimony is presented will be open to the public, except that the Presiding Officer may exclude the public to the extent necessary to allow presentation of information which may be entitled to confidential treatment under section 14 of TSCA or part 2 of this title.	4620.6450	See above for rule language.	Minnesota Court Rules and govern public access to court records, and the Minnesota Data Practices Act governs public access to licensing and civil investigative data (see Minn. Stat. 13.39 and 13.41).
<b>§745.91(b)(6)</b>	EPA will maintain a publicly available list of entities whose certification has been suspended, revoked, modified, or reinstated.	-	n/a	Program does not maintain a publicly available list of entities whose certification has been suspended, revoked, modified, or reinstated. Program will provide responsive data to a government data request submitted to the commissioner under the Minnesota Government Data Practices Act (Minn. Stat. chapter 13).

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>§745.91(b)(7)(i)</b>	<p>Unless the decision and order issued under paragraph (b)(3)(iii) of this section specify otherwise:</p> <p>(i) An individual whose certification has been suspended must take a refresher training course (renovator or dust sampling technician) in order to make his or her certification current.</p>	-	n/a	If the certification expires while under suspension then an individual would need to take a refresher course.
<b>§745.91(b)(7)(ii)</b>	<p>Unless the decision and order issued under paragraph (b)(3)(iii) of this section specify otherwise:</p> <p>***</p> <p>(ii) An individual whose certification has been revoked must take an initial renovator or dust sampling technician course in order to become certified again.</p>	-	n/a	An individual whose license or certification was revoked would need to reapply for licensure or certification. Depending on length of revocation, individual may need to retake initial training.
<b>§745.91(b)(7)(iii)</b>	<p>Unless the decision and order issued under paragraph (b)(3)(iii) of this section specify otherwise:</p> <p>***</p> <p>(iii) A firm whose certification has been revoked must reapply for certification after the revocation ends in order to become</p>	-	n/a	A certified renovation firm whose certification has been revoked would need to reapply for licensure or certification. Application following a suspension depends on whether the certification is still valid at the time the suspension expires.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	certified again. If the firm's certification has been suspended and the suspension ends less than 5 years after the firm was initially certified or re-certified, the firm does not need to do anything to re-activate its certification.			
§745.92	<b>Fees for the accreditation of renovation and dust sampling technician training and the certification of renovation firms.</b>	4620.6250, subp. 1(A);  4620.6050, subp. 2(B).	See below—fees are specified in Minnesota Statutes.  Part 4620.6250 addresses training course providers and 4620.6050 addresses certified renovation firms.	
§745.92(a)	<i>Persons who must pay fees.</i> Fees in accordance with paragraph (b) of this section must be paid by:	4620.6250, subp. 1(A)  4620.6050, subp. 2(B)	See below—fees are specified in Minnesota Statutes.  Part 4620.6250 addresses training course providers and 4620.6050 addresses certified renovation firms.	
§745.92(a)(1)(i)	<i>Training programs—(i) Non-exempt training programs.</i> All non-exempt training programs applying to EPA for the accreditation and re-accreditation of training programs in one or more of the following disciplines: Renovator, dust sampling technician.	4620.6250, subp. 1(A)(2)	<b>Initial application for training course permit.</b>  A. To obtain an initial training course permit for a lead renovator or lead sampling technician, an applicant must: [...]	Program fees are specified in Minnesota Statutes for each certification or license.  See Minn. Stat. 144.9505, Subd. 1i. <b>Lead training course.</b> for training course permit fee for a lead worker, lead supervisor, lead inspector, lead risk assessor, lead project

