

85, July 15

STATE REGISTER

STATE OF MINNESOTA

RECEIVED

JUL 16 1985

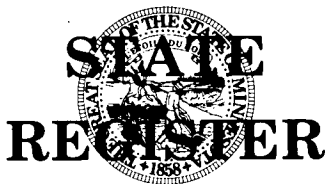
LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MN. 55155



VOLUME 10, NUMBER 3

July 15, 1985

Pages 85-132



Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
SCHEDULE FOR VOLUME, 10			
4	Monday July 8	Monday July 15	Monday July 22
5	Monday July 15	Monday July 22	Monday July 29
6	Monday July 22	Monday July 29	Monday August 5
7	Monday July 29	Monday August 5	Monday August 12

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, 506 Rice Street, St. Paul, Minnesota 55103, (612) 296-0930.

The *State Register* is published by the State of Minnesota, State Register and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 14.46. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.25 per copy.

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

Rudy Perpich
Governor

Marsha Storck
Editor

Sandra J. Hale
Commissioner
Department of Administration

Robin PanLener, Paul Hoffman,
Ruth Werness
Editorial Staff

Stephen A. Ordahl
Director
State Register and
Public Documents Division

Debbie Kobold
Circulation Manager

Bonnie Karels
Support Staff

CONTENTS

MINNESOTA RULES AMENDMENTS AND ADDITIONS

Issues 1-3, inclusive 88

PROPOSED RULES

Commerce Department

Proposed Rules Repealing Commercial Insurance
Filing Exemptions 89

Higher Education Coordinating Board

Proposed Emergency Rules Relating to Education;
Financial Aid, Grants, Part-time Students 90

Human Services Department

Proposed Emergency Rules Relating to General
Assistance 92

Pollution Control Agency

Proposed Rules Relating to Environment; Solid
Waste Management Planning and Certificate of
Need 97

Waste Management Board

Proposed Rules Governing Hazardous Waste
Reduction Grants 106

Workers' Compensation Court of Appeals

Proposed Rules of Procedure; Workers'
Compensation Court of Appeals 109

OFFICIAL NOTICES

Energy and Economic Development Department Energy and Economic Development Authority

Outside Opinion Sought Concerning a Proposed Rule
Governing Special Assistance for Qualified
Diversification Projects 113

Public Hearing on Proposed Project and Issuance of
Bonds Under Minnesota Statutes, Chapter 116M,
Exclusive—Equity Investors of Crookston,
Incorporated 113

Energy and Economic Development Financial Management Division

Availability of Issuance Authority in Competitive
Pool 114

Metropolitan Council

Proposed Schedule for Adoption of 1986 Work
Program and Budget 114

Public Meeting on Draft Environmental Assessment
Worksheet for Waste Energy Systems Solid
Waste Combustion Facility 115

Review Schedule: Amendments to Water Resources
Management Guide Chapter Part 1, Sewage
Treatment and Handling Policy Plan 115

Review Schedule: Draft Environmental Assessment
Worksheet for Waste Energy Systems Solid
Waste Combustion Facility 116

Transportation Department

Petition of the City of Mound for a Variance from
State Aid Standards for Design Speeds 116

STATE CONTRACTS

Administration Department

Procurement Division

Commodities Contracts and Requisitions Currently
Open for Bidding 117

Agriculture Department

Commissioner's Office

Request for Proposals for Sending Food Aid to
Drought-Stricken Africa 118

Agriculture Department

Minnesota Trade Office

Request for Proposals to Develop WorldMed '86
Tour Packages 118

Commerce Department

Request for Proposals for Service Contractor for
Minnesota Workers Compensation Assigned Risk
Plan 118

Energy and Economic Development Department

Agricultural Resource Loan Guaranty Board

Request for Proposals for Investment Banking
Services 119

Health Department

Health Resources Division

Emergency Medical Services Section

Request for Proposals for Medical Director 119

Human Services Department

Health Care Programs Division

Contracts Available for Medical Assistance
Consumer Education/Enrollment Broker 120

Pollution Control Agency

Cancellation of Request for Proposals/Request for
Qualifications for Emergency Treatment of
Contaminated Municipal Water Supplies 120

State Designer Selection Board

Request for Proposals for State Projects 121

Waste Management Board

Request for Qualifications to Conduct a Peer Review
of an Estimate of Need Report 122

NOTICE

How to Follow State Agency Rulemaking Action in the State Register

State agencies must publish notice of their rulemaking action in the State Register. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION also.

The PROPOSED RULES section contains:

- Calendar of public hearings on proposed rules.
• Proposed new rules (including notice of hearing and/or notice of intent to adopt rules without a hearing).
• Proposed amendments to rules already in existence in the Minnesota Rules.
• Proposed emergency rules.
• Withdrawal of proposed rules (option; not required).

The ADOPTED RULES section contains:

- Notice of adoption of new rules and rule amendments adopted without change from the previously published proposed rules. (Unchanged adopted rules are not republished in full in the State Register unless an agency requests this.)
• Adopted amendments to new rules or rule amendments (adopted changes from the previously published proposed rules).
• Notice of adoption of emergency rules.
• Adopted amendments to emergency rules (changes made since the proposed version was published).
• Extensions of emergency rules beyond their original effective date.

The OFFICIAL NOTICES section includes (but is not limited to):

- Notice of intent to solicit outside opinion before promulgating rules.
• Additional hearings on proposed rules not listed in original proposed rules calendar.

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the State Register and filed with the Secretary of State before July 31, 1983 are published in the Minnesota Rules 1983. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after July 31, 1983 will be included in a supplement scheduled for publication in mid-1984. Proposed and adopted EMERGENCY (formerly called TEMPORARY) RULES appear in the State Register but are generally not published in the Minnesota Rules 1983 due to the short-term nature of their legal effectiveness. Those that are long-term may be published.

The State Register publishes partial and cumulative listings of rule in the MINNESOTA RULES AMENDMENTS AND ADDITIONS list on the following schedule:

Issues 1-13, inclusive
Issues 14-25, inclusive
Issue 26, cumulative for 1-26
Issues 27-38, inclusive
Issue 39, cumulative for 1-39
Issues 40-51, inclusive
Issue 52, cumulative for 1-52

The listings are arranged in the same order as the table of contents of the Minnesota Rules 1983.

MINNESOTA RULES AMENDMENTS AND ADDITIONS

DEPARTMENT OF COMMERCE

Chap. 2610; 2745 (proposed repeal) 41
2740.4300 (proposed) 43
2700.2100; .2200; .2300 [second notice] (proposed repeal) 89
2770.6500; .6800 (proposed) 42
2880.0050-.0800 [9 SR 956] (adopted) 66

SENTENCING GUIDELINES COMMISSION

3000.0100-.0600 (proposed) 14

STATE BOARD OF EDUCATION

3500.1150 [9 SR 1680] (adopted) 16

ENERGY, PLANNING AND DEVELOPMENT

Energy Division

4200.2100-.4050; .4300 (proposed) 8
4200.2100, s.3,6; .2200, s.3; .2500; .2700; .3000, s.3,4,9,10; .3000; .3400; .3500; .3600; .3700; .3800 (proposed repeal) 8
4200.4500; .4600; .4700; .4800; .4900; .5000 (proposed) 5

HIGHER EDUCATION COORDINATING BOARD

4830.1000-.1500 [Emer] (proposed supercession) 90
4830.1550-.1556 [Emer] (proposed) 90
4850.0010-.0018 [Emer] [9 SR 1783; 2400] (adopted) 66

DEPARTMENT OF LABOR AND INDUSTRY

5205.0100 [Standards] (proposed) 13
5220.1400 [9 SR 2172] (adopted) 17

POLLUTION CONTROL AGENCY

7001.0650; .0135; .0214 [9 SR 2833] (adopted) 70
7035.1100-.1115 (proposed) 97

REVENUE DEPARTMENT

Property Equalization Division

8100.0300 [9 SR 2374] (adopted) 18

SECRETARY OF STATE

8260.0100; .0200 [9 SR 2173] (adopted) 70

WASTE MANAGEMENT BOARD	9525.0015-.0145 (second notice)	19
9200.9501-.9504; .9506; .9508 (proposed)	9525.0900-.1020 (proposed)	44
9200.9501, s. 4; .9504, s. 1 (proposed repeal)	9525.1200-.1330 [9 SR 2094] (adopted)	68
DEPARTMENT OF PUBLIC WELFARE (Now HUMAN SERVICES)	WORKERS' COMPENSATION COURT OF APPEALS	
9500.1101-.1108 [Emer] (proposed)	9800.0100; .0200; .0400; .0500; .0700; .0800; .0900; .1000; .1100; .1400; .1500-.1800 (proposed)	92 109
9510.1020-.1140 (proposed)	9800.0500, s. 2; .0600; .1300 (proposed repeal)	54 109

PROPOSED RULES

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Commerce

Proposed Rules Repealing Commercial Insurance Filing Exemptions

Notice of Hearing

Notice is given that a public hearing will be held pursuant to Minnesota Statute § 14.14, in the above-entitled matter in the Large Hearing Room, 500 Metro Square Building, St. Paul, Minnesota 55101, on August 20, 1985 at 9:00 a.m. and continuing until all interested persons and groups have had an opportunity to be heard concerning repeal of the rules by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing by sending them to Administrative Law Judge, Peter C. Erickson, 4th Floor, Summit Bank Building, 310 4th Avenue South, Minneapolis, Minnesota 55415, telephone (612) 341-7606. The rule hearing procedure is governed by Minn. Stat. § 14.14-14.20, and by Minn. Rule 1400.0200 to 1400.1200. Questions regarding procedure may be directed to the Administrative Law Judge at the above-listed address.

Notice of Intent to Repeal Rules Without a Public Hearing in regard the above entitled matter was published in the *State Register* on May 27, 1985 at page 2566 (9 S.R. 2566). Within the 30 day period after publication of said notice, more than 25 persons made written requests for a public hearing. Accordingly, the Commissioner of Commerce has ordered a public hearing in the above-entitled matter.

Notice is hereby given that a Statement of Need and Reasonableness is available for review at the Department of Commerce and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the repeal of the rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Department of Commerce or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

Pursuant to Minn. Stat. § 14.115, subd. 2, the impact on small business has been considered in the repeal of the rules. Anyone wishing to present evidence or argument as to the rules effect on small business may do so. The Department's position regarding the impact of the rule on small business is set forth in the Statement of Need and Reasonableness.

The repeal of these rules will remove the exemption of Commercial Insurance policy forms and rules from the filing requirements of Minnesota Statutes chapter 70A. Those policy forms and rates will now have to be filed in the same manner as other forms and rates.

All interested or affected persons will have an opportunity to participate by presenting oral and/or written evidence at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in order to explain the purpose or intended operation of the proposed rule, or a suggested modification, or for other purposes material to the evaluation of formulation of the proposed rule.

As a result of the hearing process, the proposed rule (2700.2100; .2200; .2300) may be modified. Written material may be submitted to the Administrative Law Judge and recorded in the hearing record for five working days after the public hearing ends. The comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the five to twenty-day submission period, there will be a three-day period in which the Commissioner and interested persons may respond in writing to any new information submitted. During the three-day period, the agency may indicate in writing whether there are any amendments suggested by other persons which the agency is willing to adopt. Additional evidence may not be submitted during the three-day period. The written responses will be added to the record of the proceeding.

Notice: Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rule for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rule was adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rule is filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rule with the Secretary of State.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, Subd. 11 as an individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) who spends more than \$250, not including his own traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

One free copy of this notice and the repealer of the rules may be obtained by contacting Richard G. Gomsrud, Department of Commerce, 500 Metro Square Building, St. Paul, Minnesota 55101 or by calling (612) 296-5689. Additional copies will be available at the door on the date of the hearing. Comments regarding the hearing may be directed to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Building, St. Paul, Minnesota 55101.

July 1, 1985

Michael A. Hatch
Commissioner of Commerce

Higher Education Coordinating Board

Proposed Emergency Rules Relating to Education; Financial Aid, Grants, Part-time Students

Notice of Proposed Adoption of Emergency Rule

Notice is hereby given that the Minnesota Higher Education Coordinating Board proposes to adopt the above entitled emergency rule. The statutory authority to adopt the emergency rule is contained in Minnesota Statutes, Section 136A.111 and First Special Session 1985, Chapter 11, Section 80, Subd. 1. The agency, in adopting the rule, is following the procedures set forth in Minnesota Statutes, Section 14.29 to 14.36.

All persons have 25 days after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

Rose Herrera Hamerlinck
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
612/296-7963

A copy of the proposed rule is attached to this notice. A free copy of the proposed rule is available by contacting Rose Herrera Hamerlinck at the above address.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

Upon adoption of the emergency rule by the agency, the rule as adopted and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of the material to the Attorney General, or wish to receive a copy of the adopted rule, must submit the written request to Rose Herrera Hamerlinck.

The emergency rule will take effect five working days after approval by the Attorney General and may be effective until June 30, 1985.

David A. Longanecker
Executive Director
Minnesota Higher Education Coordinating Board

Emergency Rules as Proposed (all new material)

PART-TIME STUDENT GRANTS

4830.1550 [Emergency] SCOPE.

Parts 4830.1550 to 4830.1556 [Emergency] govern state grants-in-aid for part-time students.

4830.1551 [Emergency] ELIGIBLE SCHOOLS.

