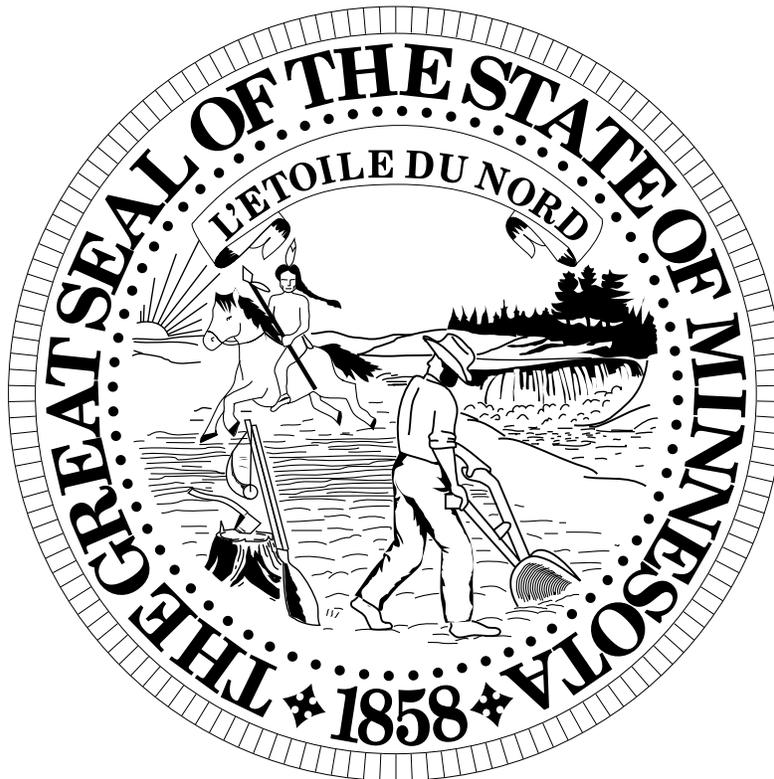


State of Minnesota

State Register

Rules and Official Notices Edition



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Department of Administration – Communications Media Division

Monday 18 November 2002

Volume 27, Number 21

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State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
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Printing Schedule and Submission Deadlines

Vol. 27 Issue Number	PUBLISH DATE	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for both Adopted and Proposed RULES
#21	Monday 18 November	Noon Tuesday 12 November	Noon Wednesday 6 November
#22	Monday 25 November	Noon Tuesday 19 November	Noon Wednesday 13 November
#23	Monday 2 December	NOON MONDAY 25 NOVEMBER	Noon Wednesday 20 November
#24	Monday 9 December	Noon Tuesday 3 December	NOON TUESDAY 26 NOVEMBER

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Expedited and Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Public Safety

Adopted Permanent Rules Relating to Incidents for License Withdrawal for Driving While Impaired

The rules proposed and published at *State Register*, Volume 26, Number 48, pages 1616-1630, May 20, 2002 (26 SR 1616), are adopted with the following modifications:

7503.1000 ADMINISTRATIVE REVIEW OF REVOCATION, DISQUALIFICATION.

Subpart 1. **Right to administrative review.** A person whose driver's license is revoked under *Minnesota Statutes*, section 169A.52, or who is disqualified under *Minnesota Statutes*, section 171.165, subdivision 2, has the right to an administrative review of the revocation order or disqualification under the procedure specified in part 7409.4600, subparts 1 to 4, and *Minnesota Statutes*, section 169A.53, subdivision 1.

7503.1600 REINSTATEMENT FOLLOWING CANCELLATION.

The commissioner shall deny the application for a driver's license, including the application for a limited license, to a person whose license has been canceled, unless:

- B. a completed, signed, and returned ~~the~~ special review notice is entered on the person's driving record; and

7503.2400 DISQUALIFICATION PERIODS.

Subp. 3. ~~Not less than ten-year~~ **Disqualification for life; reductions to ten years based on rehabilitation.** The commissioner shall disqualify a person from holding a commercial driver's license for life if the person is disqualified a second or subsequent time in 55 years under *Minnesota Statutes*, section 171.165, subdivision 1 or 2.