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			(2) submit a nonrefundable application fee required under Minnesota Statutes, section 144.9505, subdivision 1i, payable to the Minnesota Department of Health; and	designer, lead sampling technician, and lead renovator.
§745.92(a)(1)(ii)	<i>Exemption.</i> No fee shall be imposed on any training program operated by a State, federally recognized Indian Tribe, local government, or non-profit organization. This exemption does not apply to the certification of firms or individuals.	-	No comparable provision	The program only imposes fees on entities under its jurisdiction, but Minnesota does not exempt specific entities from training program fees under Minn. Stat. 144.9505, subd. 1i. Fee exemptions may be addressed elsewhere in state or federal law, agreements, or compacts.
§745.92(a)(2)	<i>Firms.</i> All firms applying to EPA for certification and re-certification to conduct renovations.	4620.6050, subp. 2(B)	<b>Certification Application.</b> An applicant for renovation firm certification must submit to the commissioner: [...]  B. a nonrefundable application fee required under Minnesota Statutes, section 144.9505, subdivision 1h, payable to the Minnesota Department of Health;	See below for firm fee amounts in Minn. Stat. 144.9505, subd. 1h.
§745.92(b)(1)	<i>Fee amounts—(1) Certification and accreditation fees.</i> Initial and renewal	4620.6050, subp. 2(B)	<b>Certification Application.</b> An applicant for renovation firm certification must submit to the commissioner: [...]	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	certification and accreditation fees are specified in the following table:		B. a nonrefundable application fee required under Minnesota Statutes section 144.9505, subdivision 1h, payable to the Minnesota Department of Health;	
	<p><b>Certification/Permit:</b> Initial Renovator or Dust Sampling Technician Course</p> <p><b>Accreditation</b> - \$560</p> <p><b>Reaccreditation</b> - \$340</p> <p><b>Certification/Permit:</b> Refresher Renovator or Dust Sampling Technician Course</p> <p><b>Accreditation</b> - \$400</p> <p><b>Reaccreditation</b> - \$310</p> <p><b>Certification/Permit:</b> Renovation Firm</p> <p><b>Accreditation</b> - \$300</p> <p><b>Reaccreditation</b> - \$300</p> <p><b>Certification/Permit:</b> Combined Renovation and Lead-based Paint Activities Firm Application</p> <p><b>Accreditation</b> - \$550</p> <p><b>Reaccreditation</b> - \$550</p>	<p>4620.6050, subp. 2(B)</p> <p>46250.6250, subp. 1 A(2)</p>	<p><b>Certification Application.</b> An applicant for renovation firm certification must submit to the commissioner: [...]</p> <p>B. a nonrefundable application fee required under Minnesota Statutes section 144.9505, subdivision 1h, payable to the Minnesota Department of Health;</p> <p><b>Initial application for training course permit.</b></p> <p>A. To obtain an initial training course permit for a lead renovator or lead sampling technician, an applicant must: [...]</p> <p>(2) submit a nonrefundable application fee required under Minnesota statutes section 144.9505, subdivision 1i, payable to the Minnesota Department of Health; and</p>	<p>Program fees are specified in statute for each certification or license.</p> <p>See Minn. Stat. 144.9505, Subd. 1h. <b>Certified renovation firm.</b></p> <p>A person who employs individuals to perform renovation activities must obtain certification as a renovation firm. The certificate must be in writing, contain an expiration date, be signed by the commissioner, and give the name and address of the person to whom it is issued. A renovation firm certificate is valid for two years. The certification fee is \$100, is nonrefundable, and must be submitted with each application. The renovation firm certificate or a copy of the certificate must be readily available at the worksite for review by the contracting entity, the commissioner, and other public health officials charged with the health, safety, and welfare of the state's citizens.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p><b>Certification/Permit:</b> Combined Renovation and Lead-based Paint Activities Tribal Firm Application</p> <p><b>Accreditation</b> - \$20</p> <p><b>Reaccreditation</b> - \$20</p> <p><b>Certification/Permit:</b> Tribal Firm</p> <p><b>Accreditation</b> - \$20</p> <p><b>Reaccreditation</b> - \$20</p>			<p>See Minn. Stat. 144.9505, Subd. 1i. <b>Lead training course.</b></p> <p>Before a person provides training to lead workers, lead supervisors, lead inspectors, lead risk assessors, lead project designers, lead sampling technicians, and lead renovators, the person shall first obtain a permit from the commissioner. The permit must be in writing, contain an expiration date, be signed by the commissioner, and give the name and address of the person to whom it is issued. A training course permit is valid for two years. Training course permit fees shall be nonrefundable and must be submitted with each application in the amount of \$500 for an initial training course, \$250 for renewal of a permit for an initial training course, \$250 for a refresher training course, and \$125 for renewal of a permit of a refresher training course.</p>
<p><b>§745.92(b)(2)</b></p>	<p><i>Lost certificate.</i> A \$15 fee will be charged for the replacement of a firm certificate.</p>	<p>-</p>	<p>No comparable provision</p>	<p>Program issues certificates electronically and does not charge a fee for replacing a firm certificate.</p>
<p><b>§745.92(c)</b></p>	<p><b>Certificate replacement.</b> Firms seeking certificate replacement must:</p>	<p>-</p>	<p>No comparable provision</p>	<p>Program issues certificates electronically and does not charge a fee for replacing a firm certificate.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.92(c)(1)	Complete the applicable portions of the “Application for Firms” in accordance with the instructions provided.	-	No comparable provision	Program issues certificates electronically and does not charge a fee for replacing a firm certificate.
§745.92(c)(2)	Submit the application and a payment of \$15 in accordance with the instructions provided with the application package.	-	No comparable provision	Program issues certificates electronically and does not charge a fee for replacing a firm certificate.
§745.92(c)(3)	<i>Accreditation or certification amendments.</i> No fee will be charged for accreditation or certification amendments.	-	No comparable provision	MN Rule does not charge fees for amendments.
§745.92(d)(1)	<i>Failure to remit fees.</i> (1) EPA will not provide certification, re-certification, accreditation, or re-accreditation for any firm or training program that does not remit fees described in paragraph (b) of this section in accordance with the procedures specified in 40 CFR 745.89.	-	No comparable provision	Fee remittance is part of the online application process. Application will not be processed without the required information and fee.
§745.92(d)(2)	EPA will not replace a certificate for any firm that does not remit the \$15 fee in accordance with the procedures specified in paragraph (c) of this section.	-	No comparable provision	Program does not charge a fee for replacing a firm certificate.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<b>Subpart L</b>	<b>Lead-Based Paint Activities</b>			
<b>§745.220</b>	<b>Scope and applicability.</b>			
<b>§745.220(a)</b>	This subpart contains procedures and requirements for the accreditation of training programs for lead-based paint activities and renovations, procedures and requirements for the certification of individuals and firms engaged in lead-based paint activities, and work practice standards for performing such activities. This subpart also requires that, except as discussed below, all lead-based paint activities, as defined in this subpart, be performed by certified individuals and firms.	n/a		MN rule does not contain comparable non-substantive introductory language. The requirements of 745.220 are contained in the MN rule.
<b>§745.220(b)</b>	This subpart applies to all individuals and firms who are engaged in lead-based paint activities as defined in §745.223, except persons who perform these activities within residential dwellings that they own, unless the residential dwelling is occupied by a person or persons other than the owner or the owner's immediate family	n/a		MN rule does not contain comparable non-substantive introductory language. The requirements of 745.220 are contained in the MN rule.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>while these activities are being performed, or a child residing in the building has been identified as having an elevated blood lead level. This subpart applies only in those States or Indian Country that do not have an authorized State or Tribal program pursuant to §745.324 of subpart Q.</p>			
<p><b>§745.220(c)</b></p>	<p>Each department, agency, and instrumentality of the executive, legislative, and judicial branches of the Federal Government having jurisdiction over any property or facility, or engaged in any activity resulting, or which may result, in a lead-based paint hazard, and each officer, agent, or employee thereof shall be subject to, and comply with, all Federal, State, interstate, and local requirements, both substantive and procedural, including the requirements of this subpart regarding lead-based paint, lead-based paint activities, and lead-based paint hazards.</p>	<p>n/a</p>		<p>MN rule does not contain comparable non-substantive introductory language. The requirements of 745.220 are contained in the MN rule.</p>
<p><b>§745.220(d)</b></p>	<p>While this subpart establishes specific requirements for performing lead-based paint activities should they be undertaken, nothing in this subpart requires that the owner or occupant undertake any particular lead-based paint activity.</p>	<p>n/a</p>		<p>MN rule does not contain comparable non-substantive introductory language. The requirements of 745.220 are contained in the MN rule.</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.223	<b>Definitions.</b>			
§745.223	The definitions in subpart A apply to this subpart. In addition, the following definitions apply.	4620.6025, subp. 1	<b>Scope.</b> The terms used in parts 4620.6000 to 4620.6475 have the meanings given them in this part.	Consistent
§745.223	<b>Accredited training program</b> means a training program that has been accredited by EPA pursuant to §745.225 to provide training for individuals engaged in lead-based paint activities.	4620.6025, subp. 32	<b>Training course.</b> "Training course" means an instruction course, permitted by the commissioner, for a lead renovator or a lead sampling technician.	Consistent
§745.223	<b>Containment</b> means a process to protect workers and the environment by controlling exposures to the lead-contaminated dust and debris created during an abatement.	4620.6025, subp. 38	<b>Work-area barrier.</b> "Work-area barrier" means a barrier constructed of plastic sheeting or other disposable, impermeable material to separate and isolate a work area, including a vertical containment, containment walls used to isolate an interior work area, and a barrier installed over doors, floors, windows, objects, structures, building components, and air passageways.	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.223	<b>Course agenda</b> means an outline of the key topics to be covered during a training course, including the time allotted to teach each topic.	4620.6250, Subp. 1(A)(3)(a)	A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]  (3) submit the following training course materials at least 60 days before the training course start date:  (a) the training course curriculum; [...]	Consistent
§745.223	<b>Course test</b> means an evaluation of the overall effectiveness of the training which shall test the trainees' knowledge and retention of the topics covered during the course.	4620.6375, subp. 10	<b>Training course written examination.</b> All permitted training courses must include a written examination that meets the requirements of this subpart.	Consistent
§745.223	<b>Course test blue print</b> means written documentation identifying the proportion of course test questions devoted to each major topic in the course curriculum.	4620.6250, subp. 1(A)(3)(j)	<b>Initial application for a training course permit.</b> A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]  (3) submit the following training course materials at least 60 days before the training course start date: [...]  (j) a description of the proportion of the training course written	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			examination questions devoted to each major topic in the course;	
§745.223	<b>Discipline</b> means one of the specific types or categories of lead-based paint activities identified in this subpart for which individuals may receive training from accredited programs and become certified by EPA. For example, “abatement worker” is a discipline.	n/a		Term not defined in MN rule.
§745.223	<b>Enclosure</b> means the use of rigid, durable construction materials that are mechanically fastened to the substrate in order to act as a barrier between lead-based paint and the environment.	n/a		Term not used in MN rule.