Schools eligible for part-time student grants are the same schools eligible for state scholarships and grants-in-aid under part 4830.0300 [Emergency].

4830.1552 [Emergency] APPLICATION AND DISTRIBUTION OF FUNDS FOR GRANTS.

Subpart 1. Allocation formula. The board shall allocate funds to each school according to the following formula:

A. Each school's share is the number of part-time students enrolled in the last fiscal year, multiplied by the average registration level of its part-time students in the last fiscal year, multiplied by the institutional budget used by the scholarship and grant-in-aid program for the current fiscal year.

B. Each school's allocation is:

- (1) the school's share, divided by the sum of school shares,
- (2) the result in subitem (1) multiplied by 90 percent of the total part-time grant allocation for the current year.

C. Each January, the board shall allocate the remaining ten percent of the total part-time grant allocation according to the same formula, except that current year part-time enrollment data and average registration levels may be used if the school has submitted by November 15 fall data for the current year that is acceptable to the board.

D. Funds allocated to institutions for the 1986 fiscal year before the effective date of parts 4830.1550 to 4830.1556 [Emergency] shall be deducted from the school's fall allocation.

"Number of part-time students" means the sum of all enrolled resident, extension, and unclassified part-time students, who are Minnesota residents, and are reported to the board for its annual enrollment survey as lower division, upper division, and vocational students in the fall term of the school year.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

“Registration level” is the number of credits (or an equivalent measure) taken by part-time students in the fall term of the school year as reported to the board for its annual enrollment survey, divided by 12 credits (or an equivalent measure).

Subp. 2. Notification. The board shall notify each school of the amount allocated to it.

Subp. 3. Accountability. Each participating school shall be accountable for any funds disbursed to students for grants-in-aid for part-time students. Funds may be used only during the fiscal year of disbursement. If a student does not use a grant because the student does not enroll or withdraws from school, the school may use the funds for other eligible students or return them to the board.

Subd. 4. Unused funds. When requested by the board, a school shall report its use of funds and shall return unused funds. The board shall reallocate unused funds to schools desiring additional funds.

4830.1553 [Emergency] DETERMINATION OF ELIGIBILITY.

A school shall determine if a student is eligible for a part-time student grant. To be eligible a student may be an eligible student as defined in part 4830.0100, subpart 5, items A, B, C, E, and F; except that a post-baccalaureate student enrolled in an undergraduate or graduate program who enrolled in the same course of study and who received a part-time grant during the 1984-1985 school year is eligible for a part-time grant in the 1985-86 school year. The student must also be pursuing course work applicable to a degree, diploma, or certificate.

4830.1554 [Emergency] AMOUNT AND TERM OF GRANTS.

Subpart 1. Financial need. A school shall award a grant to each eligible student, to the extent allocated funds are available and to the extent the student demonstrates financial need according to a method consistent with the institution's financial aid policies and procedures.

Subp. 2. Cost of attendance. The direct educational cost of attendance includes, but is not limited to the following:

- A. resident tuition and fees at the institution;
- B. educational materials;
- C. transportation expenses; and
- D. an allowance for child care expenses.

The cost of attendance must be consistent with the institution's financial aid policies and procedures.

Subp. 3. Amount. The amount of the grant when combined with (a) federal, state, institutional, and private financial aid that the student receives, (b) employer reimbursement, and (c) the expected parent/student contribution resulting from the assessment of financial need under subpart 1, must not exceed the student's cost of attendance as defined in subpart 2.

4830.1555 [Emergency] REPORTS OF DATA.

The school must collect demographic, educational, and financial data specified by the board from eligible students requesting grants. The school shall provide the board with individual student data upon request.

4830.1556 [Emergency] TEMPORARY EFFECT.

While they are in effect, parts 4830.1550 to 4830.1555 [Emergency] prevail over parts 4830.1000 to 4830.1500.

Department of Human Services

Proposed Emergency Rules Governing General Assistance

Notice of Proposed Adoption of Emergency Rules

NOTICE IS HEREBY GIVEN that the State Department of Human Services proposes to adopt the above-entitled emergency rules. The statutory authority to adopt the emergency rules is contained in Minnesota Statutes, section 256D.111, subdivision 5; section 256D.04; section 256D.05, subdivisions 1, 12 and 14 as authorized in Laws of Minnesota 1985, Special Session, chapter 9. The agency, in adopting the rules, is following the procedures set forth in Minnesota Statutes, sections 14.29 to 14.36.

All persons have 25 days (or until 4:30 p.m. on August 9, 1985) after publication to submit data and views on the proposed emergency rules or any part or subpart of the rules in writing. Any comments must be submitted to John Anderson, Department of Human Services, Rules Unit, 6th Floor Space Center, 444 Lafayette Road, St. Paul, Minnesota 55101, (612) 297-1489.

Minnesota Rules, parts 9500.1100 to 9500.1107 [Emergency] establish categories of eligibility for the General Assistance program which the local welfare agency shall apply when determining an applicant's or recipient's eligibility and continuing eligibility

for General Assistance benefits. The eligibility categories include groups of persons such as those with conditions of permanent or temporary illness, injury or incapacity; persons who are mentally ill or mentally retarded; residents of a shelter facility for battered women; full-time students; persons with an inability to communicate in the English language; persons with minor children; or persons lacking skills or training necessary to secure employment.

The rules contain requirements for continued eligibility for General Assistance such as cooperating with the requirements established by the local welfare agency for the Work Readiness program. The rules also contain provisions on recipient status or actions that would result in disqualifications from the General Assistance program. The rules contain guidelines concerning notice of disqualification and appeal of disqualification.

A free copy of the proposed rules is available by contacting Mike Sirovy, Department of Human Services, Policy Department, 2nd Floor, Space Center, 444 Lafayette Road, St. Paul, Minnesota 55101, (612) 297-2011.

The proposed rules may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rules as noticed.

Upon adoption of the emergency rules by the agency, the rules as adopted and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to Mike Sirovy.

The emergency rules will take effect five working days after approval by the Attorney General and be effective for 180 days. The emergency rules will be continued in effect for an additional 180 days if the agency gives notice of continuation in accordance with Minnesota Statutes, section 14.35.

The cost to local public bodies of implementing the proposed emergency rules will not exceed \$100,000 for the period of time the emergency rules are in effect.

June 28, 1985

Leonard W. Levine, Commissioner
Department of Human Services

Rules as Proposed (all new material)

9500.1100 [Emergency] PURPOSE AND APPLICABILITY.

Subpart 1. Purpose. The purpose of parts 9500.1100 to 9500.1107 [Emergency] is to establish categories of eligibility for the general assistance program which the local agency shall apply when determining an applicant's or recipient's eligibility and continuing eligibility for general assistance benefits.

Subp. 2. Applicability. Parts 9500.1100 to 9500.1107 [Emergency] apply to applicants and recipients of general assistance and to local agencies which are required to administer the general assistance program under Minnesota Statutes, sections 256D.01 to 256D.21. Parts 9500.1101 to 9500.1107 [Emergency] must be read together with parts 9500.0500 to 9500.0610 and 9555.3400 to 9555.3409. When parts 9500.1101 to 9500.1107 [Emergency] conflict with parts 9500.0500 to 9500.0610 or 9555.3400 to 9555.3409, parts 9500.1101 to 9500.1107 [Emergency] shall prevail.

9500.1101 [Emergency] DEFINITIONS.

Subpart 1. Scope. As used in parts 9500.1101 to 9500.1107 [Emergency], the following terms have the meanings given them.

Subp. 2. Adult child. "Adult child" means a person aged 18 years or older.

Subp. 3. Advanced age. "Advanced age" means the condition that applies to a recipient who:

A. is age 55 or older and whose recent work history shows a marked deterioration compared to his or her work history prior to age 55 as indicated by decreasing occupational status, reduced hours of employment, or decreased periods of employment; or

B. if less than age 55, is evaluated by a vocational specialist as having significantly limited ability to obtain or retain suitable employment because of advancing age.

Subp. 4. Applicant. "Applicant" means a person who has a pending application for general assistance with a local agency.

Subp. 5. Assistance unit. "Assistance unit" means a single person, a single person and his or her minor children, a married

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

couple, or a married couple and the minor children of either of those persons. To be included together in an assistance unit, the persons must reside together and the assistance unit must meet the conditions of part 9500.0530.

Subp. 6. Commissioner. "Commissioner" means the commissioner of the Department of Human Services or a designee.

Subp. 7. Department. "Department" means the Department of Human Services.

Subp. 8. Director of the local agency. "Director of the local agency" means the director of the local agency or the director's designee.

Subp. 9. Full-time student. "Full-time student" means a student attending a postsecondary institution who:

A. attends training for a minimum of 25 hours per week if the training does not involve shop practice and for a minimum of 30 hours per week if the training involves shop practice for a vocational or technical student; or

B. registers for and attends a minimum of 12 credit hours per semester or quarter.

Subp. 10. Functionally illiterate. "Functionally illiterate" means the person has been certified by a licensed consulting psychologist or a person licensed under parts 8700.3800, 8700.5300, 8700.5406, 8700.5500, 8700.5800, 8700.6300, or 8700.6310 as being unable to read or write above the fourth grade level.

Subp. 11. Learning disabled. "Learning disabled" means the individual has been medically certified as having any of the disorders listed under code 315 of the International Classification of Diseases, 9th revision, Clinical Modification, (ICD-9-CM) as published by the Commission on Professional and Hospital Activities, 1968 Green Road, Ann Arbor, Michigan (1978). This publication is incorporated by reference. It is available from the minitex interlibrary loan system. It is not subject to frequent change. The condition must severely limit the person in obtaining, performing, or maintaining suitable employment.

Subp. 12. Local agency. "Local agency" means a county, or a multicounty agency, that is authorized under Minnesota Statutes as the agency responsible for the administration of the general assistance program.

Subp. 13. Medical certification. "Medical certification" means a statement signed by a licensed physician or licensed consulting psychologist about a person's illness, injury, or incapacity.

Subp. 14. Mentally ill. "Mentally ill" means the condition of a person who has a medically certified psychological disorder resulting in behavior that severely limits the person from obtaining, performing, or maintaining suitable employment.

Subp. 15. Mentally retarded. "Mentally retarded" means the condition of a person who is medically certified as having demonstrated deficits in adaptive behavior and intellectual functioning which is two or more standard deviations below the mean of a professionally recognized standardized test and the condition severely limits the person in obtaining, performing, or maintaining suitable employment.

Subp. 16. Minor child. "Minor child" means a person under the age of 18.

Subp. 17. Recipient. "Recipient" means a person who is currently receiving assistance under the general assistance program.

Subp. 18. Responsible relative. "Responsible relative" means the spouse of an applicant or recipient, the parent of a minor child who is an applicant or recipient, or the parent of an adult child who resides with the parent and who is an applicant or recipient.

Subp. 19. Suitable employment. "Suitable employment" means a job that:

A. meets existing health and safety standards set by federal, state, or local regulations;

B. is within the physical and mental ability of a person as determined by the local agency; and

C. pays at least the minimum wage prescribed by state or federal law and provides more than 60 hours of work per month.

Subp. 20. Vocational specialist. "Vocational specialist" means a counselor of the Department of Economic Security or Division of Vocational Rehabilitation, or another similarly qualified person who advises persons about occupational goals and employment.

9500.1102 [Emergency] CATEGORIES OF ELIGIBILITY.

A member of an assistance unit which meets the conditions listed in part 9500.0530, items A to D, shall be eligible for general assistance if the member meets the conditions of one or more of the following items:

A. The person suffers from a permanent illness, injury, or incapacity which is medically certified and prevents the person from obtaining or retaining suitable employment.

B. The person suffers from a temporary illness, injury, or incapacity which is medically certified and prevents the person from obtaining or retaining suitable employment for a period of at least 15 days, and for which the person is following the rehabilitation plan specified in the medical certification. An applicant or recipient shall be eligible under this item only for the period of the illness, injury, or incapacity.

C. The person is at home on a substantially continuous basis because of the age or medically certified illness, injury, or incapacity of another person who resides with the applicant or recipient. The medical certification must state that the person requiring care is unable to care for himself or herself.

D. The person has been placed in a facility licensed under Minnesota Statutes, sections 245.781 to 245.812 and certified under Minnesota Statutes, chapter 144 for purposes of physical or mental health or rehabilitation, or in a chemical dependency domiciliary facility licensed under parts 9530.2600 to 9530.4000 or 4625.0100 to 4625.2300. The placement must be due to illness or incapacity and based on a plan developed or approved by the director of the local agency.

E. The person resides in a shelter facility for battered women as described in Minnesota Statutes, section 256D.05, subdivision 3.

F. The person is enrolled as a full-time student and is or may be eligible for displaced homemaker services, programs, or assistance under Minnesota Statutes, section 4.40.

G. The person is unable to communicate in the English language as assessed by an English as a second language specialist and the inability to communicate prevents the person from retaining or obtaining suitable employment.

H. The person does not meet the condition in item A, B, or D but is mentally retarded or mentally ill.

I. The person has an application pending for the social security disability program or the supplemental security income program, or a pending appeal of the denial of an application or termination from those programs.