B. If the person demonstrates rehabilitated driving practices in the ten-year period following the effective date of the lifetime disqualification, the lifetime disqualification period will be reduced to a minimum of ten years disqualification, ~~except in the case of conviction under *Minnesota Statutes*, section 171.165, subdivision 3, clause (3), if the person demonstrates rehabilitated driving practices in the ten year period following the effective date of the lifetime disqualification~~ unless either of the circumstances set forth in subpart 4 apply.

Adopted Rules

C. A person is considered rehabilitated if during that ten-year period:

(1) there is no revocation or conviction resulting from the operation of any type of motor vehicle for an offense listed in *Minnesota Statutes*, section 171.165, subdivision 1, and ~~if~~

(2) the person's license is not revoked under current or former *Minnesota Statutes*, section 169.123; or 169A.52, or a statute or ordinance from another state in conformity with these sections.

~~D. A person is disqualified from holding a commercial driver's license for life, without a reduction of the disqualification, if~~

Subp. 4. Reductions not allowed. Despite the provisions of subpart 3, the commissioner shall not reduce the lifetime disqualification period if:

A. the person has been convicted of a felony as set forth in *Minnesota Statutes*, section 171.165, subdivision 3, paragraph (a), clause (2), item (ii); or

B. the person subsequently commits another disqualifying offense as set forth in *Minnesota Statutes*, section 171.165, subdivision 1 or 2, or a statute of another state or ordinance in conformity with it, or any combination of those offenses following reinstatement of the commercial motor vehicle driver's license under ~~item B subpart 3.~~

7503.2500 NOTICE OF DISQUALIFICATION OF COMMERCIAL DRIVING PRIVILEGE.

Subpart 1. **Notice served by peace officer.** Notice of disqualification is served by a peace officer when a person is subject to disqualification under *Minnesota Statutes*, section 171.165, subdivision 2.

C. A completed notice must contain the information specified in this subpart and may contain other information provided by the commissioner that the commissioner considers appropriate:

(12) a statement informing the person that the person has a right to an administrative reconsideration ~~of the disqualification order~~ by the commissioner of the notice of possible disqualification under *Minnesota Statutes*, section 171.166, subdivision 3, and to a judicial review of the disqualification order under *Minnesota Statutes*, section 169A.53, subdivision 2;

(13) information explaining that an administrative review of the disqualification order under *Minnesota Statutes*, section 169A.52 or 171.65, may be obtained by submitting a written request for an administrative review to the commissioner under part 7409.4600, subparts 1 to 4, and *Minnesota Statutes*, section 169A.53, subdivision 1, unless the person has already requested reconsideration of the notice of possible disqualification under *Minnesota Statutes*, section 171.166, subdivision 3;

Subp. 2. **Notice by commissioner.** Notice of disqualification must be served by the commissioner when a person is subject to disqualification under *Minnesota Statutes*, section 171.165, subdivision 1, clause (1), and notice is not served by a court; a person is subject to disqualification under *Minnesota Statutes*, section 171.165, subdivision 2, and notice is not served by a peace officer; or, when requirements imposed from a previous disqualification have not been satisfied.

C. A completed notice must contain the information specified in this subpart and may contain other information provided by the commissioner that the commissioner considers appropriate:

(8) if the person is disqualified under *Minnesota Statutes*, section 171.165, subdivision 2, a statement informing the person that the person has a right to an administrative reconsideration by the commissioner of the notice of possible disqualification under *Minnesota Statutes*, section 171.166, subdivision 3, ~~of the disqualification order;~~

(9) if the person is disqualified under *Minnesota Statutes*, section 169A.52 or 171.165, information explaining:

(a) that an administrative review of the disqualification order ~~issued under *Minnesota Statutes*, section 169A.52,~~ may be obtained by submitting a written request for an administrative review in accordance with part 7409.4600, subparts 1 to 4, and *Minnesota Statutes*, section 169A.53, subdivision 1, unless a person disqualified under *Minnesota Statutes*, section 171.165, has already requested reconsideration of the notice of possible disqualification under *Minnesota Statutes*, section 171.166, subdivision 3; and

7503.2900 SALE OF VEHICLE SUBJECT TO IMPOUND ORDER.

A. For purposes of implementing *Minnesota Statutes*, section 171.60, any motor vehicle sold while its registration plates are subject to an impoundment order or during the time the vehicle's registration plates bear a special series number, must be sold for the value of similar motor vehicles no less than valid consideration.