§745.223	<b>Guest instructor</b> means an individual designated by the training program manager or principal instructor to provide instruction specific to the lecture, hands-on activities, or work practice components of a course.	4620.6375, subp. 9	<b>Guest presenter.</b> A training course provider may use a guest presenter if the training course provider meets the requirements of this subpart.	Consistent
§745.223	<b>Hands-on skills assessment</b> means an evaluation which tests the trainees' ability to satisfactorily perform the work practices and procedures identified in §745.225(d),	4620.6250, subp. 1(A)(3)(k)	<b>Initial application for a training course permit.</b>  A. To obtain an initial training course permit for a lead renovator or lead	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	as well as any other skill taught in a training course.		<p>sampling technician training, an applicant must: [...]</p> <p>(3) submit the following training course materials at least 60 days before the training course start date: [...]</p> <p>(k) for courses that include a hands-on training component, a description of the hands-on skills evaluation of a training course participant's ability to do work practices;</p>	
§745.223	<b>Hazardous waste</b> means any waste as defined in 40 CFR 261.3.	4620.6200, subp. 7(A)(1)	<p>Subp. 7. <b>Waste management.</b> A. For purposes of this part:</p> <p>(1) “waste” means paint chips; debris; dust; wastewater; used disposable cleaning equipment; or used cleaning materials that cannot be cleaned to remove dust, debris, or residue; and other renovation waste. Other examples of waste include used plastic sheeting or other disposable, impermeable material; used HEPA filters; used protective clothing; used respirators or face masks; and used gloves; and [...]</p>	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.223	<b>Inspection</b> means a surface-by-surface investigation to determine the presence of lead-based paint and the provision of a report explaining the results of the investigation.	n/a		Inspection activity performed by a lead inspector is defined at Minn Stat.§ 144.9501, subd. 18.
§745.223	<b>Interim controls</b> means a set of measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs.	n/a		Term not used in MN rule.
§745.223	<b>Lead-based paint</b> means paint or other surface coatings that contain lead equal to or in excess of 1.0 milligrams <i>per</i> square centimeter or more than 0.5 percent by weight.	4620.6025, subp. 19	<b>Lead-based paint.</b> "Lead-based paint" has the meaning given in Minnesota Rules, part 4761.2510, subpart 1.	Consistent
§745.223	<b>Lead-based paint activities</b> means, in the case of target housing and child-occupied facilities, inspection, risk assessment, and abatement, as defined in this subpart.	n/a		Term not used in MN rule.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.223	<b>Lead-based paint hazard</b> means any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as identified by the Administrator pursuant to TSCA section 403.	n/a		
§745.223	<b>Principal instructor</b> means the individual who has the primary responsibility for organizing and teaching a particular course.	4620.6375, subp. 5	Addressed in Subp. 5.  <b>Principal instructor; qualifications.</b> A training course provider must designate a principal instructor for each training course. [...]	Consistent
§745.223	<b>Recognized laboratory</b> means an environmental laboratory recognized by EPA pursuant to TSCA section 405(b) as being capable of performing an analysis for lead compounds in paint, soil, and dust.			Only mention of laboratory is in 4620.6150, Subp. 3(C)(8)  (8) the name of the analytic laboratory that conducted the analysis.
§745.223	<b>Start date</b> means the first day of any lead-based paint activities training course or lead-based paint abatement activity.			“Start date” discussed in 4620.6300, subparts 1 and 2 refers to start date of a training course. MN rule does not required notification of renovation activity.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.223	<b>Start date provided to EPA</b> means the start date included in the original notification or the most recent start date provided to EPA in an updated notification.			"Start date" discussed in 4620.6300, subparts 1 and 2 refers to start date of a training course. MN rule does not required notification of renovation activity.
§745.223	<b>Training curriculum</b> means an established set of course topics for instruction in an accredited training program for a particular discipline designed to provide specialized knowledge and skills.	4620.6250, subp. 1(A)(3)(a)	A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]  (3) submit the following training course materials at least 60 days before the training course start date:  (a) the training course curriculum;	Consistent
§745.223	<b>Training hour</b> means at least 50 minutes of actual learning, including, but not limited to, time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and/or hands-on experience.	4620.6025, subp. 33	<b>Training hour.</b> "Training hour" means at least 50 minutes of instruction, including time devoted to lecture, learning activities, small group activities, demonstrations, evaluations, and hands-on training components.	Consistent
§745.223	<b>Training manager</b> means the individual responsible for administering a training program and monitoring the performance	4620.6375, subps. 3, 4	<b>Training manager; qualifications.</b> A training course provider must designate a training manager who has:	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>of principal instructors and guest instructors.</p>		<p>A. demonstrated experience, education, or training in the construction industry, including regulated lead work, asbestos-related work, asbestos management activities, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene; and</p> <p>B. at least two years of experience, education, or training in teaching adults; or</p> <p>C. a bachelor’s degree or a graduate degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration, program management, or a related field; or</p> <p>D. at least two years of experience in managing a training program in environmental hazards.</p> <p><b>Training manager; duties.</b></p> <p>A. A training manager’s duties include:</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(1) designating a principal instructor for each training course;</p> <p>(2) requiring that each training course is presented as described in the training course provider’s approved permit application; and</p> <p>(3) verifying that a guest presenter's presentation material under part 4620.6375, subpart 9, is specific to the training course topic; and</p> <p>(4) developing and implementing a quality control plan for each training course according to item B;</p> <p>B. A quality control plan must include procedures for:</p> <p>(1) periodic revision of training course materials; and</p> <p>(2) annual performance evaluation of principal instructor competency and performance.</p>	
<p><b>§745.223</b></p>	<p><b><i>Training provider</i></b> means any organization or entity accredited under §745.225 to offer lead-based paint activities courses.</p>			<p>Requirements and responsibilities for training course providers in 4620.6250 to 4620.6425.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225	<b>Accreditation of training programs: target housing and child occupied facilities.</b>			
§745.225(a)	<i>Scope.</i>			
§745.225(a)(1)	A training program may seek accreditation to offer courses in any of the following disciplines: Inspector, risk assessor, supervisor, project designer, abatement worker, renovator, and dust sampling technician. A training program may also seek accreditation to offer refresher courses for each of the above listed disciplines.	n/a		MDH only accredits the training course. MDH does not issue a separate credential for a training course provider, which EPA is referring to here as training program.
§745.225(a)(2)	Training programs may first apply to EPA for accreditation of their lead-based paint activities courses or refresher courses pursuant to this section on or after August 31, 1998. Training programs may first apply to EPA for accreditation of their renovator or dust sampling technician courses or refresher courses pursuant to this section on or after April 22, 2009.	n/a		MN rule does not contain comparable non-substantive introductory language. The requirements of 745.225 are contained in the MN rule.
§745.225(a)(3)	A training program must not provide, offer, or claim to provide EPA- accredited lead-based paint activities courses without	4620.6250, subp. 2(B)	<b>Application approval; permit issuance. [...]</b>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>applying for and receiving accreditation from EPA as required under paragraph (b) of this section on or after March 1, 1999. A training program must not provide, offer, or claim to provide EPA-accredited renovator or dust sampling technician courses without applying for and receiving accreditation from EPA as required under paragraph (b) of this section on or after June 23, 2008.</p>		<p>B. A training course provider shall not present a training course under this part before the commissioner issues a training course permit.</p>	
<p><b>§745.225(a)(4)</b></p>	<p>Accredited training programs, training program managers, and principal instructors must comply with all of the requirements of this section including approved terms of the application and all of the requirements and limitations specified in any accreditation documents issued to training programs.</p>	<p>4620.6250</p>		<p>Consistent</p>
<p><b>§745.225(b)</b></p>	<p><i>Application process.</i> The following are procedures a training program must follow to receive EPA accreditation to offer lead-based paint activities courses, renovator courses, or dust sampling technician courses:</p>	<p>4620.6250</p>		<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(b)(1)	A training program seeking accreditation shall submit a written application to EPA containing the following information:		See 4620.6250 - <b>APPLICATION FOR TRAINING COURSE PERMIT.</b>	Consistent
§745.225(b)(1)(i)	The training program's name, address, and telephone number.	4620.6250, subp. 1(A)(1)	<b>Initial application for training course permit.</b>  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;	This information is part of the online registration process.
§745.225(b)(1)(ii)	A list of courses for which it is applying for accreditation. For the purposes of this section, courses taught in different languages and electronic learning courses are considered different courses, and each must independently meet the accreditation requirements.	4620.6250, subp. 1(A)	A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]	This information is part of the online registration process.
§745.225(b)(1)(iii)	The name and documentation of the qualifications of the training program manager.	4620.6250, subp. 1(A)(3)(I)	A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(3) submit the following training course materials at least 60 days before the training course start date: [...]</p> <p>(l) a description of the training manager's qualifications under part 4620.6375, subpart 3;</p>	
<p><b>§745.225(b)(1)(iv)</b></p>	<p>The name(s) and documentation of qualifications of any principal instructor(s).</p>	<p>4620.6250, subp. 1(A)(3)(m)</p>	<p>A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]</p> <p>(3) submit the following training course materials at least 60 days before the training course start date: [...]</p> <p>(m) a description of the principal instructor's qualifications under par4620.6425, subpart 5;</p>	<p>Consistent</p>
<p><b>§745.225(b)(1)(v)</b></p>	<p>A statement signed by the training program manager certifying that the training program meets the requirements established in paragraph (c) of this section. If a training program uses EPA-recommended model training materials, or training materials approved by a State or</p>	<p>4620.6250, subp. 1(A)(3)</p>	<p>A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]</p> <p>(3) submit the following training course materials at least 60 days</p>	<p>This information is part of the online registration process.</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	Indian Tribe that has been authorized by EPA under subpart Q of this part, the training program manager shall include a statement certifying that, as well.		before the training course start date: [...]	
<b>§745.225(b)(1)(vi)</b>	If a training program does not use EPA-recommended model training materials, its application for accreditation shall also include:	4620.6250		
<b>§745.225(b)(1)(vi)(A)</b>	A copy of the student and instructor manuals, or other materials to be used for each course.	4620.6250		Consistent
<b>§745.225(b)(1)(vi)(B)</b>	A copy of the course test blueprint for each course.	4620.6250		Consistent
<b>§745.225(b)(1)(vi)(C)</b>	A description of the activities and procedures that will be used for conducting the assessment of hands-on skills for each course.	4620.6250, subp. 1(A)(3)(k)	<p>A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]</p> <p>(3) submit the following training course materials at least 60 days before the training course start date: [...]</p> <p>(k) for courses that include a hands-on training component, a description</p>	Consistent