J. The person is unable to obtain or retain suitable employment due to advanced age.

K. The person is completing a secondary education program.

L. The person is a member of an assistance unit which contains one or more minor children.

M. The person, prior to February 1, 1986, meets the conditions of part 9555.3415 [Emergency] or after February 1, 1986 meets one or more of the following:

(1) lives more than two hours round trip from all potential suitable employment, exclusive of time needed to transport his or her children to and from child care; or

(2) is involved with protective or court-ordered services which prevent the recipient from working at least four hours per day; or

(3) is in the last trimester of pregnancy; or

(4) lacks available child care necessary for children in the recipient's assistance unit; or

(5) is evaluated by a vocational specialist and is found to be unable to obtain or retain suitable employment.

N. The person is certified under part 3320.0025 [Emergency] by the commissioner of the Department of Economic Security before August 1, 1985, as lacking work skills or training or as being unable to obtain work skills or training necessary to secure employment.

O. The person has provided the local agency with verification that he or she is functionally illiterate or learning disabled.

9500.1103 [Emergency] ELIGIBILITY DETERMINATION; WORK READINESS.

Upon determining that a person meets the conditions in part 9500.0530 but that the person is not eligible for general assistance under part 9500.1102, the local agency shall inform the person of the availability of its work readiness program and shall determine the person's eligibility for services and payments under that program. The person shall be informed that eligibility for work readiness services and payments is time limited and shall be offered the opportunity to register for the work readiness program.

9500.1104 [Emergency] REQUIREMENTS FOR CONTINUED ELIGIBILITY.

A recipient of general assistance whose eligibility is based on part 9500.1102 [Emergency], items G and L must comply with the following requirements as conditions for continued eligibility.

A. Persons eligible under part 9500.1102 [Emergency], item G shall participate in an English language skills program if assigned to a program by the local agency. If the local agency determines that the person has not participated in the assigned English language skills program, the person must be disqualified from receiving general assistance as prescribed in part 9500.1105 [Emergency].

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

B. The adult members of an assistance unit who are eligible for general assistance under part 9500.1102 [Emergency], item L must comply with the following:

(1) If all of the minor children are six years of age or older, all adult members of the assistance unit must register for and cooperate in the work readiness program under Minnesota Statutes, section 256D.051.

(2) If one or more of the minor children are under the age of six and the assistance unit contains two adults, one adult member must register for and cooperate in the work readiness program under Minnesota Statutes, section 256D.051. The adult members of the assistance unit must decide who will register and participate in the work readiness program.

(3) An adult member of the assistance unit provided for in subitem (1) or (2) who does not register for and cooperate with the work readiness program under Minnesota Statutes, section 256D.051 must be disqualified from general assistance as provided in part 9500.1105 [Emergency]. The standard of assistance applicable to the disqualified person's assistance unit must be based on the number of remaining eligible members of the assistance unit.

9500.1105 [Emergency] DISQUALIFICATION.

A person who did not comply with the requirements of part 9500.1104 [Emergency] item A or B, shall be disqualified from receiving general assistance as provided items A to F.

A. The period of disqualification is 30 days for the first occurrence.

B. The period of disqualification is 90 days for an occurrence that is within 12 months from the end of any prior disqualification period.

C. A subsequent finding of disqualification that occurs more than 12 months from the end of any prior disqualification period is the same as for a first occurrence.

D. The disqualification period begins on the first calendar day of the month following the month in which the person is finally determined to have failed to comply. If the determination is made so late in a month that prior notice under part 9500.1106 [Emergency] cannot be given, the disqualification period begins on the first calendar day of the second month following the finding of noncompliance.

If the recipient appeals on or before the proposed disqualification date, the disqualification process must stop and assistance will continue under part 9500.1107 [Emergency] until a final decision is rendered. If there is a decision that the recipient must be disqualified, the disqualification period begins on the first day of the following month.

E. If a person who is disqualified applies for general assistance during the period of disqualification, the person shall be considered a recipient and the application shall be denied.

F. If a recipient who received a notice of disqualification complies with the requirements of part 9500.1104 [Emergency], items A and B on or before the effective date of the disqualification, assistance must be continued without a period of disqualification.

9500.1106 [Emergency] NOTICE OF DISQUALIFICATION.

If the local agency determines that a recipient must be disqualified for failing to meet the requirements of part 9500.1104 [Emergency], the local agency shall notify the recipient of the determination of disqualification at least ten days before reducing, suspending, or terminating the monthly payment. The notice must:

A. be in writing on a form prescribed by the commissioner;

B. be mailed or given to the recipient not later than ten days before the effective date of the action; and

C. clearly state what action the local agency intends to take, the reasons for the action, the right to appeal the action, and the conditions under which assistance can be continued pending an appeal.

9500.1107 [Emergency] APPEAL OF DISQUALIFICATION.

A recipient who is determined to be disqualified from receiving general assistance under part 9500.1105 [Emergency] may appeal the decision. The appeal must be a written request for a hearing submitted to the department or the local agency under Minnesota Statutes, section 256.045. If the recipient appeals on or before the effective date of the disqualification, the recipient, if otherwise eligible, shall continue to receive general assistance while the appeal is pending. If the appeal is not upheld, the recipient shall pay back to the local agency the amount received during the pendency of the appeal.

Pollution Control Agency

Proposed Rules Relating to Environment; Solid Waste Management Planning and Certificate of Need

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) intends to adopt without a public hearing rules governing comprehensive solid waste management planning and certificate of need, in accordance with the provisions of Minn. Stat. § 14.22-14.28 (1984).

The proposed rules are authorized by Minn. Stat. §§ 115A.42, 115A.46, 115A.917, and 116.07, subd. 4 (1984). One free copy of the rules is available on request from the Agency. Please contact the person whose name and address appears below.

The Agency has prepared a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon by the Agency to support the proposed rules. Copies of the proposed Rules and the Statement of Need and Reasonableness may be reviewed at the five regional offices of the Agency:

Region I, Duluth
John Pegors, Regional Director
Duluth Government Service Center
Room 704
320 West 2nd Street
Duluth, Minnesota 55802

Region II, Brainerd
Larry Shaw, Regional Director
304 East River Road
Suite 3
Brainerd, Minnesota 56401

Region III, Detroit Lakes
Willis Mattison
Regional Director
116 East Front Street
Detroit Lakes, Minnesota 56501

Region IV, Marshall
Mark Jacobs
Regional Specialist
Box 286
1104 East College Drive
Marshall, Minnesota 56258

Region V, Rochester
Larry Landherr, Regional Director
1200 South Broadway
Suite 140
Rochester, Minnesota 55904

Copies of the Statement of Need and Reasonableness and of the proposed rules may be obtained by contacting:

Cathy Berg Moeger
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
Telephone: (612) 296-7247

Interested persons have until 4:30 p.m. on August 14, 1985, to submit comments on the proposed rules. Comments should be submitted to Cathy Berg Moeger at the address stated above. The proposed rules may be modified if the data and views received by the Agency before the end of the comment period warrant modification and the modification does not result in a substantial change in the proposed rules.

Unless twenty-five or more persons submit written requests for a public hearing on the proposed rules within the comment period, a public hearing will not be held. In the event that a public hearing is required, the Agency will proceed according to the provisions of Minn. Stat. §§ 14.131-14.20 (1984). If a person desires to request a public hearing, the Agency requests that the person identify the particular provisions objected to, the suggested modifications to the proposed language, and the reasons and data relied on to support the suggested modifications.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

Upon adoption of the rules by the Agency Board, the rules as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be sent to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Cathy Berg Moeger at the address previously stated.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1984), "Small business considerations in rulemaking," that the proposed rules will affect small businesses both positively and negatively. Many counties and districts will hire consultants and contract for technical professional services to assist them in completing and implementing the planning requirements of the proposed rules. Implementing new waste management systems will create opportunities for entrepreneurs and may decrease solid waste management costs for small businesses. To the extent solid waste is diverted from land disposal facilities due to the plans, current land disposal business may be negatively affected.

You are further advised, pursuant to Minn. Stat. § 14.11 (1984), that the total cost to all local public bodies in the state to implement the proposed rules for the two years immediately following adoption of the rules will exceed \$100,000 in each of those years. The Agency estimates that the development of the solid waste management plans required by the proposed rules will cost about \$26,000 each. Total estimated costs to local public bodies statewide in 1986 are \$390,000. In 1987 estimated costs are \$650,000. The Agency has set out its analysis of these costs in its statement of need and reasonableness.

June 28, 1985

Michael Robertson
for
Thomas J. Kalitowski
Executive Director

Rules as Proposed (all new material)

COMPREHENSIVE SOLID WASTE MANAGEMENT PLANNING AND CERTIFICATE OF NEED

7035.1100 DEFINITIONS.

Subpart 1. Scope. As used in parts 7035.1100 to 7035.1115, the terms defined in this part have the meanings given them.

Subp. 2. Acceptable solid waste management plan. "Acceptable solid waste management plan" means a solid waste management plan that provides planning information consistent with Minnesota Statutes, section 115A.46, and part 7035.1105.

Subp. 3. Agency. "Agency" means the Pollution Control Agency.

Subp. 4. Board. "Board" means the county board of commissioners, the Western Lake Superior Sanitary District board, or the board established for a solid waste management district.

Subp. 5. Bulky items. "Bulky items" means solid waste including appliances, furniture, trees, or other oversize waste that requires extraordinary handling methods to achieve compaction.

Subp. 6. Composting. "Composting" means the controlled microbial degradation of organic waste to yield a humus-like product.

Subp. 7. Director. "Director" means the executive director of the Pollution Control Agency.

Subp. 8. Energy recovery. "Energy recovery" means a technique or process to capture the heat value of solid waste, either by direct combustion or by first converting it into an intermediate fuel product.

Subp. 9. Minnesota State Solid Waste Management Plan. "Minnesota State Solid Waste Management Plan" is the State Solid Waste Management Plan (1980) required by the Federal Resource Conservation and Recovery Act and prepared under Code of Federal Regulations, title 40, parts 255 and 256. This document is available for review at the agency and is revised every five years.

Subp. 10. Mixed municipal solid waste. "Mixed municipal solid waste" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 21.

Subp. 11. Metropolitan area. "Metropolitan area" has the meaning given it in Minnesota Statutes, section 473.121, subdivision 2.

Subp. 12. Permitted capacity. "Permitted capacity" means the volume of waste and cover material that a permit allows to be disposed of at a solid waste land disposal facility, measured over the operating life of the facility.

Subp. 13. Person. "Person" has the meaning given it in Minnesota Statutes, section 116.06, subdivision 8.

Subp. 14. Plan. "Plan" means a solid waste management plan prepared under parts 7035.1100 to 7035.1115.

Subp. 15. Political subdivision. "Political subdivision" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 24.

Subp. 16. Priority one open dump. "Priority one open dump" means those active unpermitted open dumps which are listed in the Inventory of Open Dumps (EPA/530-SW-84-003) published annually by the United States Environmental Protection Agency, Office of Solid Waste and Emergency Response (1984). This publication is incorporated by reference. It is available through the Minitex interlibrary loan system. It is subject to frequent change.

Subp. 17. Recycling. "Recycling" means a technique or process utilized to separate, process, modify, convert, or otherwise prepare solid waste so that component materials or substances may be beneficially used or reused as raw materials.

Subp. 18. Solid waste management. "Solid waste management" means a planned program for effectively controlling the generation, storage, collection, transportation, processing and reuse, conversion, or disposal of solid wastes in a safe, sanitary, environmentally sound, and economical manner. It includes all administrative, financial, environmental, legal, and planning functions. Solid waste management also includes the operational aspects of solid waste handling and disposal and alternatives to land disposal necessary to achieve established objectives.

Subp. 19. Solid waste land disposal facility. "Solid waste land disposal facility" means property owned or leased and designed or operated for the purpose of disposing of solid waste in or on the land, including all on-site structures for controlling surface water drainage, and for collecting and treating of leachate, and including all monitoring devices.

Subp. 20. Waste facility. "Waste facility" has the meaning given it in Minnesota Statutes, section 115A.03, subdivision 35.

Subp. 21. Waste reduction. "Waste reduction" means the prevention of the generation of waste at its sources either by redesigning products and packaging or by changing societal patterns of production and consumption.

7035.1101 RESPONSIBILITY FOR DEVELOPMENT OF PLANS.

Subpart 1. Scope. Parts 7035.1100 to 7035.1115 apply to all counties and districts within the state, except those located within the metropolitan area.

Subp. 2. Timing. Counties or districts shall develop or revise plans and submit them for approval under part 7035.1106, according to the following schedule:

A. Counties.

(1) A county that contains either one or more mixed municipal solid waste land disposal facilities with less than five years permitted capacity as determined by the agency, or one or more priority one open dumps shall complete and submit a draft plan within two years after the effective date of this part.

(2) A county in MPCA Region V - Rochester or Region II - Brainerd that is not covered by subitem (1) shall complete and submit a draft plan within three years after the effective date of this part.

(3) A county in MPCA Region III - Detroit Lakes that is not covered by subitem (1) shall complete and submit a draft plan within four years after the effective date of this part.

(4) A county in MPCA Region I - Duluth or Region IV - Marshall that is not covered by subitem (1) shall complete and submit a draft plan within five years after the effective date of this part.

B. Solid waste management districts. A county that is part of a solid waste management district formed under Minnesota Statutes, sections 115A.62 to 115A.72, must be included in a plan prepared by a district. When it is formed, a district shall submit a draft plan to the agency as required by Minnesota Statutes, section 115A.63, subdivision 3, or, if applicable, under this subpart.