B. The phrase "sale for valid consideration," as used in *Minnesota Statutes*, section 171.60, subdivision 14, shall mean the average value of similar vehicles established by standards and guides used by the commissioner, whether paid in money or otherwise.

7503.3000 VARIANCES.

~~Unless otherwise specifically indicated in this chapter, the provisions of this chapter are not subject to variance.~~

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The State Register also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture

Agronomy and Plant Protection Division

Notice of Consideration of Registration of the Corn Herbicide Isoxaflutole for Use in Minnesota

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Department of Agriculture (MDA) is seeking comment on the possible registration of the corn herbicide isoxaflutole, under the product name of Balance Pro, for use in Minnesota.

The US EPA (EPA) granted a conditional registration for isoxaflutole in 1998 for 3 years, during which time additional studies would be conducted. The registration was conditional because of EPA concerns that use of isoxaflutole could result in possible contamination of water resources and could affect non-target plants. The registration was extended by the EPA for another 3-year period starting in 2001, during which time the EPA was to complete review of all submitted studies. No additional studies were required.

The Commissioner has previously requested EPA to continue to exclude isoxaflutole from use in Minnesota until additional data on its potential environmental effects were available. Bayer has generated environmental data through 2002, which the Commissioner is considering. The Commissioner is currently considering the registration of isoxaflutole as a special local need to control woolly cupgrass and waterhemp, which are problem weeds present in some parts of Minnesota, and because its mode of action will help reduce herbicide resistance in weeds. If registered, use of isoxaflutole would be restricted by conditions imposed by a supplemental Minnesota label and through conditions listed in a Commissioner's order. An education and training program, additional monitoring of both groundwater and surface water, geographic restrictions, and other restrictions as well as other technical assistance would be required as part of the proposed registration agreement with the registrant.

Additional information on the proposed conditional registration is available on the MDA **website** at: <http://www.mda.state.mn.us/waterland.htm> Materials may also be obtained by contacting Dan Stoddard, Agronomy and Plant Protection Division, MDA-APPD, 90 West Plato Boulevard, St. Paul, MN 55107, **phone:** (651) 297-8293; **email:** dan.stoddard@state.mn.us

The MDA will consider public comment prior to making a final decision on allowing isoxaflutole (Balance Pro) use in Minnesota and will be accepting comments regarding the proposed registration of isoxaflutole for 30 days, until December 16. Comments may be submitted regarding any part of the proposal. Please provide comments in writing by letter or email to Dan Stoddard, Agronomy and Plant Protection Division, MDA-APPD, 90 West Plato Boulevard, St. Paul, MN 55107; **email:** dan.stoddard@state.mn.us

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C - on Behalf of the Purchase of 104 Acres of Bare Farmland and Improvements in Dead Lake Township, Otter Tail County

NOTICE IS HEREBY GIVEN that a public hearing will be held on December 2, 2002, at 9:00 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, St. Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 104 acres of bare farmland and improvements located 1.5 miles east of Dent on State Highway 108, then south 2.25 miles on 385th Avenue; Section 11, Dead Lake Township, Otter Tail County, Minnesota on behalf of Robert D. Carrlson, (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$65,600.00.

The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay

Official Notices

the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 6 November 2002

Jim Boerboom
RFA Director

Office of the Ombudsman for Mental Health and Mental Retardation

Notice of Committee Meeting

The Ombudsman for MH/MR Advisory Committee will hold a meeting from 9:00 a.m. to 1:00 p.m. on Nov. 21, 2002. The meeting will be held in Suite 420 of the Metro Square Building on 7th and Robert St., St. Paul.

Minnesota Pollution Control Agency

Public Notice for the National Pollution Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit Program

Draft NPDES and SDS General Permit to discharge chemically treated, once-through Non-Contact Cooling Wastewaters (NCCW) into waters of the state

The Minnesota Pollution Control Agency (MPCA) proposes to issue an NPDES/SDS General Permit to cover facilities discharging chemically treated, once-through NCCW to waters of the state. This is the re-issuance of an existing general permit with significant changes. This general permit will provide timely issuance without the delay of individual permit issuance procedures and may potentially cover more than one hundred facilities, including those currently covered by the existing general permit or by existing site-specific individual permits.