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			of the hands-on skills evaluation of a training course participant's ability to do work practices;	
<b>§745.225(b)(1)(vi)(D)</b>	A copy of the quality control plan as described in paragraph (c)(9) of this section.	4620.6375, subp. 4(B)	<p><b>Training manager; duties.</b></p> <p>B. A quality control plan must include procedures for:</p> <p>(1) periodic revision of training course materials; and</p> <p>(2) annual review of principal instructor competency and performance.</p>	Consistent
<b>§745.225(b)(2)</b>	If a training program meets the requirements in paragraph (c) of this section, then EPA shall approve the application for accreditation no more than 180 days after receiving a complete application from the training program. In the case of approval, a certificate of accreditation shall be sent to the applicant. In the case of disapproval, a letter describing the reasons for disapproval shall be sent to the applicant. Prior to disapproval, EPA may, at its discretion, work with the applicant to address inadequacies in the application for	4620.6250, subp. 2, 5	<p><b>Application approval; permit issuance.</b></p> <p>A. The commissioner shall:</p> <p>(1) review and approve an application under subpart 1; or</p> <p>(2) deny the application and provide the notice under subpart 5.</p> <p>B. A training course provider shall not present a training course under this</p>	Consistent

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	<p>accreditation. EPA may also request additional materials retained by the training program under paragraph (i) of this section. If a training program's application is disapproved, the program may reapply for accreditation at any time.</p>		<p>part before the commissioner issues a training course permit.</p> <p>C. A training course permit issued under this part is valid for two years and is not transferable.</p> <p><b>Subp. 5. Denial of training course permit application.</b></p> <p>A. The commissioner shall deny an application for a training course permit according to Minnesota Statutes, section 144.99, subdivision 8.</p> <p>B. The commissioner must notify an applicant, in writing, of the denial of the permit application and provide a statement of:</p> <p>(1) the reasons for the denial; and</p> <p>(2) whether any application deficiencies can be corrected under item C.</p> <p>C. An applicant is not required to reapply and submit an additional application fee if the applicant submits the corrected deficiencies enumerated in the commissioner's no</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			later than 30 days after the date of the denial.	
§745.225(b)(3)	A training program may apply for accreditation to offer courses or refresher courses in as many disciplines as it chooses. A training program may seek accreditation for additional courses at any time as long as the program can demonstrate that it meets the requirements of this section.			Consistent.  MN rule does not prohibit the number of course offerings.
§745.225(b)(3)	A training program applying for accreditation must submit the appropriate fees in accordance with §745.238.	4620.6250, subp. 1(A)(2)	<p><b>Initial application for training course permit.</b></p> <p>A. To obtain an initial training course permit for a lead renovator or lead sampling technician training, an applicant must: [...]</p> <p>(2) submit a nonrefundable application fee required under Minnesota Statutes, section 144.9505, subdivision 1i, payable to the Minnesota Department of Health; and</p>	Consistent
§745.225(c)	<i>Requirements for the accreditation of training programs.</i> A training program accredited by EPA to offer lead-based paint activities courses, renovator courses, or	-		

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	dust sampling technician courses must meet the following requirements:			
§745.225(c)(1)	The training program shall employ a training manager who has:	4620.6375, Subp. 3	<b>Training manager; qualifications.</b> A training course provider must designate a training manager who has:	Consistent
§745.225(c)(1)(i)	At least 2 years of experience, education, or training in teaching workers or adults; or	4620.6375, Subp. 3(B)	B. at least two years of experience, education, or training in teaching adults; or	Consistent
§745.225(c)(1)(ii)	A bachelor's or graduate degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration or program management or a related field; or	4620.6375, Subp. 3(C)	C. a bachelor's degree or a graduate degree in building construction technology, engineering, industrial hygiene, safety, public health, education, business administration, program management, or a related field; or	Consistent
§745.225(c)(1)(iii)	Two years of experience in managing a training program specializing in environmental hazards; and	4620.6375, Subp. 3(D)	D. at least two years of experience in managing a training program in environmental hazards.	Consistent
§745.225(c)(1)(iv)	Demonstrated experience, education, or training in the construction industry including: Lead or asbestos abatement, painting, carpentry, renovation,	4620.6375, Subp. 3(A)	A. demonstrated experience, education, or training in the construction industry, including regulated lead work, asbestos-related	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	remodeling, occupational safety and health, or industrial hygiene.		work, asbestos management activities, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene; and	
§745.225(c)(2)	The training manager shall designate a qualified principal instructor for each course who has:	4620.6375, Subp. 5	<b>Principal instructor; qualifications.</b> A training course provider must designate a principal instructor for each training course. [...]	Consistent
§745.225(c)(2)(i)	Demonstrated experience, education, or training in teaching workers or adults; and	4620.6375, Subp. 5(A)	A. have demonstrated experience, education, or training in teaching adults including using evaluation methods to monitor a training course participant’s progress;	Consistent
§745.225(c)(2)(ii)	Successfully completed at least 16 hours of any EPA-accredited or EPA-authorized State or Tribal-accredited lead-specific training for instructors of lead-based paint activities courses or 8 hours of any EPA-accredited or EPA-authorized State or Tribal-accredited lead-specific training for instructors of renovator or dust sampling technician courses; and	4620.6375, Subp. 5(B)(1)(2)	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 by a state or Tribal program authorized by the EPA or, if the individual is a lead supervisor or	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>lead worker, a lead renovator refresher training course approved by the EPA or a state or Tribal program authorized by the EPA; and</p> <p>(2) lead sampling technician training course must complete a lead sampling training course approved by the EPA or by a state or Tribal program authorized by the EPA, except that a lead risk assessor or lead inspector may act as a principal lead sampling instructor without further training; and</p>	
<p><b>§745.225(c)(2)(iii)</b></p>	<p>Demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.</p>	<p>4620.6375, Subp. 5(C)</p>	<p>C. have demonstrated experience, education, or training in lead or asbestos abatement, painting, carpentry, renovation, remodeling, occupational safety and health, or industrial hygiene.</p>	<p>Consistent</p>
<p><b>§745.225(c)(3)</b></p>	<p>The principal instructor shall be responsible for the organization of the course, course delivery, and oversight of the teaching of all course material. The training manager may designate guest instructors as needed for a portion of the course to provide instruction specific to the lecture, hands-on activities, or work practice components of a course.</p>	<p>4620.6375, Subp. 6(A)(B)</p>	<p>A. A principal instructor is responsible for the organization of the training course and overseeing the instruction of all training course materials.</p> <p>B. A principal instructor must:</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>However, the principal instructor is primarily responsible for teaching the course materials and must be present to provide instruction (or oversight of portions of the course taught by guest instructors) for the course for which he has been designated the principal instructor.</p>		<p>(1) supervisor other training course instructors and guest presenters;</p> <p>(2) document each training course participant’s attendance; and</p> <p>(3) develop a written examination and a hands-on skills evaluation that measure a training course participant’s understanding of the training course material.</p>	
<p><b>§745.225(c)(4)</b></p>	<p>The following documents shall be recognized by EPA as evidence that training managers and principal instructors have the education, work experience, training requirements or demonstrated experience, specifically listed in paragraphs (c)(1) and (c)(2) of this section. This documentation must be submitted with the accreditation application and retained by the training program as required by the recordkeeping requirements contained in paragraph (i) of this section. Those documents include the following:</p>	<p>4620.6375</p>		<p>MN rule requires training managers to possess the same prerequisite credentials as the EPA rule but maximizes flexibility for the regulated party and agency by disregarding EPA's rigid requirements for documenting the attainment of the credentials. (See <a href="#">Minn. Stat. s. 14.002</a>)</p>
<p><b>§745.225(c)(4)(i)</b></p>	<p>Official academic transcripts or diploma as evidence of meeting the education requirements.</p>	<p>n/a</p>		