C. Western Lake Superior Sanitary District. The Western Lake Superior Sanitary District, established by Laws of Minnesota 1971, chapter 478, as amended, shall submit a draft plan to the agency under subpart 2, item A, subitem (1) or (4), whichever is applicable.

7035.1102 DIRECTOR NOTIFICATION TO COUNTY AND DISTRICT.

The director shall notify a county or district of its classification under part 7035.1101, subpart 2 at least one year before the draft plan must be completed.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

7035.1103 ACCELERATED PLAN COMPLETION.

A county or district may submit a preliminary draft of a plan or a revision to the director for approval before the director notifies the county or district of the deadline for the plan completion.

7035.1104 PLAN COMPLIANCE AND COMPATIBILITY.

Subpart 1. Board's responsibility. The board shall prepare a solid waste management plan which establishes a solid waste management program for a ten-year period. The board must adopt, maintain, and implement the plan approved by the agency according to part 7035.1110.

Subp. 2. Compatibility. The plan must be compatible with the most recent edition of the Minnesota State Solid Waste Management Plan and the policies expressed in Minnesota Statutes, chapters 115A, 116D, and 116F, by incorporating methods of solid waste management that emphasize the reduction, recovery and recycling of solid waste, and the conversion of solid waste to energy.

Subp. 3. Certificate of need. The plan is the basis for agency certification of need for additional land disposal capacity as required by Minnesota Statutes, section 115A.917. The certificate of need will be issued based on a determination of net land disposal capacity computed in part 7035.1105, subpart 4. The process for certifying need for additional land disposal capacity is contained in parts 7035.1108 to 7035.1114.

7035.1105 CONTENT OF PLAN.

Subpart 1. Goals and objectives. The county or district must establish goals and objectives in the plan that will allow the county or district to achieve the maximum reduction of the need for and practice of land disposal of mixed municipal solid waste.

Subp. 2. Solid waste management system evaluation. A plan must contain descriptions, estimates, or assessments of the solid waste management system, including the following:

A. An inventory and description of existing waste facilities and the collection, storage, transportation, and disposal systems used by the political subdivision being studied, including:

(1) The physical location, size, and ownership of the facilities and systems.

(2) The solid waste received, by: (i) classification of waste generated, including: residential and commercial solid waste, industrial waste, demolition materials, and tires; (ii) composition of the waste and; (iii) volume or weight of solid waste received annually in the county or district for the last five years. Seasonal variations must be identified for each classification of waste generated.

(3) The remaining permitted capacity of the mixed municipal solid waste land disposal facilities in cubic yards and years.

(4) Schedules of rates and charges for each collection, storage, transportation, and disposal system described. The rates and charges must be described annually for the last five years and the current year.

(5) The financing methods used by the waste facilities.

(6) Existing and potential environmental effects.

(7) Opportunities for improvements within each element of the solid waste management system described in this subpart. The plan must develop solutions to specific problems and propose a course of action to rectify these problems.

B. A short description of solid waste management planning completed by the county or district in the last five years. The description may include establishment of advisory committees, reports, and budgets.

C. An identification of solid waste issues of regional concern, including an assessment of the feasibility of planning and implementing solid waste management systems on a regional basis. The plan must include a process for ensuring the ongoing involvement of and consultation with those who are concerned with solid waste management including regional authorities, adjacent counties or districts and local units of government within a county or district.

D. An estimate of the land disposal capacity needed for a ten-year period to serve the political subdivisions being studied. The estimate shall be calculated on the basis of current and projected waste generation practices, and shall be stated in acre-feet and cubic yards. Abatement of land disposal capacity by proposed alternatives that have not yet been implemented shall not be included in the estimate.

E. A description of existing county and municipal ordinances, licenses and permit requirements that relate to solid waste management. The plan must identify specific problems caused by the existing regulations and enforcement procedures and propose a course of action to rectify those problems.

Subp. 3. Assessment of alternatives to land disposal. The following apply to a plan:

A. A plan must include an assessment of specific alternative functions and activities to reduce the need for land disposal

through the use of waste reduction, recycling, composting, and energy recovery. This assessment must be structured into two waste management systems:

(1) a proposed system that requires the most reduction of the need for land disposal; and

(2) an alternative system that could be used to meet abatement objectives if proposed activities and functions are not undertaken for the ten-year planning period. The plan must include a description and comparative cost analysis of the existing system, the proposed system and the alternative system. The plan must also include a description of the timing of the specific functions and activities to be undertaken for the proposed system and a description of alternatives, including waste reduction and recycling, for collecting, processing, and disposing of waste tires and bulky items.

B. The cost analysis required in item A must be on worksheets provided by the director or must be in a format approved by the director under item C. The director may require submission of the assumptions used to generate data in the comparative cost analysis, if it would assist in determining plan approval under part 7035.1106.

(1) Categories for the cost analysis must include the capital and operating costs, revenues, and a transportation analysis.

(2) The analysis of each system must contain the degrees of reduction of mixed municipal solid waste achievable over one-year intervals during the ten-year planning period; the effects of the specific alternative functions and activities on the cost to persons providing solid waste collection, processing, and disposal services; the relative cost of each waste management system to the generators of the waste, including an assessment of the cost per capita per month and the cost per household per month; and the financing options of each of the systems evaluated.

C. A county or district that chooses to establish its own format for the cost analysis required by item A must submit the format to the director for approval at least six months prior to the required plan completion date established in part 7035.1101, subpart 2. The format must contain the following:

(1) Capital costs. Capital costs must include general construction costs such as land and buildings, site preparation and improvement, equipment, contractors and overhead, and contingencies. Capital costs must be adjusted for inflation. Capital costs must be expressed in dollars per ton of daily capacity based on 365 days per year.

(2) Operating and maintenance costs. Operating and maintenance costs must include labor costs; utilities; maintenance of vehicles, stationary equipment, buildings and roads; water monitoring and analysis; parts and supplies; services; equipment replacement; financial assurance; insurance; licenses and permits; taxes; residue disposal; and debt service. Operating and maintenance costs must be expressed in cost per ton of daily capacity.

(3) Revenues. The revenue portion of the cost analysis must include recycled material sales, compost sales, and other sources of income.

(4) Transportation costs. The transportation portion of the cost analysis must estimate the transportation cost changes which would result from implementation of alternative waste management systems.

(5) Cost adjustment for environmental values. The comparative analysis of alternative waste management systems must also account for the environmental goals established in Minnesota Statutes, chapters 115A and 116D. To accomplish this, the following maximum abatement goals are established for each portion of the solid waste stream. The abatement components are, in order of preference: waste reduction, recycling, yard waste composting, co-composting or energy recovery or both, and land disposal of residuals. Waste reduction has an abatement goal of three percent reduction by weight, of the solid waste stream; recycling has an abatement goal of 25 percent reduction by weight, of the solid waste stream; yard waste composting has an abatement goal of 12 percent reduction by weight, of the solid waste stream; co-composting or energy recovery or both has an abatement goal to process 60 percent, by weight, of the solid waste stream. These abatement goals will result in 20 percent of the waste stream being disposed of in land disposal facilities as residuals. The cost analysis of the waste management systems must be adjusted so it reflects any differences between the solid waste management systems and the abatement goals for co-composting, energy recovery, and land disposal. The adjustment must be made in the following manner:

(a) deduct the amount of waste in the abatement goal (G_i) processed under each component from the planned amount of waste (P_i) abated for that component.

$P_i - G_i$, in which i represents waste management components (e.g., energy recovery, etc.)

(b) add the positive values derived in the first step.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

$$\sum_{i=1}^n (P_i - G_i), \text{ for all } (P_i - G_i) > 0$$

(c) divide this sum by the total amount of waste generated (W).

$$P_E = \frac{\sum_{i=1}^n (P_i - G_i)}{W}$$

(d) adjust cost estimates for each of the components selected in the second step. Multiply each component's total cost, cost per ton, cost per household, and cost per capita by $(1 + P_E)$.

Subp. 4. Net land disposal capacity. The plan must contain a computation of net land disposal capacity. Net land disposal capacity is computed by subtracting the amount of waste managed by the proposed waste management system, calculated in subpart 3, item A, from the estimate of land disposal capacity needed based on current and projected waste generation practices calculated in subpart 2, item D. The result of this computation is net land disposal capacity needed for a ten-year period in a county or district.

Subp. 5. Waste facility siting program. The plan must contain a detailed siting procedure and development program to assure the orderly location, development, and financing of new or expanded waste facilities and services sufficient for the ten-year planning period. The procedure and program must be consistent with all applicable rules of the agency, the department of natural resources, the environmental quality board, and other state agencies. The procedure and program must include:

- A. estimated capital costs and implementation schedules;
- B. proposed procedures for operation and maintenance;
- C. estimated annual costs and gross revenues;
- D. feasible proposals for the ultimate use of waste facilities upon completion of their original use;
- E. siting criteria; and
- F. a program for public participation.

Subp. 6. Waste management implementation system. The plan must identify management responsibilities and institutional arrangements necessary for the implementation of the course of action identified in subpart 2, item A, subitem (7) and for the proposed waste management system identified in subpart 3, by including:

- A. an identification of the existing structure of persons, municipalities, counties, and regional, state, and federal agencies that affect solid waste management in the political subdivisions being studied;
- B. an evaluation and recommendation of specific options for the resolution of conflicting, duplicative, or overlapping local management efforts, including the possible establishment of joint powers management programs or waste management districts; and
- C. a recommended management system for plan implementation, including:
 - (1) identification of those local political subdivisions, entities, or personnel that have responsibilities to plan, implement, and enforce the solid waste management system;
 - (2) identification of necessary training and education programs, including public education;
 - (3) a strategy for plan implementation, review, and evaluation, including the responsibilities of all local political subdivisions, entities, or personnel that have assigned duties within the management system;
 - (4) a financial program that identifies solid waste management funding sources for local political subdivisions, entities, or personnel assigned responsibilities under the plan; and
 - (5) a timetable to implement each element of the plan over the ten-year planning period.

7035.1106 SUBMISSION OF PLAN OR REVISION.

Subpart 1. Submission of draft plan or revision. A board shall submit for agency review two copies of its draft plan or revision to the director according to the schedule established in part 7035.1101, subpart 2. Upon receipt of the draft plan or revision, the director must notify the board by certified letter of the proposed schedule for review of the draft plan or revision. After reviewing the draft plan or revision, the director shall notify the board of any part of the draft plan or revision that requires redrafting and resubmission. The county or district shall redraft the plan or revision and submit it as the final plan or revision to the director within 90 days.

Subp. 2. Resolution. When the redrafted plan or revision is completed, the county or district shall adopt a resolution that approves it as the final plan or revision before submission under subpart 3.

Subp. 3. Submission of final plan or revision. The board shall submit four copies of the final plan or revision to the director. The final plan or revision must be accompanied by a certified copy of the resolution required in subpart 2.

Subp. 4. Disapproval. If the director disapproves of the final plan or revision in whole or in part, the director shall notify the board of the parts that require resubmission. The board shall resubmit the final plan or revision with the required modifications and resolution of adoption within 90 days after notification by the director.

Subp. 5. Approval. The agency shall approve plans or revisions if the following conditions are satisfied:

A. The plan or revised plan contains each element of an acceptable plan as defined in part 7035.1100, subpart 3.

B. The plan or revised plan has required the most feasible and prudent reduction of the need for and the practice of land disposal of mixed municipal solid waste. "Feasible" means a known method or technology that can be put successfully into practice to accomplish the abatement of solid waste. An alternative may not be considered feasible if it is experimental, theoretical, or not capable of commercial scale application. "Prudent" means the least costly solid waste management system as demonstrated by the cost analysis done under part 7035.1105, subpart 3.

7035.1107 PRELIMINARY APPROVAL.

Within 30 days after receiving the final plan or revision, the director shall notify the board of the agency's preliminary approval of the plan or revision according to part 7035.1106, subpart 5, including the net land disposal capacity calculated in part 7035.1105, subpart 4 and intent to issue a certificate of need.

7035.1108 PUBLIC NOTICE AND COMMENTS ON AGENCY'S PRELIMINARY APPROVAL OF PLAN OR REVISION AND INTENT TO ISSUE A CERTIFICATE OF NEED.

Subpart 1. Contents; duration of comment period. The director shall prepare and issue a public notice of the agency's intent to approve the plan or revision and issue a certificate of need for net land disposal capacity. The public comment period is 30 days. The public notice must include, at a minimum:

A. the address and telephone number of the main agency office and the appropriate agency regional office, and a statement that additional information may be obtained at these offices;

B. the name and address of the chair of the board whose solid waste management system is the subject of the plan or revision and whose land disposal capacity is the subject of the certificate of need;

C. a concise description of the waste management system established by the plan or revision;

D. a concise description of the determination of need for land disposal capacity expressed in cubic yards and acre feet;

E. a statement of the duration of the certificate of need and of the plan or revision approval;

F. any conditions of approval of the plan or revision by the agency;

G. any conditions of approval of the certificate of need by the agency, including at a minimum revocation and reissuance;

H. a brief description of the procedures for the agency to reach a final decision on approval of the plan or revision and certificate of need, including procedures for requesting a public informational meeting or contested case hearing; and

I. a statement that during the public comment period a person may submit comments to the agency on the plan or revision and certificate of need, a statement of the dates on which the public comment period begins and ends, and a statement of the information a person is required by part 7001.0110 to include in the comments.

Subp. 2. Distribution of public notice. The director shall distribute the public notice in the following manner:

A. The director shall make a copy of the public notice available at the main agency office and the appropriate agency regional office.