The general permit allows for the use of water treatment additives. Chemical treatment additives are restricted to those typically used by municipal water suppliers and oxygen scavengers as needed for dechlorination. General permit coverage will only be authorized to facilities meeting the following applicability criteria:

- a) The discharge consists solely of once-through, noncontact cooling water free from contact cooling, recycled (including cooling tower blowdown) cooling, reverse osmosis reject, industrial process, and other wastewater discharges.
- b) The source of the cooling water is a municipal water supply, or uncontaminated well water or surface water to which chlorine or other water treatment/chemical additives are being used.
- c) The discharged waste stream is not subject to the requirements established pursuant to Section 316(a) of the Act.
- d) For appropriators of well or surface waters, if required, the applicant holds a valid Water Appropriation Permit issued by the Minnesota Department of Natural Resources.
- e) Except for chlorination for disinfection and a dechlorination agent, there are no chemical or water treatment additives used which have not been previously reviewed and approved by the MPCA.
- f) The waste stream is not a new source discharge to an Outstanding Resource Value Waters or designated trout waters as defined in *Minnesota Rule* ch. 7050.
- g) This is not a discharge to waters on Tribal lands.
- h) The discharge shall not result in a violation of the water quality standards as outlined in *Minnesota Rule* 7050.0210.
- i) The discharge shall be consistent with the terms and conditions of this general permit.
- j) The Permittee agrees to furnish to the MPCA any information which the MPCA may request to determine compliance with this general permit or to determine if a Permittee covered under this general permit would be more appropriately controlled by an individual permit.

This NPDES/SDS general permit establishes effluent limitations for temperature, pH, Total Residual Chlorine, Total Residual Oxidant as Chlorine, and Total Phosphorus; monitoring and reporting requirements; and other conditions on facilities which discharge chemically treated NCCW. Effluent limitations were developed based on water quality standards, minimum secondary treatment standards, and best available judgement.

The Commissioner's determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period commences November 18, 2002 and terminates at 4:30 p.m. on December 19, 2002.

Comments should be submitted in writing to Deborah A. Schumann, Staff Permit Writer, Majors and Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Any comments received no later than 4:30 p.m. on the last day of the comment period will be considered in the formulation of final determination.

If you would like to receive a copy of the draft general permit, fact sheet or public notice please contact Laurie O'Brien at (651) 296-7505.

Dated: 8 November 2002

Karen A. Studders
Commissioner
Minnesota Pollution Control Agency

Minnesota Pollution Control Agency

Public Notice for the National Pollution Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit Program

Draft NPDES and SDS General Permit to discharge Non-Contact Cooling Wastewaters (NCCW) into waters of the state

The Minnesota Pollution Control Agency (MPCA) proposes to reissue an NPDES/SDS General Permit to cover facilities discharging untreated, NCCW to waters of the state of Minnesota. This is the re-issuance of an existing general permit covering a waste stream where the only pollutant added is heat. This general permit will provide timely issuance without the delay of individual permit issuance procedures and may potentially cover more than one hundred facilities.

General permit coverage will only be authorized to facilities meeting the following applicability criteria:

- a) The discharge consists solely of once-through, noncontact cooling water free from contact cooling, recycled (including cooling tower blowdown) cooling, reverse osmosis reject, industrial process, and other wastewater discharges.
- b) The source of the cooling water is an uncontaminated well water or surface water to which no water treatment/chemical additives are being used.
- c) For appropriators of well or surface waters, if required, the applicant holds a valid Water Appropriation Permit issued by the Minnesota Department of Natural Resources.
- d) This is not a new source discharge to an Outstanding Resource Value Waters or designated trout waters as defined in *Minnesota Rules* ch. 7050.
- e) This is not a discharge to waters on Tribal lands.
- f) The discharge shall not result in a violation of the water quality standards as outlined in *Minnesota Rules* § 7050.0210.
- g) The discharge shall be consistent with the terms and conditions of this general permit.
- h) The Permittee agrees to furnish to the MPCA any information which the MPCA may request to determine compliance with this general permit or to determine if a Permittee covered under this general permit would be more appropriately controlled by an individual permit.

This NPDES/SDS general permit establishes effluent limitations for temperature and pH; monitoring and reporting requirements; and other conditions on facilities which discharge untreated NCCW. Effluent limitations were developed based on water quality standards and minimum secondary treatment standards. Those facilities not currently under consideration for general permit coverage may submit a Notice of Intent to request consideration for coverage.