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(c)(4)(ii)	Resumes, letters of reference, or documentation of work experience, as evidence of meeting the work experience requirements.	n/a		
§745.225(c)(4)(iii)	Certificates from train-the-trainer courses and lead-specific training courses, as evidence of meeting the training requirements.	n/a		
§745.225(c)(5)	The training program shall ensure the availability of, and provide adequate facilities for, the delivery of the lecture, course test, hands-on training, and assessment activities. This includes providing training equipment that reflects current work practices and maintaining or updating the equipment and facilities as needed.	4620.6250, Subp. 1 (a)(3)(o)	(o) the description of the facility where the training course provider is presenting the training course; and	Consistent.
§745.225(c)(6)	To become accredited in the following disciplines, the training program shall provide training courses that meet the following training requirements:			
§745.225(c)(6)(i)	The inspector course shall last a minimum of 24 training hours, with a minimum of 8 hours devoted to hands-on training	n/a		MDH accredits lead inspector course under MN Rules, chapter 4761.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	activities. The minimum curriculum requirements for the inspector course are contained in paragraph (d)(1) of this section.			
<b>§745.225(c)(6)(ii)</b>	The risk assessor course shall last a minimum of 16 training hours, with a minimum of 4 hours devoted to hands-on training activities. The minimum curriculum requirements for the risk assessor course are contained in paragraph (d)(2) of this section.	n/a		MDH accredits lead risk assessor course under MN Rules, chapter 4761.
<b>§745.225(c)(6)(iii)</b>	The supervisor course shall last a minimum of 32 training hours, with a minimum of 8 hours devoted to hands-on activities. The minimum curriculum requirements for the supervisor course are contained in paragraph (d)(3) of this section.	n/a		MDH accredits supervisor course under MN Rules, chapter 4761.
<b>§745.225(c)(6)(iv)</b>	The project designer course shall last a minimum of 8 training hours. The minimum curriculum requirements for the project designer course are contained in paragraph (d)(4) of this section.	n/a		MDH accredits project designer course under MN Rules, chapter 4761.
<b>§745.225(c)(6)(v)</b>	The abatement worker course shall last a minimum of 16 training hours, with a minimum of 8 hours devoted to hands-on training activities. The minimum curriculum	n/a		MDH accredits abatement worker course under MN Rules, chapter 4761.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	requirements for the abatement worker course are contained in paragraph (d)(5) of this section.			
§745.225(c)(6)(vi)	The renovator course must last a minimum of 8 training hours, with a minimum of 2 hours devoted to hands-on training activities. The minimum curriculum requirements for the renovator course are contained in paragraph (d)(6) of this section.	4620.6400, Subp. 4, 6	<p><b>Length and content requirements of initial lead renovator training course.</b></p> <p>A. An initial lead renovator training course must be a minimum of eight training hours.</p> <p>B. An initial lead renovator training course must include:</p> <ul style="list-style-type: none"> <li>(1) lectures;</li> <li>(2) demonstrations;</li> <li>(3) a hands-on skills component; and</li> <li>(4) a written examination according to part 4620.6375, subpart 10.</li> </ul> <p>C. Initial renovator training course instruction must cover:</p> <ul style="list-style-type: none"> <li>(1) the roles and responsibilities of a lead renovator;</li> <li>(2) information on lead and its adverse health effects;</li> </ul>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(3) information on lead-based paint and renovation activities including federal, state, and local regulations and guidance;</p> <p>(4) procedure for using recognized test kits;</p> <p>(5) work practices under part 4620.6200;</p> <p>(6) visual inspection and cleaning verification under part 4620.6225;</p> <p>(7) training for workers; and</p> <p>(8) work plan and project report preparation under part 4620.6150.</p> <p><b>Lead renovator hands-on training component.</b></p> <p>A. Initial lead renovator training must include a hands-on training component that is at least two training hours.</p> <p>B. A hands-on training component must include:</p> <p>(1) demonstration by the instructor of:</p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<ul style="list-style-type: none"> <li>(a) disassembling, cleaning, and reassembling of a half-face air purifying respirator; and</li> <li>(b) respirator fit checking; and</li> <li>(2) practice by each training course participant of:                             <ul style="list-style-type: none"> <li>(a) donning and doffing protective clothing;</li> <li>(b) using a recognized test kit;</li> <li>(c) work practices under part 4620.6200;</li> <li>(d) visual inspection and cleaning verification under part 4620.6225; and</li> <li>(e) work plan and project report preparation under part 4620.6150.</li> </ul> </li> </ul>	
<p><b>§745.225(c)(6)(vii)</b></p>	<p>The dust sampling technician course must last a minimum of 8 training hours, with a minimum of 2 hours devoted to hands-on training activities. The minimum curriculum requirements for the dust sampling technician course are contained in paragraph (d)(7) of this section.</p>	<p>4620.6400, Subp. 5, 7</p>	<p><b>Length and content requirements of initial lead sampling technician training course.</b></p> <p>A. An initial lead sampling technician training course must be a minimum of eight training hours.</p> <p>B. An initial lead sampling technician training course must include:</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>(1) lectures;</p> <p>(2) demonstrations;</p> <p>(3) a hands-on skills component; and</p> <p>(4) a written examination according to part 4620.6375, subpart 10.</p> <p>C. Initial lead sampling technician training course instruction must cover:</p> <p>(1) the roles and responsibilities of a lead sampling technician;</p> <p>(2) information on lead and its adverse health effects;</p> <p>(3) information on lead-based paint and renovation activities including federal, state, and local regulations and guidance;</p> <p>(4) dust clearance sampling methodologies, clearance standards, and clearance inspection under part 4620.6225, subpart 6; and</p> <p>(5) dust sampling clearance report preparation under part 4620.6150, subpart, item C.</p> <p>Subp. 7. <b>Lead sampling technician hands-on training component.</b></p>	

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>A. Initial lead sampling technician training must include a hands-on training component that is at least two training hours.</p> <p>B. A hands-on training component must include:</p> <p>(1) practice by each participant in donning and doffing protective clothing;</p> <p>(2) dust clearance sampling methodologies, clearance standards, and clearance inspection under part 4620.6225, subpart 6; and</p> <p>(3) dust sampling clearance report preparation under part 4620.6150, subpart, item C.</p>	
<p><b>§745.225(c)(6)(viii)</b></p>	<p>Electronic learning and other alternative course delivery methods are permitted for the classroom portion of renovator, dust sampling technician, or lead-based paint activities courses but not the hands-on portion of these courses, or for final course tests or proficiency tests described in paragraph (c)(7) of this section. Electronic learning courses must comply with the following requirements:</p>	<p>4620.6250</p>		<p>All training courses must comply with the requirements for training course permit application under 4620.6250.</p> <p>The format in which the training course is offered depends on the type of course being presented. A training course requiring a hands-on component cannot be fully completed via electronic learning. A training course that does not have a hands-</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				<p>on component can be taught via electronic learning.</p> <p>The requirements that EPA holds electronic learning to are applied to all training courses under the MN rule.</p>
<p><b>§745.225(c)(6)(viii)(A)</b></p>	<p>A unique identifier must be assigned to each student for them to use to launch and re-launch the course.</p>	<p><b>4620.6375, (C)(7)</b></p>		<p>The diploma number in the MN rule is comparable to the unique identifier.</p>
<p><b>§745.225(c)(6)(viii)(B)</b></p>	<p>The training provider must track each student's course log-ins, launches, progress, and completion, and maintain these records in accordance with paragraph (i) of this section.</p>	<p><b>4620.6375, (B)(C)</b></p>	<p><b>Training course instructor; duties.</b> A training course instructor must assist the principal instructor in:</p> <p>B. documenting each training course participant's attendance and participation; and</p> <p>C. evaluating a training course participant's understanding of the training course material.</p>	<p>Consistent</p>
<p><b>§745.225(c)(6)(viii)(C)</b></p>	<p>The course must include periodic knowledge checks equivalent to the number and content of the knowledge checks contained in EPA's model course, but at least 16 over the entire course. The knowledge checks must be successfully</p>	<p><b>4620.6375, Subp. 8(B)(C)</b></p>	<p><b>Training course instructor; duties.</b> A training course instructor must assist the principal instructor in:</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	completed before the student can go on to the next module.		<p>B. documenting each training course participant's attendance and participation; and</p> <p>C. evaluating a training course participant's understanding of the training course material.</p>	
<b>§745.225(c)(6)(viii)(D)</b>	There must be a test of at least 20 questions at the end of the electronic learning portion of the course, of which 80% must be answered correctly by the student for successful completion of the electronic learning portion of the course. The test must be designed so that students to do not receive feedback on their test answers until after they have completed and submitted the test.	<b>4620.6250</b>		<p>All training courses must comply with the requirements for training course permit application under 4620.6250.</p> <p>The format in which the training course is offered depends on the type of course being presented. A training course requiring a hands-on component cannot be fully completed via electronic learning. A training course that does not have a hands-on component can be taught via electronic learning.</p> <p>The requirements that EPA holds electronic learning to are applied to all training courses under the MN rule.</p>
<b>§745.225(c)(6)(viii)(E)</b>	Each student must be able to save or print a copy of an electronic learning course completion certificate. The electronic	<b>4620.6275</b>		MN rule requires that the diploma is issued by the training course provider.