B. The director shall mail a copy of the public notice to the chair of the board whose plan or revision is subject to approval and whose land disposal capacity is the subject of the certificate of need.

C. The director shall circulate the public notice within the county or district whose plan or revision is subject to approval and whose land disposal capacity is the subject of the certificate of need. The director shall circulate the public notice by posting the notice in the post office, public library, or other buildings used by the general public in the county or district and by publishing the notice in one or more newspapers or periodicals of general circulation in the county or district.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

Subp. 3. Public comments. During the 30-day public comment period, an interested person, including the chair of the board, may submit written comments on the plan or revision and certificate of need. Comments must include the following:

- A. a statement of the person's interest in the plan or revision and certificate of need;
- B. a statement of the action the person wishes the agency to take, including specific references to the plan or revision or the determination of net land disposal capacity calculated in part 7035.1105, subpart 4, that the person believes should be changed; and
- C. the reasons for the person's position, stated with sufficient specificity to allow the director to assess the merits of the person's statements. The agency shall retain comments submitted in writing by interested persons during the public comment period and shall consider them in the final determinations concerning approval of the plan or revision and the certificate of need.

Subp. 4. Extension of comment period. The director may extend the public comment period if the director finds an extension of time is necessary to facilitate additional public comment.

7035.1109 REQUEST FOR PUBLIC MEETING OR CONTESTED CASE HEARING.

Subpart 1. Contents of request. If a person requests a public informational meeting or a contested case hearing, the request must include the items in part 7035.1108, subpart 3; and a statement why the agency should hold a public informational meeting or contested case hearing; and the issues the agency should address at the public informational meeting or contested case hearing.

Subp. 2. Need for public informational meeting. If the director determines that a public informational meeting would help clarify and resolve issues regarding the plan or revision and certificate of need or if the director has received a request under part 7001.0670, subpart 1, the director shall hold a public informational meeting.

Subp. 3. Location of meeting. The director must hold the public informational meeting in the geographical area included in the plan or revision and certificate of need. Otherwise, the public informational meeting must be held in a place generally convenient to persons expected to attend the meeting.

Subp. 4. Notice of public informational meeting. The director shall prepare a notice of the public informational meeting. The notice must contain a reference to the public notice of the preliminary approval of the plan or revision and certificate of need including the dates of issuance of the public notice; the date, time, and location of the public informational meeting; the information described in part 7001.0100, subpart 4, items A to F; a concise description of the manner in which the public informational meeting will be conducted; and the issues to be discussed.

Subp. 5. Distribution of notice. The director shall publish the notice in a newspaper of general circulation in the geographical area of the plan or revision and certificate of need, and shall mail a copy of the notice to the board and all other persons determined by the director to have an interest in the plan or revision and certificate of need. If applicable, the director shall comply with part 7001.0670, subpart 3.

Subp. 6. Consolidation of issues. If the director or the agency determines that no person would be adversely affected by consolidation, the director or the agency may consolidate two or more matters, issues, or related groups of plans or revisions and certificates of need for which a public informational meeting will be held.

Subp. 7. Required contested case hearing. The agency shall hold a contested case hearing if it finds all of the following:

- A. that a person requesting the contested case hearing has raised a material issue of fact or the application of facts to law related to the agency's approval of the plan or revision and certificate of need;
- B. that the agency has jurisdiction to make determinations of the issues of fact or of the application of facts to law raised by the person requesting the contested case hearing; and
- C. that there is a reasonable basis underlying issues of fact or law raised by the person requesting the contested case hearing such that the holding of a contested case hearing would aid the agency in making a final determination on the plan or revision and certificate of need.

Subp. 8. Public informational meeting. If the agency finds that the holding of a contested case hearing is not justified under subpart 7, the agency shall nevertheless hold a public informational meeting if the agency determines that a public informational meeting would help clarify or resolve issues regarding approval of the plan or revision and the certificate of need.

Subp. 9. Hearing notice and order. If the agency decides to hold a contested case hearing, the director shall prepare a notice of and order for hearing. The notice of and order for hearing must contain:

- A. the information required by part 1400.5600 of the rules of the Office of Administrative Hearings;
- B. a reference to the public notice of the agency's intent to approve the plan or revision and issue the certificate of need and the dates of issuance of the public notice;
- C. identification of the existing parties and a concise description of the issues which have been raised by any party; and

D. the address of the agency office or offices where interested persons may inspect or obtain copies of the public notice of the plan or revision and the certificate of need and other information relevant to the plan or revision and the certificate of need and the holding of the hearing.

Subp. 10. Relevant law. The notice of hearing, distribution of the notice, and the conduct of the contested case hearing are governed by Minnesota Statutes, sections 14.57 to 14.62; the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8500; and, if applicable, by part 7001.0670, subparts 2, 3, and 4.

7035.1110 FINAL APPROVAL OF PLAN OR REVISION AND CERTIFICATE OF NEED.

Subpart 1. Agency action. The agency shall approve the plan or revision if the agency determines the plan or revised plan complies with part 7035.1106, subpart 5.

Subp. 2. Certificate of need. The agency shall issue, reissue, or revoke and reissue a certificate of need for a ten-year period based on the net land disposal capacity calculated in part 7035.1105, subpart 4.

7035.1111 PLAN AMENDMENTS.

A county or district shall amend a plan as conditions change after approval of the plan, by filing amendments for approval by the agency. The board shall adopt the amendments to the plan or revision by resolution before it is submitted to the director.

7035.1112 PLAN REVISIONS.

Subpart 1. Five-year review. The board must review and, where necessary, revise the plan every five years after plan approval to ensure the plan remains consistent with the most recent edition of the Minnesota State Solid Waste Management Plan and parts 7035.1100 to 7035.1115.

Subp. 2. Update report. A county or district shall submit a report to the director indicating the parts of the plan that must be updated. A county or district shall submit the report to the director by the fourth anniversary date of the plan approval. The report serves as the basis for revising or not revising the plan. The report must address:

A. The adequacy of the system evaluation completed in part 7035.1105, subpart 2, item A, including waste generation and projected disposal quantities. Any changes in the system evaluation must describe the effect on net land disposal capacity as computed in part 7035.1105, subpart 4.

B. The consistency with state policies as expressed in Minnesota Statutes, chapters 115A and 116D, and the most recent edition of the Minnesota State Solid Waste Management Plan.

C. Changes in the cost analyses of alternatives required by part 7035.1105, subpart 3.

D. The implementation schedule required by part 7035.1105, subpart 6, item C, subitem (5).

E. Current and future management system required by part 7035.1105, subpart 6, item C, subitem (3).

F. Changes in funding sources required by part 7035.1105, subpart 6, item C, subitem (4).

G. Functions and activities of the plan that were not implemented or successfully accomplished and why.

H. New plan implementation tasks that have arisen as a result of changes in circumstances or facts.

Subp. 3. Determination of necessary plan revision. The director shall determine whether a plan revision is necessary based on the update report required in subpart 2. The director shall require a plan revision if the elements addressed in the update report significantly affect the net land disposal capacity computed in part 7035.1105, subpart 4. A county or district shall submit a draft revision of the plan within one year after the director determines that a revision is necessary. The board shall comply with part 7035.1106.

7035.1113 REVIEW.

The agency, upon submittal of a revision to a plan according to part 7035.1112, may review and amend the certificate of need, by revoking and reissuing as specified in part 7035.1110, subpart 2, to ensure the certificate of need remains compatible with the plan. The agency shall comply with part 7035.1108.

7035.1114 REVOCATION OF CERTIFICATE OF NEED.

If the county or district revises its plan according to part 7035.1112 or the agency finds the county or district has not fulfilled all applicable requirements of Minnesota Statutes, chapter 115A, or the rules adopted under Minnesota Statutes, chapter 115A,

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

including parts 7035.1100 to 7035.1115, this finding constitutes justification for the agency to revoke, or revoke and reissue a certificate of need.

7035.1115 NONCOMPLIANCE.

Subpart 1. Notification. If a county or district has been notified as specified in part 7035.1102 of the required completion date of the solid waste management plan according to part 7035.1101, subpart 2, and the director determines a county or district has not initiated the planning process, the director shall issue a letter notifying the board of the director's intent to pursue the agency action as specified in subpart 2. The county or district shall respond to the notice within 30 days, stating the reasons why the planning process has not been initiated.

Subp. 2. Compliance order. If the board fails to respond to the notice in subpart 1 or initiate the planning process, the agency may issue an order for compliance with parts 7035.1100 to 7035.1114. Issuance of a compliance order does not preclude the agency from taking other actions prescribed by law.

Waste Management Board

Proposed Rules Governing Hazardous Waste Reduction Grants

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Waste Management Board proposes to adopt the above-entitled amendments to existing rules without a public hearing. The Waste Management Board has determined that the proposed adoption of these amendments to existing rules will be non-controversial in nature and has elected to follow the procedures set forth in Minn. Stat. §§ 14.22 to 14.28 (1984).

Persons interested in these rules have 30 days to submit comments in support of or in opposition to the proposed amendments to existing rules. The Board encourages public comment. Each comment should identify the portion of the proposed amendment addressed by the comment, the reason for the comment, and any change that is proposed. The proposed amendments to existing rules may be modified if the modifications are supported by the data and views submitted to the Waste Management Board and do not result in a substantial change in the proposed language.

If twenty-five (25) or more persons submit written requests for a public hearing on the proposed amendments to existing rules within the 30-day comment period, a public hearing will be held. Persons requesting a public hearing are encouraged to state his or her name and address, and identify the reasons for their request, the portion of the proposed amendment that the hearing should address, and any changes proposed. In the event a public hearing is required, the Waste Management Board will proceed according to the provisions of Minn. Stat. §§ 14.08-14.28 (1984).

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Waste Management Board
Ken Stabler
123 Thorson Building
7323-58th Avenue North
Crystal, MN 55428
(612) 536-0816

Authority to adopt these rules is contained in Minn. Stat. §§ 115A.06, subd. 2 and 115A.154 (1984). The Board is authorized by Minn. Stat. § 115A.154 to make grants to generators of hazardous waste in the state. The grants are intended to fund studies to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous waste. The amendments to existing rules proposed for adoption relate to the following matters: (1) the type of projects eligible under the grant program; and (2) the types and amount of information required on the grant application.

A statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed amendments to existing rules has been prepared and is available from Mr. Ken Stabler upon request.

If a hearing is not required, and upon adoption of the final amendments to existing rules without a public hearing, the proposed amendments to existing rules, this notice, the statement of need and reasonableness, all written comments received, and the final amendments to the existing rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final amendments to existing rules as adopted, should submit a written statement of such request to Mr. Ken Stabler.

Robert G. Dunn, Chairman
Waste Management Board

Rules as Proposed**9200.9501 DEFINITIONS.**

Subpart 1. [Unchanged.]

Subp. 1a. Abatement. “Abatement” means the inclusion or substitution of a new element in the existing industrial process in order to eliminate or reduce the quantity of waste produced.

Subp. 2. and 3. [Unchanged.]

Subp. 4. [See Repealer.]

Subp. 5. to 8. [Unchanged.]

Subp. 8a. Minimization. “Minimization” means a decrease in the quantity of waste through good housekeeping practices or by the application of concentration technology.

Subp. 9. and 10. [Unchanged.]

Subp. 10a. Recycling. “Recycling” means the reclamation by the generator of usable components from waste streams.

Subp. 11. Reduction. “Reduction” means action by a generator that:

A. decreases the total quantity of hazardous waste generated by the generator through abatement, minimization, reuse, or recycling; or

B. [Unchanged.]

Subp. 12. Reuse. “Reuse” means the reutilization of a waste by the generator either as generated or with very minor modification prior to the reutilization.

9200.9502 ELIGIBILITY CRITERIA.

Subpart 1. [Unchanged.]

Subp. 2. Eligible projects. ~~Only~~ Projects designed to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous waste are eligible to receive a hazardous waste reduction grant. Eligible projects include projects to study the specific application of a method or technology already developed and projects to analyze a method or technology for which additional research is necessary to establish the feasibility of the method or technology are eligible. Examples of possible methods and technologies which may be studied include process modification and material substitution-

Application or research projects currently under development by the applicant and new projects are eligible.

Subp. 3. and 4. [Unchanged.]

9200.9503 GRANT APPLICATION.

An applicant shall submit an application in the form specified by the board. An application must include the following information:

A. [Unchanged.]

B. A statement outlining the method or technology that will be studied by the applicant and the waste reduction that may result from application of the method or technology. This statement must include a discussion of the following items:

(1) a description of the method or technology to be studied;

(2) whether the study involves the application of an existing method or technology, or original or continuing research on a method or technology for which additional research is necessary to determine the feasibility of the method or technology;

(3) ~~the applicability of the method or technology to generators of similar wastes;~~

(4) a description of the hazardous waste affected by the proposed project that is generated by the applicant, including the quantity generated in the previous calendar year ~~1983~~ and the quantities generated during each of the calendar years from ~~1980~~ through ~~1982~~, if available and applicable;

(5) ~~(4)~~ an estimate of the decrease in the quantity of hazardous waste generated and any decrease in risk that results from the application of the method or technology to be studied;

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

PROPOSED RULES

(6) a projection of the quantity of hazardous waste generated in calendar years 1984 through 2000 with and without the application of the method or technology being studied;

(7) the importance to the applicant of achieving the estimated reduction, such as a discussion of liability, treatment, management, disposal, and transportation costs;

(8) the relationship of the hazardous waste reduction estimated by the applicant to the hazardous waste reduction goals of the Waste Management Board as stated in the board's Hazardous Waste Management Report of December 1983 and the Draft Certificate of Need of February 1984, particularly the goal of minimizing the quantity of hazardous wastes that are difficult to manage or can be managed only through final disposal;

(9) (5) the current method used to manage the hazardous waste generated by the applicant, and any anticipated change in management occurring after the reduction; and

(10) (6) estimated increased or decreased annual operating and maintenance costs that will be realized if the proposed method or technology is implemented.