Official Notices

The Commissioner's determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period commences November 18, 2002 and terminates December 19, 2002. Comments should be submitted in writing to Deborah A. Schumann, Staff Permit Writer, Majors and Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Any comments received no later than 4:30 p.m. on the last day of the comment period will be considered in the formulation of final determination.

If you would like to receive a copy of the draft general permit, fact sheet or public notice please contact Laurie O'Brien at (651) 296-7505.

Dated: 8 November 2002

Karen A. Studders
Commissioner
Minnesota Pollution Control Agency

Minnesota Pollution Control Agency

Environmental Outcomes Division

Call for Water Monitoring Data

The Minnesota Pollution Control Agency (MPCA) is requesting surface water monitoring data for use in its assessment activities, including determination of fishable and swimmable status and determination of impairment required by Section 303(d) of the Clean Water Act. This water quality data will become part of the MPCA's statewide repository of water quality monitoring data, and will be accessible to a variety of users. If you already submit water quality data to the MPCA on a regular basis, please continue to do so. If you do not submit water quality data on a regular basis or have never submitted water quality data, but would like us to consider your water quality data for assessments, notify us, and we will have someone contact you. To notify us of your desire to provide water quality data, please contact Douglas Hansen at (651) 296-9192 or Louise Hotka at (651) 296-7223 or call 1-800-657-3864 and ask for Douglas or Louise.

The MPCA is interested in data from across the state, however, priority will be given to data from the Upper Mississippi River Basin, the Lower Mississippi River Basin, and the St. Croix Basin. The MPCA uses a systematic rotation of watersheds to focus monitoring and assessment resources most efficiently, and, therefore, these three basins will receive the focus for data assessment and priority for this water quality data gathering effort. For your data to be considered for use in assessment activities, you must contact Douglas or Louise (phone numbers above), no later than December 15, 2002.

Karen A. Studders
Commissioner

Minnesota Pollution Control Agency

Majors and Remediation Division

Minnesota Department of Agriculture

Agronomy and Plant Protection Division

Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA), and the Minnesota Department of Agriculture (MDA), is publishing for public comment a proposed addition to and deletions from the Permanent List of Priorities (PLP) which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA or MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* chapter 115B.

Pursuant to *Minnesota Statutes* § 115B.17 (2000) and *Minnesota Rules* 7044.0950 (2001), the MPCA and MDA are proposing the following changes to the PLP.

The MPCA is proposing to delete the following five sites (Sites) from the PLP: Koppers Coke, St. Paul, Ramsey County; S.B. Foote Tanning Sludge Disposal Area, Red Wing, Goodhue County; St. Paul Park Ground Water Contamination, Washington County; McLaughlin Gormley King Company, Minneapolis, Hennepin County; and Metals Reduction (aka Krawczewski site), St. Paul, Ramsey County.

In addition, the MDA is proposing to delete the following site from the PLP: Perham Municipal Airport, Ottertail County.

The MPCA and/or MDA has determined that either all MERLA Response Actions have been completed at these Sites or that the Sites do not pose a threat to public health or welfare or the environment.

The MPCA is also proposing to add the following site to the PLP (Hazard Ranking Score assigned pursuant to *Minnesota Rules* 7044.0350 follows the site): Peter Pan Laundry, Duluth, St. Louis County (3.23). This site has been assigned to Response Action Classes C and D (see *Minnesota Rules* 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to these proposed changes must be received no later than 4:30 p.m., December 18, 2002.

Written comments regarding the proposed MPCA deletions or addition should be submitted to: Gary L. Krueger, Superfund Section, Majors and Remediation Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Written comments regarding the proposed MDA deletion should be submitted to: Robert Anderson, Incident Response Unit, Agronomy and Plant Protection Division, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota 55107-2094.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt the addition to and deletions from the PLP that have been proposed by the MPCA and MDA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, by 4:30 p.m. on December 18, 2002. The decision whether to adopt the proposed addition to and deletions from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed addition to and deletions from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by **phone:** (651) 296-6300 or toll free at 1-800-657-3864.

All written comments received by the above deadline will be considered by the MPCA and MDA in establishing the updated PLP.

Karen A. Studders, Commissioner
Minnesota Pollution Control Agency

Gene Hugoson, Commissioner
Minnesota Department of Agriculture

Minnesota State Retirement System

Board of Directors, Regular Meeting

The Board of Directors of the Minnesota State Retirement System (MSRS) is scheduled to meet on Friday, November 22, 2002, at 9:00 a.m., in the Retirement Systems of Minnesota Building, 60 Empire Drive, Suite 117, St. Paul, Minnesota.