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	certificate must not be susceptible to easy editing.			
§745.225(c)(7)	For each course offered, the training program shall conduct either a course test at the completion of the course, and if applicable, a hands-on skills assessment, or in the alternative, a proficiency test for that discipline. Each student must successfully complete the hands-on skills assessment and receive a passing score on the course test to pass any course, or successfully complete a proficiency test.	<b>4620.6375, Subp. 10 (A); Subp. 11</b>	<p><b>Training course written examination.</b> All permitted training courses must include a written examination that meets the requirements of this subpart.</p> <p>A. Each training course must include a written examination that is administered at the end of the training course.</p> <p><b>Completion of initial or refresher training course.</b> To complete an initial training course or a refresher training course, a training course participant must:</p> <p>A. attend the entire training course;</p> <p>B. demonstrate proficiency, as determined by the principal instructor, during the hands-on skills assessment of the training course; and</p> <p>C. pass a closed-book, written examination that meets the requirements of subpart 10.</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(c)(7)(i)	The training manager is responsible for maintaining the validity and integrity of the hands-on skills assessment or proficiency test to ensure that it accurately evaluates the trainees' performance of the work practices and procedures associated with the course topics contained in paragraph (d) of this section.	4620.6375, Subp. 6(b)(3)	<p><b>Principal instructor; duties.</b></p> <p>B. A principal instructor must:</p> <p>(3) develop a written examination and a hands-on skills evaluation that measure a training course participant's understanding of the training course material.</p>	<p>Consistent.</p> <p>A principal instructor is designated by the training manager to ensure that each training course is presented as described in the training course provider's approved permit application.</p>
§745.225(c)(7)(ii)	The training manager is responsible for maintaining the validity and integrity of the course test to ensure that it accurately evaluates the trainees' knowledge and retention of the course topics.	4620.6375, subp. 4(A)(2)	<p><b>Training manager; duties.</b></p> <p>A. A training manager's duties include:</p> <p>(2) requiring that each training course is presented as described in the training course provider's approved permit application;</p>	Consistent
§745.225(c)(7)(iii)	The course test shall be developed in accordance with the test blueprint submitted with the training accreditation application.	4620.6250		MDH will not issue a training course permit if course test does not meet criteria in 4620.6250.
§745.225(c)(8)	The training program shall issue unique course completion certificates to each individual who passes the training course.	4620.6275	<p><b>TRAINING COURSE DIPLOMA.</b></p> <p>When a training course is permitted under part 4620.6250, a training course provider must provide an original diploma to each training</p>	Consistent

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	The course completion certificate shall include:		course participant who completes and passes the training course. The diploma must contain: [...]	
<b>§745.225(c)(8)(i)</b>	The name, a unique identification number, and address of the individual.	4620.6275(A)(B)	A. the name and address of the training course participant; B. a unique numeric identifier;	Consistent
<b>§745.225(c)(8)(ii)</b>	The name of the particular course that the individual completed.	4620.6275(C)	C. the training course name that the training course participant completed;	Consistent
<b>§745.225(c)(8)(iii)</b>	Dates of course completion/test passage.	4620.6275(D)	D. the dates of the training course;	Consistent
<b>§745.225(c)(8)(iv)</b>	For initial inspector, risk assessor, project designer, supervisor, or abatement worker course completion certificates, the expiration date of interim certification, which is 6 months from the date of course completion.	n/a		MDH regulates these course requirements under MN Rules, chapter 4761.
<b>§745.225(c)(8)(v)</b>	The name, address, and telephone number of the training program.	4620.6275(E)	E. the name, address, and telephone number of the training course provider;	Consistent
<b>§745.225(c)(8)(vi)</b>	The language in which the course was taught.	n/a		MN rule does not contain this requirement as it serves no protective purpose.

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(c)(8)(vii)	For renovator and dust sampling technician course completion certificates, a photograph of the individual. The photograph must be an accurate and recognizable image of the individual. As reproduced on the certificate, the photograph must not be smaller than 1 square inch.	4620.6275 (F)	<p><b>TRAINING COURSE DIPLOMA.</b></p> <p>When a training course is permitted under part 4620.6250, a training course provider must provide an original diploma to each training course participant who completes and passes the training course. The diploma must contain: [...]</p> <p>F. a photograph of the training course participant that is:</p> <p>(1) a recognizable image of the individual;</p> <p>(2) no smaller than one inch square reproduced on the diploma; and</p> <p>(3) placed in the lower right-hand corner of the diploma;</p>	Consistent
§745.225(c)(8)(viii)	For renovator course completion certificates, the expiration date of certification.			
§745.225(c)(9)	The training manager shall develop and implement a quality control plan. The plan shall be used to maintain and improve the quality of the training program over time.	4620.6375, Subp. 4 (A)(4)	<p><b>Training manager; duties.</b></p> <p>A. A training manager's duties include: [...]</p>	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	This plan shall contain at least the following elements:		(4) developing and implementing a quality control plan for each training course according to item B.	
<b>§745.225(c)(9)(i)</b>	Procedures for periodic revision of training materials and the course test to reflect innovations in the field.	4620.6375, Subp. 4 (B)(1)	B. A quality control plan must include procedures for:  (1) periodic revision of training course materials; and	Consistent
<b>§745.225(c)(9)(ii)</b>	Procedures for the training manager's annual review of principal instructor competency.	4620.6375, Subp. 4(B)(2)	B. A quality control plan must include procedures for:  (2) annual performance evaluation of principal instructor competency and performance.	Consistent
<b>§745.225(c)(10)</b>	Courses offered by the training program must teach the work practice standards contained in § 745.85 or § 745.227, as applicable, in such a manner that trainees are provided with the knowledge needed to perform the renovations or lead-based paint activities they will be responsible for conducting.	4620.6250, Subp. 1(A)(3)(k)	(k) for courses that include a hands-on training component, a description of the hands-on skills evaluation of a training course participant's ability to do work practices;	Consistent
<b>§745.225(c)(11)</b>	The training manager shall be responsible for ensuring that the training program	4620.6375, Subp. 4(A)(2)		Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	complies at all times with all of the requirements in this section.			
§745.225(c)(12)	The training manager shall allow EPA to audit the training program to verify the contents of the application for accreditation as described in paragraph (b) of this section.	4620.6375, Subp. 1	<b>General.</b> All permitted training courses must comply with this part. The commissioner must be allowed access to training sites and training course records to verify compliance with parts 4620.6250 to 4620.6425.	Consistent
§745.225(c)(13)	The training manager must provide notification of renovator, dust sampling technician, or lead-based paint activities courses offered.	4620.6300, Subp. 1	<p><b>Advance notice of permitted training course.</b> A training course provider must submit to the commissioner an advance notice of the date of a permitted training course. The advance notice must be:</p> <ul style="list-style-type: none"> <li>A. on a form provided by the commissioner;</li> <li>B. sent by United States mail, courier, facsimile, or electronic means; and</li> <li>C. received by the commissioner at least five days before the start date of the training course.</li> </ul>	Consistent
§745.225(c)(13)(i)	The training manager must provide EPA with notification of all renovator, dust sampling technician, or lead-based paint	4620.6300, Subp. 1	<b>TRAINING COURSE ADVANCE NOTICE AND AMENDMENTS.</b>	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>activities courses offered except for any renovator course without hands-on training delivered via electronic learning. The original notification must be received by EPA at least 7 business days prior to the start date of any renovator, dust sampling technician, or lead-based paint activities course.</p>		<p>Subpart 1. <b>Advance notice of permitted training course.</b> A training course provider must submit to the commissioner an advance notice of the date of a permitted training course. The advance notice must be:</p> <p>A. on a form provided by the commissioner;</p> <p>B. sent by United States mail, courier, facsimile, or electronic means; and</p> <p>C. received by the commissioner at least five days before the start date of the training course.</p>	
<p><b>§745.225(c)(13)(ii)</b></p>	<p>The training manager must provide EPA updated notification when renovator, dust sampling technician, or lead-based paint activities courses will begin on a date other than the start date specified in the original notification, as follows:</p>	<p>4620.6300, Subp. 2</p>	<p><b>Amended permitted training course advance notice.</b> A training course provider must notify the commissioner of a change to the start date to the advance notice required under subpart 1 by submitting an amended notice that is:</p> <p>A. on a form provided by the commissioner;</p> <p>B. sent by United States mail, courier, facsimile, or electronic means; and</p>	

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			C. received by the commissioner 24 hours before the revised start date of the permitted training course.	
<b>§745.225(c)(13)(ii)(A)</b>	For renovator, dust sampling technician, or lead-based paint activities courses beginning prior to the start date provided to EPA, an updated notification must be received by EPA at least 7 business days before the new start date.	n/a		MN rule is structured to accommodate flexibility for training course providers. The difference in notification lead times does not affect course content or significantly impede enforcement efforts.
<b>§745.225(c)(13)(ii)(B)</b>	For renovator, dust sampling technician, or lead-based paint activities courses beginning after the start date provided to EPA, an updated notification must be received by EPA at least 2 business days before the start date provided to EPA.	n/a		MN rule is structured to accommodate flexibility for training course providers. The difference in notification lead times does not affect course content or significantly impede enforcement efforts.
<b>§745.225(c)(13)(iii)</b>	The training manager must update EPA of any change in location of renovator, dust sampling technician, or lead-based paint activities courses at least 7 business days prior to the start date provided to EPA.	n/a		MN rule is structured to accommodate flexibility for training course providers. The difference in notification lead times does not affect course content or significantly impede enforcement efforts.
<b>§745.225(c)(13)(iv)</b>	The training manager must update EPA regarding any course cancellations, or any other change to the original notification. Updated notifications must be received by	n/a		MN rule is structured to accommodate flexibility for training course providers. The difference in notification lead times does



CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	EPA at least 2 business days prior to the start date provided to EPA.			not affect course content or significantly impede enforcement efforts.
<b>§745.225(c)(13)(v)</b>	Each notification, including updates, must include the following:	4620.6300, Subp. 1(A)		MN rule contains requirement to use Lead Training Course Notice form, provided by the commissioner, which contains the information in §745.225(c)(13)(v)(A)-(G).
<b>§745.225(c)(13)(v)(A)</b>	Notification type (original, update, cancellation).	n/a		See above.
<b>§745.225(c)(13)(v)(B)</b>	Training program name, EPA accreditation number, address, and telephone number.	n/a		See above.
<b>§745.225(c)(13)(v)(C)</b>	Course discipline, type (initial/refresher), and the language in which instruction will be given.	n/a		See above.
<b>§745.225(c)(13)(v)(D)</b>	Date(s) and time(s) of training.	n/a		See above.
<b>§745.225(c)(13)(v)(E)</b>	Training location(s) telephone number, and address.	n/a		See above.
<b>§745.225(c)(13)(v)(F)</b>	Principal instructor's name.	n/a		See above.
<b>§745.225(c)(13)(v)(G)</b>	Training manager's name and signature.	n/a		See above.

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
<p><b>§745.225(c)(13)(vi)</b></p>	<p>Notification must be accomplished using any of the following methods: Written notification, or electronically using the Agency's Central Data Exchange (CDX). Written notification of lead-based paint activities course schedules can be accomplished by using either the sample form titled "Lead-Based Paint Training Notification" or a similar form containing the information required in paragraph (c)(13)(v) of this section. All written notifications must be delivered to EPA by U.S. Postal Service, fax, commercial delivery service, or hand delivery (persons submitting notification by U.S. Postal Service are reminded that they should allow 3 additional business days for delivery in order to ensure that EPA receives the notification by the required date). Instructions and sample forms can be obtained from the NLIC at 1-800-424-LEAD(5323), or on the Internet at <a href="http://www.epa.gov/lead">http://www.epa.gov/lead</a>. Hearing- or speech-impaired persons may reach the above telephone number through TTY by calling the toll-free Federal Relay Service at 1-800-877-8339.</p>	<p>n/a</p>		<p>See above.</p>
<p><b>§745.225(c)(13)(vii)</b></p>	<p>Renovator, dust sampling technician, or lead-based paint activities courses must</p>	<p>4620.6300</p>		<p>Consistent</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	not begin on a date, or at a location other than that specified in the original notification unless an updated notification identifying a new start date or location is submitted, in which case the course must begin on the new start date and/or location specified in the updated notification.			
<b>§745.225(c)(13)(viii)</b>	No training program shall provide renovator, dust sampling technician, or lead-based paint activities courses without first notifying EPA of such activities in accordance with the requirements of this paragraph.	4620.6300, Subp. 1	<p><b>Advance notice of permitted training course.</b> A training course provider must submit to the commissioner an advance notice of the date of a permitted training course. The advance notice must be:</p> <p>A. on a form provided by the commissioner;</p> <p>B. sent by United States mail, courier, facsimile, or electronic means; and</p> <p>C. received by the commissioner at least five calendar days before the start date of the training course.</p>	Consistent
<b>§745.225(c)(14)</b>	The training manager must provide notification following completion of renovator, dust sampling technician, or lead-based paint activities courses.	4620.6325		Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(c)(14)(i)	The training manager must provide EPA notification after the completion of any renovator, dust sampling, or lead-based paint activities course. This notification must be received by EPA no later than 10 business days following course completion. Notifications for any e-learning renovator refresher course that does not include hands-on training must be submitted via the Central Data Exchange no later than the 10th day of the month and include all students trained in the previous month.	4620.6325		Consistent
§745.225(c)(14)(ii)	The notification must include the following:			
§745.225(c)(14)(ii)(A)	Training program name, EPA accreditation number, address, and telephone number.	4620.6325(C)(3)		Consistent. MN rule requires only name of training course provider.
§745.225(c)(14)(ii)(B)	Course discipline and type (initial/refresher).	4620.6325(C)(2)		Consistent
§745.225(c)(14)(ii)(C)	Date(s) of training.	4620.6325(C)(5)		Consistent
§745.225(c)(14)(ii)(D)	The following information for each student who took the course:			Provision not applicable to MN rule because MDH does not issue lead

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
				renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(1)	Name.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(2)	Address.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(3)	Date of birth.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(4)	Course completion certificate number.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(5)	Course test score.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(c)(14)(ii)(D)(6)	For renovator or dust sampling technician courses, a digital photograph of the student.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(D)(7)	For renovator refresher courses, the expiration date of certification.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(ii)(E)	Training manager's name and signature.	-		Provision not applicable to MN rule because MDH does not issue lead renovator or dust sampling technician diploma.
§745.225(c)(14)(iii)	Notification must be accomplished using any of the following methods: Written notification, or electronically using the Agency's Central Data Exchange (CDX). Written notification following renovator, dust sampling technician, or lead-based paint activities training courses can be accomplished by using either the sample form titled "Lead-Based Paint Training Course Follow-up" or a similar form containing the information required in paragraph (c)(14)(ii) of this section. All written notifications must be delivered to EPA by U.S. Postal Service, fax, commercial			MN rule contains requirement to use a notification form provided by the commissioner which contains the information in §745.225(c)(14)(iii).

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p>delivery service, or hand delivery (persons submitting notification by U.S. Postal Service are reminded that they should allow 3 additional business days for delivery in order to ensure that EPA receives the notification by the required date). Instructions and sample forms can be obtained from the NLIC at 1-800-424-LEAD (5323), or on the Internet at <a href="http://www.epa.gov/lead">http://www.epa.gov/lead</a>.</p>			
<p><b>§745.225(i)</b></p>	<p><b>Training program recordkeeping requirements.</b></p>	<p>4620.6425</p>		
<p><b>§745.225(i)(1)</b></p>	<p>Accredited training programs shall maintain, and make available to EPA, upon request, the following records:</p>	<p>4620.6425, subp. 1</p>	<p><b>Record retention period.</b> A training course provider must maintain the records under subpart 2 for four years for each training course at the address specified on the permit application and make the records under this part available to the commissioner upon request.</p>	<p>Consistent</p>
<p><b>§745.225(i)(1)(i)</b></p>	<p>All documents specified in <a href="#">paragraph (c)(4)</a> of this section that demonstrate the qualifications listed in <a href="#">paragraphs (c)(1)</a> and <a href="#">(c)(2)</a> of this section of the training manager and principal instructors.</p>	<p>4620.6425, subp. 2(A)</p>	<p><b>Required records.</b> A training course provider must maintain:</p> <p>A. documents that demonstrate the qualifications of all training instructors, including the training manager, principal instructor, and</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			other training course instructors according to part 4620.6375;	
§745.225(i)(1)(ii)	Current curriculum/course materials and documents reflecting any changes made to these materials.	4620.6425, subp. 2(C)	<p><b>Required records.</b> A training course provider must maintain: [...]</p> <p>C. current curriculum and training course materials under part 4620.6250, subpart 1, including any new or revised material in submitted amended notices or renewal applications approved by the commissioner;</p>	Consistent
§745.225(i)(1)(iii)	The course test blueprint.	4620.6425, subp. 2(C)(D)	See above	Consistent
§745.225(i)(1)(iv)	Information regarding how the hands-on assessment is conducted including, but not limited to:	4620.6425, subp. 2(E)	<p><b>Required records.</b> A training course provider must maintain: [...]</p> <p>E. a description of how the hands-on skills evaluation is performed, including:</p>	Consistent
§745.225(i)(1)(iv)(A)	Who conducts the assessment.	4620.6425, subp. 2(E)(1)	<p>E. a description of how the hands-on skills evaluation is performed, including:</p> <p>(1) who performs the evaluation;</p>	Consistent