C. A statement of financial feasibility for the project must be included with the application, and must include a discussion of the following items:

(1) ~~A statement explaining the need for the grant amount requested.~~

(2) the amount of grant funds requested; and

(3) (2) an estimate of the total amount of funds needed to complete the study. This section should include a discussion of any financial support that might be available to the applicant from other sources, including both external and internal sources.

(4) ~~A description of any previous requests for funds from other sources that would have been used to conduct a study similar to that proposed by the applicant under this grant program.~~

9200.9504 APPLICATION PROCESS.

Subpart 1. [See Repealer.]

Subp. 2. Additional Applications. The board may solicit ~~additional~~ applications ~~at a later date for grants and may establish a deadline for applications~~ by notification in the *State Register*.

9200.9506 EVALUATION OF PROPOSALS.

Subpart 1. Evaluation schedule. Within 45 days of the completion of the eligibility and documentation review, the board shall evaluate eligible proposals and set a ~~date~~ deadline for action.

Subp. 2. Evaluation factors. In evaluating each proposal the board shall consider the following factors:

A. [Unchanged.]

B. The significance of the proposed waste reduction measured by:

(1) the decrease in total hazardous waste generated in Minnesota as a result of the waste reduction and the potential future decrease as a result of application of the waste reduction method by other generators; ~~or~~ and

(2) [Unchanged.]

C. [Unchanged.]

D. ~~Consideration by the board with respect to the following~~ Other factors including:

(1) to (4) [Unchanged.]

9200.9508 GRANT AGREEMENT.

Subpart 1. and 2. [Unchanged.]

Subp. 3. Termination. The board may terminate a grant upon 30 days' notice if it determines that the project is not feasible. A request for termination may be initiated by either the board or a grant recipient. If the board gives notice to terminate a grant, the board may also require that no additional grant funds be spent by the applicant effective as of the date of the termination notice. ~~The procedure for determining that a project is not feasible shall be specified in the grant agreement.~~

Subp. 4. to 6. [Unchanged.]

REPEALER. Minnesota Rules, parts 9200.9501, subpart 4; and 9200.9504, subpart 1 are repealed.

Workers' Compensation Court of Appeals

Proposed Rules of Procedure; Workers' Compensation Court of Appeals

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Workers' Compensation Court of Appeals proposes to adopt the above-captioned amendments without a public hearing. The Court has determined that the proposed adoption of these amendments will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. §§ 14.21-14.28 (1984).

Persons or groups interested in these amendments shall have 30 days to submit comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendments addressed, the reason for the comment, and any change proposed. The proposed amendments may be modified if the modifications are supported by the data and views submitted to the Court and do not result in a substantial change in the proposed language.

A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. If a public hearing is required, the Court will proceed according to the provisions of Minn. Stat. §§ 14.131-14.20 (1984). Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed amendment addressed, the reason for the request, and any change proposed.

Comments or written requests for a public hearing should be submitted to:

Sandra Lynott, Legal Technician
Workers' Compensation
Court of Appeals
212 MEA Building
55 Sherburne Avenue
St. Paul, MN 55103
Telephone (612) 297-2520

Authority for the adoption of these amendments is contained in Minn. Stat. § 175A.07, subd. 4 (1984). The amendments eliminate ambiguities in the Court's existing procedural rules, incorporate statutory modifications, and streamline procedures. They govern all aspects of practice before the Court including requirements for initiation of appeals, motions, intervention, hearings and filing of briefs.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments, identifies the data and information relied upon to support the proposed amendments and assesses the impact of the proposed amendments on small business and on local public bodies has been prepared and is available from Ms. Lynott upon request at the above address.

Upon adoption of the final amendments without a public hearing, all jurisdictional documents, the Statement of Need and Reasonableness, all written comments and requests for hearing received, and the final amendments as adopted, will be delivered to the Attorney General. The amendments will then be reviewed by the Attorney General as to legality and form as it relates to legality, including the issues of substantial change, the Court's authority to adopt the amendments and the existence of a rational basis for the need for and reasonableness of the proposed amendments. Persons who wish to be notified of the submission of this material to the Attorney General, including modifications to the amendments as originally proposed, should submit a written request to Ms. Lynott at the above address.

A copy of the proposed amendments follows this notice. One free copy of the proposed amendments may be obtained by contacting Ms. Lynott at the above address or by calling (612) 297-2520.

June 26, 1985

Paul V. Rieke
Administrator
Workers' Compensation
Court of Appeals

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

Rules as Proposed

9800.0100 ~~DEFINITION~~ DEFINITIONS.

Subpart 1. Application. For the purpose of parts 9800.0100 to 9800.1400 "court" means the Workers' Compensation Court of Appeals 9800.1800, the following terms have the meanings given them.

Subp. 2. Administrator. "Administrator" means the judge designated by the court to receive documents filed with the court.

Subp. 3. Appellant. "Appellant" means all parties filing notices of appeal, including cross-appellants.

Subp. 4. Court. "Court" means the Workers' Compensation Court of Appeals.

Subp. 5. Division. "Division" means the Workers' Compensation Division of the Department of Labor and Industry.

Subp. 6. Filed. "Filed" means the receipt and stamping of a document by the court, division, or office.

Subp. 7. Office. "Office" means the state Office of Administrative Hearings.

9800.0200 EXAMINATION OF FILES.

Inspection of any Workers' Compensation division file that is in the custody of the court may be inspected by any person only when there has been compliance with is subject to the requirements of Minnesota Statutes, section sections 176.231, subdivisions 8 and 9, and 176.138, and the rules of the Workers' Compensation Division part 1415.0600.

9800.0400 TEMPORARY ORDERS.

Temporary orders filed with the court must comply with conform to Minnesota Statutes, section 176.191 and the rules of the Workers' Compensation Division regarding temporary orders unless otherwise ordered by the court part 1415.2300.

9800.0500 CONTINUANCES ~~AND EXTENSIONS~~ OF HEARINGS.

Subpart 1. Continuances. A continuance of any hearing may shall be granted only upon a showing of just cause. Failure to make timely request to the court for a continuance is grounds for denial of the continuance A request for a continuance must be made within five days of the filing of notice of hearing. The court shall consider later requests only upon a showing that an earlier request could not have been made.

Subp. 2. [See Repealer.]

9800.0700 ~~STIPULATION~~ STIPULATIONS FOR SETTLEMENT.

Stipulations for settlement submitted to the court shall comply with must meet the requirements of Minnesota Statutes, section 176.521 and the rules of the Workers' Compensation Division and the state Office of Administrative Hearings regarding stipulations of settlement unless otherwise ordered by the court part 1415.2000.

To be considered for approval, stipulations must be promptly filed with the court by a party. Where a case is settled prior to the filing of the court's decision, the appellant must immediately notify the court that a settlement has been reached.

9800.0800 APPEAL OF ATTORNEY FEES BY AN EMPLOYEE.

An employee dissatisfied with his attorney fees may make application for review of the fees by completing an application form provided by the court pursuant to Minnesota Statutes, section 176.081, subdivision 3.

9800.0900 BRIEFS ON APPEAL.

Subpart 1. Filing of brief of appellant where a transcript is required. The Office of Administrative Hearings shall file a certification with this court showing the date of service of the transcript of hearing upon the parties or their attorneys. The appellant, within 30 days from the date of said service, shall file a written brief with the court together with, which shall address only issues raised in the notice of appeal, within 30 days after the court receives the transcript. The brief shall be accompanied by an affidavit stating that service of a copy of the brief has been made by the appellant upon each adverse party all other parties to the action. Five The original brief and four copies of the brief shall be filed with the court in cases where oral argument a hearing is to be made held. Only the original shall be filed where the hearing is waived by all parties.

Subp. 2. ~~Response to~~ Filing of brief of appellant where no transcript of the proceedings is required. Any response to any brief shall be filed with the court within 20 days of the date of service of the brief to which the response is being made. The response must be accompanied by an affidavit stating that service has been made upon all opposing parties Where no transcript of the proceedings is required, the appellant shall file a written brief, which shall address only issues raised in the notice of appeal, within 30 days after the filing of the notice of appeal. The brief shall be accompanied by an affidavit stating that service of a copy of the brief has been made by the appellant upon all other parties to the action. The original and four copies shall be filed with the court in cases where a hearing is to be held. Only the original shall be filed where the hearing is waived by all parties.

Subp. 3. ~~Filing where no certification of filing of transcript required~~ Filing of brief of respondent. Upon appeal to this court where no certification of filing of transcript is required, the appellant shall have 30 days from the date of filing the notice of appeal to

file a written brief. Response briefs shall be filed in accordance with subpart 2. The brief of respondent shall be filed with the court within 20 days after the filing of the appellant's brief. The respondent's brief shall address only issues raised in the brief of the appellant and must be accompanied by an affidavit stating that service has been made upon all other parties to the action. The original and four copies shall be filed with the court in cases where a hearing is to be held. Only the original brief shall be filed where a hearing is waived by all parties.

Subp. 4. Filing of respondent's brief where no appellant brief is filed. If no appellant brief is filed, briefs of respondents shall be filed within 50 days after the date that the court received the transcript of the proceedings. If no transcript of the proceedings is required and no appellant brief is filed, all other parties shall file briefs within 50 days after the date of filing of the notice of appeal. The briefs shall address only issues raised in the notice of appeal and shall be accompanied by proof of service upon all parties. The original and four copies shall be filed with the court in cases where a hearing is to be held. Only the original brief shall be filed where a hearing is waived by all parties.

Subp. 5. Reply briefs. Reply briefs shall be filed within ten days after the filing of the respondent's brief. They shall address only issues addressed in the respondent's brief. The original and four copies shall be filed with proof of service upon all other parties when a hearing is to be held. Only the original brief shall be filed when a hearing is waived by all parties.

Subp. 6. Extensions. Extensions of time for the filing of briefs shall be granted only for cause and if requested within the time for the filing of the brief. Briefs not timely filed shall not be considered by the court unless an extension of time for filing has been granted. No extension shall be granted except as provided in parts 9800.0100 to 9800.1400.

9800.1000 HEARINGS ON APPEAL.

Subpart 1. Time limits. All arguments on appeal before the court shall be limited to A hearing shall be scheduled unless it is waived by all parties as prescribed by part 9800.1600, subpart 2. Each party shall be allotted 15 minutes by each party unless otherwise authorized by the court. A party desiring to waive oral argument before the court shall notify the court within the time limitations for the filing of a brief.

Subp. 2. Motion pictures. Any party desiring to show motion pictures at the hearing must so inform the court in writing within 30 days after the transcript is received by the court. This notice shall indicate the length of time necessary for viewing. The party shall furnish the necessary projection equipment on the day of the hearing. The court shall on its own motion require the showing of motion pictures when necessary for a full and fair adjudication of a case. The party in possession of the motion pictures or the party who offered them into evidence shall provide projection equipment.

9800.1100 APPLICATION TO SET ~~THE~~ AWARD ASIDE ~~OR~~ AND GRANT A NEW HEARING.

Applications An application to set an award aside or and grant a new hearing shall be verified and accompanied by supporting affidavits or medical reports. Sufficient copies The application shall be filed with the court for service upon the other parties and accompanied by proof of service on all parties to any award to which the application applies. The application shall state in detail the grounds that constitute the cause for granting the relief requested.

Responses and other pleadings shall be served upon all parties and filed with the court at least within five days before after the date of hearing on the matter filing of an application.

The court may, in its discretion, act on the application without hearing or may require a hearing and further proof shall grant the application if it determines that cause exists pursuant to Minnesota Statutes, section 176.461. Applications shall be scheduled for hearing.

9800.1400 APPLICATIONS, PETITIONS, AND MOTIONS.

Subpart 1. ~~Procedures~~ Scope. All applications, petitions, and motions for relief or consideration by the court, not otherwise provided for in parts 9800.0100 to 9800.1400 with respect to appeals 9800.1800, shall be made filed in the following manner and within the following times, unless otherwise directed by the court.

Subp. 2. ~~Motions~~ Procedures for filing. Motions shall be in writing, verified, accompanied by appropriate documentation, state the relief sought, the basis therefor, and be accompanied by an affidavit of service upon all other parties affected thereby to the action. No motions shall be considered if filed within five working days of the time set for hearing.

Subp. 3. Responses. All other parties shall have a period of five working days from after the date of filing of service of a motion within which to file a response in writing.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

PROPOSED RULES

Subp. 4. Replies. A reply ~~may~~ shall be filed within ~~two~~ five working days ~~thereafter~~ after the filing of a response. ~~No motions shall be considered if filed within five days of the time set for hearing on an appeal.~~

Subp. 4. 5. Oral argument Hearings not permitted. ~~Oral argument~~ Hearings on applications, petitions, or motions shall not be permitted except upon order of the court.