Minnesota Department of Trade and Economic Development

Minnesota Housing Finance Agency

Minnesota Department of Children, Families and Learning

Notice of Public Hearings and Draft Plan Availability – State of Minnesota 2003 Consolidated Plan

The State of Minnesota announces its process for developing the 2003 Action Plan of the State's 2002-2006 Consolidated Plan, and encourages citizens to attend the public hearings and review and comment on the draft Action Plan.

The Consolidated Plan is a report that the state submits annually to the U.S. Department of Housing and Urban Development (HUD) in order to receive federal housing and community development funding through the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Shelter Grant (ESG), and Housing Opportunities for People with AIDS (HOPWA) programs. The Consolidated Plan examines the housing and community development needs of the state, sets priorities for allocation of the HUD funds, and establishes an action plan for meeting current and future needs.

The state will hold a public hearing about the 2003 Action Plan on December 5th, 2002. The hearing will be held between 4:30 p.m. and 5:30 p.m. at the Minnesota Housing Finance Agency, 400 Sibley Street, 1st floor conference room, St. Paul. Call 1-800-657-3858 for more information about the hearing.

The primary purpose of this public hearing is to gather citizen input on housing and community development needs for the proposed Action Plan. The draft 2003 Action Plan will be available for public review and comment for 30 days between December 16, 2002 and January 16, 2003. A copy of the draft Action Plan will be available on the Internet at www.mhfa.state.mn.us or www.dted.state.mn.us and in state depositories identified in the Citizen Participation Plan, which may be viewed at the same internet locations. Hard copies of the draft Action Plan can be obtained by calling Leona Humphrey, Department of Trade and Economic Development, 1-800-657-3858.

Written public comments can be submitted to:

Consolidated Plan
Minnesota Department of Trade
and Economic Development
121 East 7th Place
500 Metro Square Building
St. Paul, MN 55101-2146

Comments may also be submitted via **email** to: leona.humphrey@state.mn.us. To ensure consideration of your comments, type "Consolidated Plan" in the subject line of your email.

A second public hearing will be held on January 6th during the 30-day public comment period. This public hearing will be for review and comment on the Action Plan draft and will be held between 4:30 p.m. and 5:30 p.m. at the Minnesota Housing Finance Agency, 400 Sibley Street, 1st floor conference room, St. Paul. Call 1-800-657-3858 for more information about this second hearing.

The 2003 Consolidated Plan will be submitted to the U.S. Department of Housing and Urban Development (HUD) on or before March 31, 2003. The state will consider any comments from individuals or groups received in writing or at public hearings. A summary of the written and public hearing comments and the state's responses will be included in the final Consolidated Plan.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Minnesota Department of Public Safety

Office of Traffic Safety

Notice of Request for Proposals for Northern Minnesota Child Passenger Safety Resource Center and Liaison

The Minnesota Department of Public Safety is seeking grant applications to assist northern Minnesota residents in the safe transportation of children. The grantee must be an individual or entity residing in northern Minnesota and able to provide a permanent resource center and liaison services within northern Minnesota to promote child passenger safety issues. Details are contained in a complete Request for Proposals (RFP) and may be obtained by contacting:

Contact: Terri Thill

Phone: (651) 284-3708

TTY: (651) 282-6555

Fax: (651) 297-4844

Address: Department of Public Safety
Office of Traffic Safety
444 Cedar Street, Suite 150
St. Paul, Minnesota 55101-5151

Email: theresa.thill@state.mn.us

Grant awards will not exceed \$128,075.00. Final date for submitting proposals is December 2, 2002. Late proposals will not be considered. This RFP does not obligate the State to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this RFP shall be borne by the responder.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Minnesota Office of Environmental Assistance

Notice of Request for Proposals for Consultant Services to Conduct Research to Examine Opportunities for Product Stewardship Within the Automobile Industry

The Minnesota Office of Environmental Assistance (OEA) requests proposals to assist in research to examine potential opportunities for product stewardship within the automobile industry. (Please see <http://www.moea.state.mn.us/stewardship/index.cfm> for an explanation of OEA's product stewardship program. The research will consist of three components:

- 1) The research will provide an assessment of which materials are currently being utilized in the manufacture and assembly of automobiles by the major automakers.