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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
§745.225(i)(1)(iv)(B)	How the skills are graded.	4620.6425, subp. 2(E)(2)	E. a description of how the hands-on skills evaluation is performed, including: [...]  (2) how the skills are graded;	Consistent
§745.225(i)(1)(iv)(C)	What facilities are used.	4620.6425, subp. 2(E)(3)	E. a description of how the hands-on skills evaluation is performed, including: [...]  (3) what facilities are used; and	Consistent
§745.225(i)(1)(iv)(D)	The pass/fail rate.	4620.6425, subp. 2(E)(4)	E. a description of how the hands-on skills evaluation is performed, including: [...]  (4) the passing and failure rates;	Consistent
§745.225(i)(1)(v)	The quality control plan as described in <a href="#">paragraph (c)(9)</a> of this section.	4620.6425, subp. 2(F)	<b>Required records.</b> A training course provider must maintain: [...]  F. the quality control plan under part 4620.6375, subpart 4, item B;	Consistent
§745.225(i)(1)(vi)	Results of the students' hands-on skills assessments and course tests, and a record of each student's course completion certificate.	4620.6425, subp. 2(G)(H)	<b>Required records.</b> A training course provider must maintain: [...]	Consistent

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>G. the results of each training course participant's hands-on skills evaluation and written examination;</p> <p>H. a record of each training course participant's diploma under part 4620.6275; and</p>	
<p><b>§745.225(i)(1)(vii)</b></p>	<p>Any other material not listed in <a href="#">paragraphs (i)(1)(i) through (i)(1)(vi)</a> of this section that was submitted to EPA as part of the program's application for accreditation.</p>	<p>-</p>	<p>n/a</p>	<p>MN rule does not require a training course provider to maintain records of their own submissions.</p>
<p><b>§745.225(i)(1)(viii)</b></p>	<p>For renovator refresher and dust sampling technician refresher courses, a copy of each trainee's prior course completion certificate showing that each trainee was eligible to take the refresher course.</p>	<p>46200.6100, subp. 5; 4620.6125, subp. 4</p>	<p><b>Training documentation.</b> A lead renovator must have a copy of the initial training diploma and, if applicable, the most recent refresher training diploma available at the renovation site for review by the commissioner. For purposes of this part, the copy must be legible, the photograph must be recognizable, and the copy may be provided in an electronic format.</p> <p><b>Training documentation.</b> A lead sampling technician must have a copy of the initial training diploma and the most recent refresher training diploma available at the renovation</p>	<p>Consistent</p>

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EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			<p>site for review by the commissioner. For purposes of this part, the copy must be legible, the photograph must be recognizable, and the copy may be provided in an electronic format.</p>	
<p><b>§745.225(i)(1)(ix)</b></p>	<p>For course modules delivered in an electronic format, a record of each student's log-ins, launches, progress, and completion, and a copy of the electronic learning completion certificate for each student.</p>			<p>All training courses must comply with the requirements for training course permit application under 4620.6250.</p> <p>The format in which the training course is offered depends on the type of course being presented. A training course requiring a hands-on component cannot be fully completed via electronic learning. A training course that does not have a hands-on component can be taught via electronic learning.</p> <p>The requirements that EPA holds electronic learning to are applied to all training courses under the MN rule.</p>
<p><b>§745.225(i)(2)</b></p>	<p>The training program must retain records pertaining to renovator, dust sampling technician and lead-based paint activities courses at the address specified on the training program accreditation application (or as modified in accordance with</p>	<p>4620.6425, subp. 1</p>	<p><b>Record retention period.</b> A training course provider must maintain the records under subpart 2 for four years for each training course at the address specified on the permit application and make the records</p>	<p>Consistent</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
	<p><u>paragraph (i)(3)</u> of this section) for the following minimum periods:</p>		<p>under this part available to the commissioner upon request.</p>	
<p><b>§745.225(i)(2)(i)</b></p>	<p>Records pertaining to lead-based paint activities courses must be retained for a minimum of 3 years and 6 months.</p>	<p>4620.6425, subp. 1</p>	<p><b>Record retention period.</b> A training course provider must maintain the records under subpart 2 for four years for each training course at the address specified on the permit application and make the records under this part available to the commissioner upon request.</p>	<p>Consistent</p>
<p><b>§745.225(i)(2)(ii)</b></p>	<p>Records pertaining to renovator or dust sampling technician courses offered before April 22, 2010 must be retained until July 1, 2015.</p>	<p>-</p>	<p>No comparable effective date provision</p>	<p>Provision no longer relevant.</p>
<p><b>§745.225(i)(2)(iii)</b></p>	<p>Records pertaining to renovator or dust sampling technician courses offered on or after April 22, 2010 must be retained for a minimum of 5 years.</p>	<p>-</p>	<p>No comparable effective date provision</p>	<p>Provision no longer relevant.</p>
<p><b>§745.225(i)(3)</b></p>	<p>The training program shall notify EPA in writing within 30 days of changing the address specified on its training program accreditation application or transferring the records from that address.</p>	<p>4620.6425, Subp. 3</p>	<p><b>Change of address.</b> A training course provider must notify the commissioner, in writing, no later than 30 days after changing the address provided as part of the</p>	<p>Consistent</p>

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

EPA Regulatory Citation	EPA Regulatory Language	MN Rule Citation	MN Rule Language	Comment
			permit application under part 4620.6250, subpart 1.	

**References:**

- [EPA Lead-Based Paint Program Frequent Questions \(October 28, 2023\) \(PDF\) \(https://www.epa.gov/system/files/documents/2023-10/full\\_lead\\_fqs\\_october\\_28\\_2023.pdf\)](https://www.epa.gov/system/files/documents/2023-10/full_lead_fqs_october_28_2023.pdf). See Question 23002-15680
- [Small Entity Compliance Guide to Renovate Right \(PDF\) \(https://www.epa.gov/sites/default/files/2020-03/documents/small\\_entity\\_guide\\_9-23-11\\_w\\_new\\_cover.pdf\)](https://www.epa.gov/sites/default/files/2020-03/documents/small_entity_guide_9-23-11_w_new_cover.pdf)
- [WI 163.03 \(26\) \(https://docs.legis.wisconsin.gov/code/admin\\_code/dhs/110/163/\)](https://docs.legis.wisconsin.gov/code/admin_code/dhs/110/163/)
- [EPA Sample Recordkeeping Checklist \(PDF\) \(https://www.epa.gov/sites/default/files/documents/samplechecklist.pdf\)](https://www.epa.gov/sites/default/files/documents/samplechecklist.pdf)
- [M Rules, 4761.2510, subp. 1 \(https://www.revisor.mn.gov/rules/4761.2510/#rule.4761.2510.1\)](https://www.revisor.mn.gov/rules/4761.2510/#rule.4761.2510.1)
- [Minn. Stat. § 144.9501, subd. 26b \(https://www.revisor.mn.gov/statutes/cite/144.9501#stat.144.9501.26b\)](https://www.revisor.mn.gov/statutes/cite/144.9501#stat.144.9501.26b)
- [Minn. Stat. § 144.9508, subd. 1\(k\) \(https://www.revisor.mn.gov/statutes/cite/144.9508#stat.144.9508.1\)](https://www.revisor.mn.gov/statutes/cite/144.9508#stat.144.9508.1)
- [HUD guidance \(PDF\) \(https://www.hud.gov/sites/documents/SECOND\\_EDITION\\_2012.PDF\)](https://www.hud.gov/sites/documents/SECOND_EDITION_2012.PDF)
- [EPA’s Steps to Lead Safe Renovation, Repair, and Painting \(PDF\) \(https://www.epa.gov/system/files/documents/2024-09/lead\\_safe\\_rrp\\_2023\\_508.pdf\)](https://www.epa.gov/system/files/documents/2024-09/lead_safe_rrp_2023_508.pdf)
- [Plan for the Use of Administrative Penalty Order, Cease and Desist Authority, and Other Enforcement Tools \(PDF\) \(www.health.state.mn.us/communities/environment/local/docs/ehcib/apoplan2010.pdf\)](http://www.health.state.mn.us/communities/environment/local/docs/ehcib/apoplan2010.pdf)
- [Wisconsin Legislature: DHS 163.11\(3\)\(a\)1.b. \(https://docs.legis.wisconsin.gov/code/admin\\_code/dhs/110/163/ii/11/3/a/1/b\)](https://docs.legis.wisconsin.gov/code/admin_code/dhs/110/163/ii/11/3/a/1/b)
- [Minn. Stat. s. 14.002 \(https://www.revisor.mn.gov/statutes/cite/14.002\)](https://www.revisor.mn.gov/statutes/cite/14.002)

CROSSWALK: EPA RRP REGULATIONS VS MN RRP RULES (DRAFT)

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