Rules as Proposed (all new material)

9800.1500 PETITION FOR INTERVENTION.

Subpart 1. Scope. Persons shall be permitted to intervene in accordance with the requirements of Minnesota Statutes, section 176.361, subdivision 1. After a petition to intervene is granted, the intervenor must appear at all scheduled hearings of the court relating to the claim unless a written stipulation signed by all parties has been filed with the court which settles all issues relating to the intervention.

Subp. 2. Notice to potential intervenors. Any person who may have an interest in a case must be placed on written notice of the right to petition to intervene as prescribed by part 1415.1100. A petition to intervene must be filed by the potential intervenor within 30 days of receiving notice.

Subp. 3. Contents of petition. The contents and format of the petition to intervene shall conform to part 1415.1200. Responses to the petition shall be filed in accordance with part 9800.1400, subpart 3.

9800.1600 COMMENCEMENT OF APPEALS.

Subpart 1. Filing notice of appeal. An appeal is initiated by filing a notice of appeal containing the information required by Minnesota Statutes, section 176.421, subdivision 3.

A. When an appeal from a decision of a compensation judge is authorized by Minnesota Statutes, section 176.421, subdivision 4, the notice must be filed with the office within 30 days of the filing of the decision being appealed.

B. When an appeal is taken from a decision of the rehabilitation review panel under Minnesota Statutes, section 176.102 or from a decision of the medical services review board under Minnesota Statutes, section 176.103, the notice must be filed with the Office of Public Affairs at the Department of Labor and Industry within 30 days of the filing of the decision being appealed.

C. When an appeal from the decision of the commissioner is authorized by Minnesota Statutes, section 176.442, the notice must be filed with the division within 30 days of the filing of the decision being appealed.

Subp. 2. Notification of receipt of transcript. The court shall notify the parties of the date that the transcript was received. This notification letter shall also inquire whether the:

A. Parties desire a hearing. If so, whether parties prefer a hearing before the entire court or a three member panel.

B. Issues in the matter on appeal are also pending before the workers' compensation court, medical services review board, or rehabilitation review panel to enable the court to consolidate the entire case.

Parties must file a response to the notification letter within ten days after the court files the notification.

9800.1700 TAXATION OF COSTS AND DISBURSEMENTS.

The court shall tax actual and necessary costs and disbursements as prescribed by Minnesota Statutes, section 176.511. Parties shall comply with the procedure in part 9800.1400 except that petitions under this part must be filed within 45 days of the filing of the final appellate decision in the main action.

9800.1800 SUSPENSION OF RULES.

Upon a clear showing of extraordinary circumstances not contemplated by parts 9800.0100 to 9800.1700, the court may, upon petition of a party or upon its own petition five days after serving notice on the parties, suspend any requirements of parts 9800.0100 to 9800.1700. Rules implementing requirements imposed by law shall not be suspended even upon a clear showing of extraordinary circumstances.

REPEALER. Minnesota Rules, parts 9800.0500, subpart 2; 9800.0600; and 9800.1300, are repealed.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Energy and Economic Development Energy and Economic Development Authority

Outside Opinion Sought Concerning a Proposed Rule Governing Special Assistance for Qualified Diversification Projects

Notice is hereby given that the Minnesota Energy and Economic Development Authority is seeking information or opinions from interested or affected persons or groups in preparing to promulgate emergency rules governing Special Assistance for Qualified Projects. Promulgation of these rules is authorized by M.S. Minnesota Laws 1985, Extended Session, Chapter 14, Section 18 (297A.257), Subdivision 3.

The Minnesota Energy and Economic Development Authority requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Terry Brown
Minnesota Energy and Economic Development Authority
900 American Center Building
150 E. Kellogg Blvd.
St. Paul, Minnesota 55101

Oral statements should be received during regular business hours over the telephone at 612/297-1981 and in person at the above address.

All statements of information and comments shall be accepted until August 1, 1985. Any written material received by the Authority shall become part of the record in the event the rules are promulgated.

Department of Energy and Economic Development Energy and Economic Development Authority

Public Hearing on Proposed Project and Issuance of Bonds Under Minnesota Statutes, Chapter 116M, Exclusive—Equity Investors of Crookston, Incorporated

NOTICE IS HEREBY GIVEN that the Minnesota Energy and Economic Development Authority (the "Authority"), shall meet on July 31, 1985, at 3:00 p.m. o'clock, at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") under Minnesota Statutes, Chapter 116M, as amended and supplemented (the "Act"), to undertake and finance a project on behalf of Equity Investors of Crookston, Inc., a Minnesota corporation, or another entity of substantially similar ownership (the "Company"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this meeting.

The project to be financed consists of the construction of an approximately 35,000 sq. ft. new building on land to be acquired by the Company and the equipping thereof for use in connection with the leasing of these facilities to American AeroStar Corporation which, in the course of business, will utilize these facilities to manufacture fiberglass rotor blades to be used in wind turbines to generate electricity, to be located in the City of Crookston, Polk County, Minnesota (general description of location: at the south-eastern corner of the intersection of Third Avenue S.W. and Bruce Street in the City of Crookston, Polk County, Minnesota) (the "Project"). The initial owner of the Project will be the Company, and the Project is expected to be operated and managed by American AeroStar Corporation. The estimated maximum amount of the Authority's proposed bond issue is an amount equal to \$1,141,000. The Bonds shall be limited obligations of the Authority, and the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, except that such Bonds may be secured by a mortgage or security interest or other security arrangements to be created by the Company if subsequently required by the Authority. In addition, the Bonds and the Project may subsequently be considered by the Authority for financial assistance to be provided by the Energy Development Fund, created and established pursuant to the Act or other applicable financial assistance of the Authority. Notwithstanding the foregoing,

OFFICIAL NOTICES

no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Authority for approval of the Project, together with all attachments and exhibits thereto and a copy of the Authority's resolution accepting the application and accepting the Project is available for public inspection at the offices of the Authority at 900 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

June 10, 1985

By order of the members of the
Minnesota Energy and Economic
Development Authority,
Mark B. Dayton
Commissioner, Department of Energy
and Economic Development, and
Chairman, Minnesota Energy and
Economic Development Authority

Department of Energy and Economic Development Financial Management Division

Availability of Issuance Authority in Competitive Pool

Pursuant to Minn. Laws 1984, ch. 582, sec. 17, subd. 2, to be codified as 474.20, the Department gives notice that the amount of Industrial Development Bond issuance authority available in the Competitive Pool as of July 5, 1985, is \$1,975,000.00 and will be available to qualifying Industrial Development Bond Issuers submitting qualification criteria applications by July 20, 1985. Pursuant to Minn. Laws 1984, ch. 582 16, to be codified as 474.19, non Entitlement Issuers must submit an application, a preliminary resolution, an application deposit and any other supporting documents required.

Balance of Competitive Pool on June 5, 1985 — \$ 325,000.00

Add:

Unused Entitlement Allocations as of August 31, 1984: \$ N/A
Returned Allocations: \$2,500,000.00
Total Pool Available as of July 5, 1985: \$2,825,000.00

Allocations awarded from the Competitive Pool during the month ending July 5, 1985, are:

<u>Issuer</u>	<u>Project</u>	<u>No. of Pts.</u>	<u>Amount</u>
City of Harmony	S & W Properties	6	\$ 850,000.00
Total Allocations Awarded:			\$ 850,000.00
Amount of Issuance Authority Available as of July 5, 1985			\$1,975,000.00

Metropolitan Council

Proposed Schedule for Adoption of 1986 Work Program and Budget

July 18	Management Committee discussion of first draft
July 25	Management Committee public meeting for discussion of budget with interested groups
August 1	Management Committee adoption of proposed budget for public hearing.
August 8	Metropolitan Council adoption of proposed budget for public hearing
August 15	Management Committee discussion on proposed budget
August 22	Metropolitan Council discussion on proposed budget
September 12	Public hearing on the budget

- September 19 Management Committee consideration of the public hearing report on the budget and recommendation for adoption
- September 26 Council adoption of the 1986 budget and work program.

Metropolitan Council

Public Meeting on Draft Environmental Assessment Worksheet for Waste Energy Systems Solid Waste Combustion Facility

The Metropolitan Council will hold a public meeting to discuss the draft Environmental Assessment Worksheet (EAW) for a Waste Energy Systems, Inc. combustion facility. The meeting will be held on Wednesday, July 24, at 7:00 p.m. at the New Brighton City Hall Council Chambers, 803 Fifth Ave. N.W., New Brighton, Minnesota.

The Metropolitan Council has prepared a draft EAW for a municipal solid waste combustion facility proposed by Waste Energy Systems, Inc. The proposed facility will be located in the City of New Brighton, Ramsey County, and is expected to burn about 200 tons of municipal solid waste daily.

All interested persons are encouraged to attend the public meeting and offer comments on the draft EAW. If you will be attending, please contact Lucy Thompson at 291-6521. Questions should be directed to Carl Michaud of the Council's Parks and Environmental Planning staff at 291-6579. Copies of the EAW are available from the Council's Communications Department at 291-6464. Copies are also available for public inspection at the following locations:

Metropolitan Council Library
300 Metro Square Building
7th and Robert Streets
St. Paul, Minnesota 55101

Minneapolis Public Library
Government Documents Room
300 Nicollet Mall
Minneapolis, Minnesota 55401

St. Paul Public Library
Science and Industry Room
90 West Fourth Street
St. Paul, Minnesota 55102

Ramsey County Library—Roseville Branch
2180 North Hamline Avenue
Roseville, Minnesota 55113

Metropolitan Council

Review Schedule: Amendments to Water Resources Management Guide Chapter Part 1, Sewage Treatment and Handling Policy Plan

The amendments are intended to provide additional sewer service to communities in the western Lake Minnetonka area; and in the interim, reallocate amongst the communities the unused flow capacity. Additional sewer service may be provided by either of two alternatives: (1) a force main interceptor running easterly from the Lake Virginia lift station in Shorewood to the Purgatory Creek interceptor, or (2) a gravity flow interceptor running from a point east of Lake Minnewashta southeasterly to the Purgatory Creek interceptor near Starring Lake.

The following is a tentative schedule for review of the proposed amendments:

- June 27 Metropolitan Council Approves Amendments for Public Hearing
- Aug. 29 Public Hearing
- Sept. 9 Hearing Record Closed
- Sept. 30 Metropolitan Systems Committee Act on Amendments
- Oct. 10 Final Council Action on Amendments

This schedule is tentative and subject to change. If you have questions regarding the schedule or the proposed amendments, call Marcel Jouseau of the Council's Parks and Environmental Planning Staff at 291-6402.

Metropolitan Council

Review Schedule: Draft Environmental Assessment Worksheet for Waste Energy Systems Solid Waste Combustion Facility

The Metropolitan Council has prepared a draft Environmental Assessment Worksheet (EAW) on a municipal solid waste combustion facility proposed by Waste Energy Systems, Inc. The proposed facility will be located in the City of New Brighton, Ramsey County, and is expected to burn about 200 tons of municipal solid waste daily.

The following is a tentative schedule for review of the EAW.

June 27	Metropolitan Council sets public meeting date, distributes EAW per EQB mailing list.
July 24	Metropolitan Council holds public meeting at New Brighton City Hall, 803 Fifth Avenue N.W., New Brighton.
July 30	Comment period ends.
August 6	Metropolitan Solid Waste Management Advisory Committee determines need for Environmental Impact Study (EIS).
August 14	Environmental Resources Committee determines need for EIS.
August 22	Metropolitan Council determines need for EIS.

This schedule is tentative and subject to change. A subsequent public meeting notice will be published. If you have questions regarding the schedule or the draft EAW, call Carl Michaud of the Council's Parks and Environmental Planning staff at 291-6579.

Department of Transportation

Petition of the City of Mound for a Variance from State Aid Standards for Design Speed

Notice is hereby given that the City Council of Mound has made a written request to the Commissioner of Transportation pursuant to Minnesota Rules § 8820.3300 for a variance from minimum standards for a reconstruction project on Tuxedo Boulevard (MSAS 145) at its intersection with Manchester Road (Stations 14+00 to 16+50).

The request is for a variance from Minnesota Rules for State Aid Operations § 8820.9912 adopted pursuant to Minnesota Statutes Chapter 161 and 162, so as to permit a Design Speed of 20 instead of the required 30 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

June 24, 1985

Richard P. Braun
Commissioner of Transportation

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Commodities contracts with an estimated value of \$5,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers by calling 296-6152. If the appropriate buyer is not available, contact Harvey Leach or Barbara Jolly at 296-3779.