State Contracts

- 2) The research will provide a summary of stated material-use goals by manufacturers and assess progress towards meeting those goals. If the goals have not been attained, the research will also provide an assessment as to barriers to attaining the goals. The research should also identify additional goals that may be implemented in the future.
- 3) The research will also provide an analytical examination of opportunities to implement product stewardship within the auto sector particularly focused on the following:

Toxicity Reduction

This component of the research will identify opportunities for toxicity reduction and determine where material substitution can be most effective.

Recycled-Content

The analysis should identify specific applications for parts containing recycled-content and an assessment of the barriers restricting its use. The research should also identify the manufacturers producing recycled-content plastic components, the sources of the material and the capability to increase production.

Auto Shredder Residue Diversion

The analysis will include how toxicity reduction and an increase in recycled content will effect the diversion of auto shredder residue (ASR) from the solid waste stream.

Contract Period: February 1, 2002 to June 15, 2003.

Proposals must be received not later than **5:00 p.m., C.S.T., December 10, 2002.**

To obtain a copy of the complete Request for Proposals, contact:

Garth Hickle
Product Stewardship Team Leader
Minnesota Office of Environmental Assistance
520 Lafayette Rd. North, 2nd. Fl.
St. Paul, MN 55155-4100
(651) 215-0224
1-800-657-3843
Email: garth.hickle@moea.state.mn.us

The RFP is also available on the OEA website:

<http://www.moea.state.mn.us/grants/current.cfm#auto>

Legislature – Minnesota House of Representatives

House Administrative Services

Notice of Request for Bid for Printing of Personalized Stationery, Envelopes and Business Cards for 2003-2004

PUBLIC NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Administrative Services is seeking bids from qualified printers to provide printing services for the 134 Members of the Minnesota House of Representatives.

All work must be done in-house unless specifically approved by the House.

All bids must be submitted no later than **December 3, 2002 at 2:00 p.m.** on the forms accompanying the specifications in a sealed envelope and delivered to:

Paul Schweizer, Controller
Room 198, State Office Building
St. Paul, MN 55155-1298

Bid submittal will be opened publicly on that date and time.

A copy of the Request for Bid packet and specifications can be obtained by calling:

Sharon Jarpey
198 State Office Building
Phone: (651) 296-1340

Other department personnel are **NOT** allowed to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

Department of Transportation Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Council

Notice of Request for Proposals for Scheduling and Garage Operations Software RFP No. 02P070

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from vendors to replace its current fixed route scheduling and garage operations software for its Metro Transit operations. The Metropolitan Council through its Metro Transit division provides mass transit bus services to the Twin Cities of Minneapolis/St. Paul and outlying areas.

The expectation of the new system is that it will provide long-term stability, significant cost savings over the current system and provide for more efficient and productive work processes. The scheduling system is mandatory; the addition of an integrated garage operations system is a desired option.

All proposals must be submitted in accordance with the RFP. The tentative schedule for this procurement process is:

<i>RFP Release Date</i>	Early December 2002
<i>RSVP for Teleconference Due</i>	December 31, 2002
<i>Mandatory Pre-Proposal Teleconference/Demo</i>	January 8, 2003
<i>Questions Due</i>	January 17, 2003
<i>Answers Issued</i>	January 28, 2003
<i>Proposals Due</i>	February 4, 2003
<i>Evaluation Interviews/Demos if required</i>	Week of February 24 or March 31

Part of the evaluation *may* entail a test with live data. This decision may not be made until the evaluation process itself.

All firms interested in this project should submit a written request for a copy of the solicitation through:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre, 230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.houston@metc.state.mn.us

Non-State Contracts & Grants

Please provide **one** contact point; complete company name; address / city / state / zip along with phone / fax / mobile / cell phone and pager numbers as well as email information if you wish to be placed on the Solicitation List. **All other inquiries** regarding this procurement shall be directed by **email** to Mary DeMers at: *mary.demers@metc.state.mn.us*. Any other contact made throughout the entire solicitation process risks vendor disqualification.

