

4761.2320 LEAD PROJECT DESIGNER LICENSE.

Subpart 1. **General requirements.** An individual preparing a lead project design, as defined in Minnesota Statutes, section 144.9501, subdivision 19a, must be licensed by the commissioner as a lead project designer. A lead project designer license is not transferable.

Subp. 2. **Education and experience requirements.** To be eligible for a lead project designer license, an applicant must:

A. have a bachelor's degree in engineering, architecture, or an environmental or safety discipline and one year of experience in building construction, design, or a related field;

B. be a registered architect, registered professional engineer, certified industrial hygienist, certified safety professional, or a certified asbestos project designer;

C. have two years of experience in regulated lead work, asbestos-related work, asbestos management activities, or other environmental remediation; or

D. have four years of experience in building construction, design, or a related field.

Subp. 3. **Training requirements; initial license.** To be eligible for an initial license as a lead project designer, an applicant must complete:

A. the initial lead supervisor and lead project designer training courses for which the commissioner has issued permits under part 4761.2370; or

B. the initial lead supervisor and lead project designer training courses that are approved by the EPA or by a state or tribal lead training program authorized by the EPA and a lead project designer refresher training course for which the commissioner has issued a permit under part 4761.2370.

Subp. 4. **Expiration; renewal; retraining.**

A. A lead project designer license is valid for 12 months after the completion date on the training course diploma for the most recently completed training course. Regulated lead work may not be conducted after the license expires.

B. A lead project designer license may be renewed upon completing a lead project designer refresher training course for which a permit has been issued under part 4761.2370.

C. A lead project designer refresher training course must be completed within 36 months after the date on the last issued training course diploma. A refresher training course taken more than 36 months after the date on the last issued training course diploma does not qualify the individual for a renewed license.

D. An individual who fails to take a refresher training course within 36 months after the date on the last issued training course diploma may not renew the license. The

individual must successfully complete initial lead supervisor and lead project designer training courses to qualify for a new license.

Subp. 5. Application.

A. To apply for an initial license as a lead project designer, the applicant must submit to the commissioner:

- (1) a completed application on a form provided by the commissioner;
- (2) a \$100 nonrefundable application fee payable to the Minnesota Department of Health; and
- (3) a copy of the applicant's original diploma for the initial lead project designer training course.

B. If applying from out of state, an applicant must submit:

- (1) a completed application on a form provided by the commissioner;
- (2) a \$100 nonrefundable application fee payable to the Minnesota Department of Health;
- (3) a copy of the applicant's original diploma for the initial lead project designer training course or a copy of the current lead project designer license from the state that the applicant is licensed in; and
- (4) a copy of the applicant's original diploma from the Minnesota lead project designer refresher training course.

Subp. 6. Renewal application.

A. An individual licensed as a lead project designer must renew the license annually by submitting to the commissioner:

- (1) a completed application on a form provided by the commissioner;
- (2) a \$100 nonrefundable renewal application fee payable to the Minnesota Department of Health; and
- (3) a copy of the training course diploma from the most recent lead project designer refresher training course as required under subpart 4.

B. Until the commissioner issues the renewed license, the lead project designer may continue to perform regulated lead work for up to 30 calendar days from the date of completing the lead project designer refresher training course, provided the lead project designer:

- (1) has submitted the renewal application to the commissioner; and

(2) has a copy of the diploma that is issued after completing a lead project designer refresher training course. The diploma must be on site and available for review where the regulated lead work is being conducted.

Subp. 7. **Denial; conditions.** The commissioner shall deny an application for a lead project designer license if the applicant fails to comply with all applicable requirements in this part. The commissioner may also deny an application or set conditions on a license according to Minnesota Statutes, section 144.99, subdivision 8. If a license application is denied, the applicant:

A. must be notified in writing of the denied license application and the reasons for the denial; and

B. is not required to pay a second fee if the applicant submits a second application according to subpart 5 or 6 within 30 days of receiving the notice that the application was denied. Fees are required for all subsequent applications.

Subp. 8. **Duplicate license.** To replace a lost, destroyed, or mutilated lead project designer license, the licensed lead project designer must submit a completed application for a duplicate lead project designer license.

Statutory Authority: *MS s 144.9508*

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