This project may be funded in part by local funds, transit revenues generated by the motor vehicle tax per Minnesota State Statute or FTA grant funds, to which federal rules apply. *Minnesota Statutes*, Sections 473.144 and 363.073 and *Minnesota Rules*, Part 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. The Minnesota Data Practices Act governs data submitted in response to this RFP. It provides that all information submitted by a Proposer in response to an RFP, with the exception of trade secret data as defined in *Minnesota Statutes*, section 13.37, becomes public at the times specified in the Act and is then available to any person upon request. Any information in its response for which Proposer claims trade secret protection must be limited and set apart in the proposal on separate pages, with a heading that identifies the information as trade secret information. Blanket-type identification on whole pages or sections containing trade secret information will not assure protection. A statement that submitted information is copyrighted or otherwise protected does not prevent public access.

Metropolitan Council – Metro Transit

Bus Cleaning Products

The Metropolitan Council is soliciting bids for bus cleaning products for use by Metro Transit in its automatic bus washing system and its interior bus cleaning operations. Metro Transit will test products at its service garages and, based on these tests, products will be approved for use by Metro Transit. Interested bidders must apply to Metro Transit by November 25, 2002 in order to have their products tested. Metro Transit will evaluate the applications and will select products for testing. Testing of products will be conducted from approximately December 2002 through April 2003. At the end of product testing, products will be approved for Metro Transit use and those interested bidders will be invited to submit a bid.

The Invitation for Bids document is available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Rice Creek Watershed District

Request for Proposals for Engineering Services

Pursuant to *Minnesota Statutes* Section 103B.227, Subd. 5, the Rice Creek Watershed District is soliciting proposals for engineering services for calendar year 2003. Proposals must be submitted to the District Office at 4325 Pheasant Ridge Drive, Suite 611, Blaine, MN 55449, before December 6, 2002, and should include background and profile information on the firm, along with specific information as to expertise in watershed district matters, hourly billing rates for 2003, and names and qualifications of water resource personnel.

For further information on RCWD operations and scope of work, you may contact the District Office at (763) 398-3071.

Dated: 12 November 2002

Submitted by:
Andrew Cardinal, President, Board of Managers
Rice Creek Watershed District

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

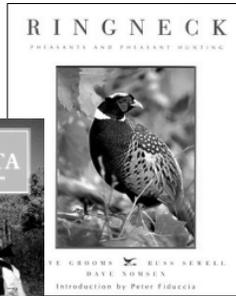
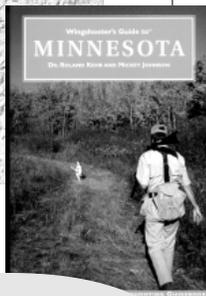
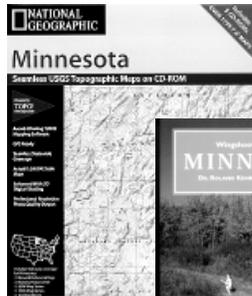
The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at *bidinfo.umn.edu* or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

Available at Minnesota Bookstore

Order form on back page

...for the hunter



Prices shown do NOT include shipping or applicable sales tax.

Wingshooter's Guide to Minnesota

A great one-step guide for upland bird and waterfowl hunters. Packed with maps and charts, the book offers hunting tips, notes how to locate hunting areas statewide, provides species information, hunting tips and even includes lodging, restaurants, campgrounds, etc. near each hunting site. Includes hunting methods, gun, shot, and choke suggestions, habits & habitat of species, seasonal patterns, taxidermists, vets, and more. Softcover, 346pp.

Stock No. 9-84 \$26.95

Ringneck: *Pheasants and Pheasant Hunting*

A full-color tribute to the pheasant and its place in the sporting life of millions of upland bird hunters. Its stunning photographs, from many of the finest outdoor photographers in the country, are supported with quotations from eminent writers. A special essay by Steve Grooms takes a witty and eloquent look at the ringneck's supreme talent for outsmarting dog and hunter alike. Hardcover, 120pp.

Stock No. 9-7 \$40.00

Minnesota USGS Topographical Maps—CD-ROM

An outdoor enthusiast's and hunter's dream! From National Geographic, this CD-ROM features the entire state. Powered by TOPO! mapping software, these color maps are GPS ready, enhanced with 3D digital shading and offer professional resolution photo quality output. You can draw a freehand route and TOPO! displays its distance, generates an elevation profile, and prepares it for upload to a GPS. Includes downloadable free datasets and updates.

Stock No. 20-43 \$99.95