Department of Administration Procurement Division

Commodities Contracts and Requisitions Currently Open for Bidding

Requisition #	Item	Ordering Division	Delivery Point	Estimated Dollar Amount
27-151-47224-9502	1985 Class Schedule Quarterly	Minneapolis	Minneapolis	Contact buyer
Contract	Paint for Industries—Stillwater	Community College MN Correctional Facility	Stillwater	\$37,000-40,000
Contract	Custom Prof. Film Processing	MN Zoological Garden	Apple Valley	\$3,000-3,500
02-511-47267-9511	Employee Bi-Weekly Time Report	Administration— Central Stores	St. Paul	Contact buyer
79-000-47379	Used Truck	Transportation	N. St. Paul	Contact buyer
21-200-09912, 13 9484, 9485	Benefit Payment Authorization W, W/O Check	Economic Security	St. Paul	Contact buyer
26-074-10075	Purchase of Photocopy Machine	Winona State University	Winona	Contact buyer
Rebid	Marching Brass Instruments	St. Cloud State University	St. Cloud	Contact buyer
26-073-17544 26-070-11160	Keylining, Designing, Graphic Production	Bemidji State University	Bemidji	Contact buyer
Contract	Air Conditioners, Window Mounted	Various	Various	\$40,000-45,000
79-500-02855	Rubbish Disposal	Transportation	Daytonport rest area	Contact buyer
Contract	Rubbish Disposal	Transportation	Minneapolis	Contact buyer
63-000-00805-9411	Information For Coordinated Members	Public Employment Relations Board	St. Paul	Contact buyer
55-000-91498-9381	Household Report Form	Administration— Central Stores	St. Paul	Contact buyer
Rebid	Carpeting & Install	Brainerd State Hospital	Brainerd	Contact buyer
55304-06611-06635				
Rebid	Furnish & Install Magnescale Digital Position System for Milling Machine	St. Cloud State University	St. Cloud	Contact buyer
26-073-17599 22-700-00584		Energy & Economic Development	St. Paul	Contact buyer
27-138-45762	Courier Service	MN Community College System	St. Paul	Contact buyer
02-310-14024	Fiberglass Security Linen Carriers	St. Peter State Hospital	St. Peter	Contact buyer
02-520-46110	Lift Tables	Administration	St. Paul	Contact buyer
Contract	Tractor Lamps & Lenses	Transportation	Various	\$2,000-8,000
02-310-14007	Laminated Security Glass	St. Peter State Hospital	St. Peter	Contact buyer
21-200-09702	Janitorial Service	Econ Security	Crystal	Contact buyer
27-000-45769-1111	Addendum #1—Mn. Community College System Prospectus	MN Community College System	St. Paul	Contact buyer

Contact 296-6152 for referral to specific buyers.

STATE CONTRACTS

Department of Agriculture Commissioner's Office

Request for Proposals for Sending Food Aid to Drought-Stricken Africa

The Minnesota Department of Agriculture is seeking organizations to submit proposals for projects to supply food relief to victims of famine in Africa. The Requests for Proposals (RFP) must include objectives, timelines, and requirements; and a list of projects, location, and fiscal agents. The formal RFP packet may be requested from and inquiries should be directed to:

Commissioner's Office
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 297-3762

The sum of \$125,000 in state matching funds will be made available to non-profit organizations to supply Minnesota commodities to African famine victims. Grants are a 50% match and will be available until funds are exhausted or January 1, 1986 whichever comes first. Organizations are advised to apply as soon as possible, as grants will be awarded on a first-come, first-serve, basis.

Department of Agriculture Minnesota Trade Office

Request for Proposals to Develop WorldMed '86 Tour Packages

The Minnesota Trade Office is issuing a request for proposals for a company to provide tour packages for visitors to WorldMed '86, International Health Care Congress. The tour company will be required to arrange tours/activities in the metropolitan area, as well as the in out-state area, for a variety of attendees of different ages.

The project will be completed at no cost to the State of Minnesota, but at a cost to users of services. For more information, call Sally Kettle, WorldMed '86 at 612/296-1690. Requests for proposals are due by 4:30 p.m. on August 2, 1985. Send proposals to:

Sally Kettle
Minnesota Trade Office
90 West Plato Boulevard
St. Paul, Minnesota 55107

Department of Commerce

Request for Proposals for Service Contractor

The Department of Commerce intends to contract with an organization to act as service contractor on behalf of the Minnesota Workers Compensation Assigned Risk Plan and according to the specifications issued. The service contractor must be qualified and prepared to provide policy administration (underwriting and issuance of workers' compensation policies), claims administration (adjusting and payment of claims), loss control services, auditing services; and all other accounting and recordkeeping functions involved with such services. The contract period will be from January 1, 1986, through December 31, 1988 and including any required run-off of contract obligations.

Interested parties should obtain the formal Request for Proposals from:

Rose M. Ortiz
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 297-4017

Proposals must be submitted by August 19, 1985.

Department of Energy and Economic Development Agricultural Resource Loan Guaranty Board

Request for Proposals for Investment Banking Services

The Minnesota Agricultural Resource Loan Guaranty Board requests proposals from qualified investment bankers or other interested financial institutions who wish to work with the board in the development and implementation of innovative financing programs for agricultural resources.

The Minnesota Agricultural Loan Guaranty Board was created by the 1984 Minnesota State Legislature. It is authorized by Minnesota State Statute to further the development of the state's agricultural resources and improve the market for its agricultural products by providing attractive financing programs and other financial incentives for businesses wishing to begin or expand operations within the State of Minnesota. A copy of the authorizing legislation is available upon request.

Applicants who submit proposals that are adopted by the board will have the opportunity to enter into contracts with businesses served by the board for the financing of agricultural business start-ups and expansions. These applicants will benefit through the payment of the customary fees and commissions on such contracts. Applicants must be willing to work closely with the board in the development of financial packages for individual businesses.

Proposals should draw upon the firm's own experience in designing and implementing similar financial programs in Minnesota or other states as well as embody the firm's most innovative thinking about new financing approaches. Proposals should identify the particular program or programs and where they are in use today. They should state the length of the program's operation, who actually implemented the program, and the results in terms of the amount of financing and the number of businesses served.

Proposals also should address different financing methods under which the program can operate. Such methods might include: 1. segregated reserve accounts on individual projects; 2. a common bond reserve fund; 3. loan guarantees to financial institutions and/or institutional investors; 4. suggestions for increasing the amount of monies in the program fund through foundations or other grant sources; and 5. any other ideas an applicant may have for program operation. Proposals will be reviewed by the board with the intention of working with one or more such firms to implement the specific proposal. A two-page executive summary is requested for each proposal submitted.

Applicants must apply for a Certificate of Compliance from the Minnesota Department of Human Rights. Applications can be obtained by written request from the Minnesota Department of Human Rights, Fifth Floor, Bremer Building, St. Paul, MN. 55101. All contract bids must include a statement indicating that the bidder has applied for the certificate.

Proposals should be addressed to: Mr. Frank Altman, Assistant Commissioner, Minnesota Department of Energy and Economic Development, 900 American Center, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101. All proposals must be received by 4:00 p.m. July 26, 1985. No late proposals will be accepted.

Department of Health Health Resources Division Emergency Medical Services Section

Request for Proposals for Medical Director

The Minnesota Department of Health is requesting proposals from eligible physicians who would be able to serve as medical director of its Emergency Medical Services Section for the period October 1, 1985, to June 30, 1987. Qualifications for the position are: current active practice of emergency medicine or a related specialty; recognized standing in the professional community in the form of current or recent chairmanships and memberships of the American College of Emergency Physicians, Minnesota Medical Association, and other relevant professional associations; experience in working with governmental agencies; familiarity with the state emergency medical systems grant program and other relevant federal and state programs; and interest in assisting the Department of Health in defining and reaching its goals in regard to the planning and development of emergency medical services, the regulation of current services, and the setting of appropriate guidelines and standards.

Minimum tasks include: assisting the Department of Health in the administration of rules and regulations pertaining to EMS, reviewing requests for waivers and variances, representing the Department to various professional, governmental and public entities, providing general technical assistance as needed to the Department, and providing regular progress reports.

Candidates must respond in the form of a proposal to enter into a contract as required by the Department of Health. Maximum

STATE CONTRACTS

reimbursement for a total of 250 to 420 hours assistance will be \$21,000, which includes travel and expenses. The deadline for proposals is August 21, 1985.

Copies of the request for proposals and other information are available from:

Peter Carr, Chief
Emergency Medical Services Section
Minnesota Department of Health
717 Delaware St. S.E.
P.O. Box 9441
Minneapolis, Minnesota 55440

Department of Human Services Health Care Programs Division

Contracts Available for Medical Assistance Consumer Education/Enrollment Broker

The Department of Human Services is implementing a three year Prepaid Medicaid Demonstration Project in Hennepin and Dakota counties. Beginning September 1, 1985, designated Medical Assistance (M.A.) consumers must choose and enroll in pre-paid health plans. Several health plan options will be offered to each M.A. population. The department is offering a contract for an independent organization to act as broker for consumer education and enrollment. The contract will be awarded based on: (1) quality of proposal in terms of technical approach in the education and enrollment process (2) creativity in approach to educating special needs populations (3) price (4) experience/expertise.

The Department of Human Services will issue a Request for Proposals to all interested parties. The deadline for proposal submission is 4:00 p.m., August 2, 1985. Selection of the broker will be made in August, 1985. The first year contract will be effective September 1, 1985.

Proposals and inquiries should be directed to:

Ms. Kathy Heuer
Department of Human Services
Health Care Programs Division
1st Floor Space Center Building
444 Lafayette Road
St. Paul, MN 55101

Pollution Control Agency

Cancellation of Request for Proposals/Request for Qualifications for Emergency Treatment of Contaminated Municipal Water Supplies

The Minnesota Pollution Control Agency wishes to cancel the Request for Proposals/Request for Qualifications (RFP/RFQ) for emergency treatment of municipal water supplies published in the June 24, 1985 *State Register*, on page 2772. The deadline for contacting our agency had been July 19, 1985.

Any questions concerning the RFP/RFQ cancellation should be directed to:

Bruce W. Brott
Minnesota Pollution Control Agency
Solid and Hazardous Waste Division
1935 West County Road B2
Roseville, Minnesota 55113
612/296-7384

State Designer Selection Board

Request for Proposals for State Projects

TO ARCHITECTS AND ENGINEERS REGISTERED IN MINNESOTA:

The State Designer Selection Board has been requested to select designer for the Oak Park Heights Correctional Facility. Design firms who wish to be considered for this project should submit proposals on or before 4:00 P.M., August 6, 1985, to George Iwan, Executive Secretary, State Designer Selection Board, Room G-10, Administration Building, St. Paul, Minnesota 55155-1495.

The proposal must conform to the following:

1. Six copies of the proposal will be required.
2. All data must be on 8½" x 11" sheets, soft bound.
3. The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.
4. The proposal should consist of the following information in the order indicated below:
 - a) Number and name of project.
 - b) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc.
 - c) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If the applicant chooses to list projects which are relevant in type, scale, or character to the project at hand, the person's role in the project must be identified.
 - d) A commitment to enter the work promptly and to assign the people listed in "c" above and to supply other necessary staff.
 - e) A list of design projects in process or completed in the three (3) years prior to the date of this request for agencies or institutions of the State of Minnesota, including the University of Minnesota, by the firm(s) listed in "b" together with the approximate fees associated with each project.
 - f) A section of not more than fourteen (14) faces containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described.

The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5. In accordance with the provisions of Minnesota Statutes, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. Your proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that your firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
 - c) A statement certifying that your firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.
6. Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded.
 - b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures or their schedule for the project herein described may be referred to George Iwan at (612) 296-4656.

STATE CONTRACTS

7) PROJECT—9-85

Warehouse Addition
Minnesota Correctional Facility
Oak Park Heights

PROJECT DESCRIPTION

Warehouse Addition—16,000 S.F.
Vehicle Storage—5,350 S.F.
Staff Parking Lot
Underground Primary Feeder Line

ESTIMATED COST

—\$1,420,000.00
— 240,000.00
— 55,000.00
— 150,000.00
\$1,865,000.00

The Project Budget is as follows:

Construction Costs
Architectural/Engineering Fees (8%)

—\$1,726,850.00
— 138,150.00
\$1,865,000.00

The State desires that the construction documents be completed within three (3) months from execution of the consultant contract. Basic schematic plans have been prepared by Winsor/Faricy Architects and are available to expedite the design process. The designer must have experience and background in the design and construction of maximum security correctional facilities.

Questions concerning this project may be referred to Lyle Nelson at 296-4644.

John D. Nagel, Chairman
State Designer Selection Board

Waste Management Board

Request for Qualifications to Conduct a Peer Review of an Estimate of Need Report

The Request for Proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation.

The State of Minnesota Waste Management Board (Board) requests the submission of qualifications to conduct a peer review of an Estimate of Need (EON) report prepared by the Board.

The Board anticipates that the EON will be available for distribution on September 30, 1985. The review must be completed within three (3) weeks following release of the EON. Assuming distribution of the EON on September 30, 1985, the deadline for submission of the written reviews will be October 21, 1985.

A. Background on Estimate of Need Study

The 1984 Minnesota Legislature directed the Board to undertake a study designed to address the need for hazardous waste disposal facilities in the state. The primary elements of the study, as described in the legislation requiring the study, are as follows:

Estimate of Need for Disposal Facilities

“The board shall develop an estimate of the number, types, capacity, and function or use of any hazardous waste disposal facilities needed in the state.

In developing its estimate the board shall:

- (1) prepare a preliminary estimate of the types and quantities of waste generated in the state for which disposal will be needed through the year 2000 based to the extent practical on data obtained from generators who are likely to use the facility;
- (2) estimate the disposal capacity located outside of the state, taking into account the status of facility permits, current and planned capacity, and prospective restrictions on expansion of capacity;
- (3) estimate the prospects for the continued availability of capacity outside of the state for disposal of waste generated in the state;
- (4) estimate the types and quantities of waste likely to be generated as residuals of the commercial hazardous waste processing facilities recommended by the board for development in the state and for which disposal will be needed, taking into account the likely users of the facilities; and
- (5) compare the indirect costs and benefits of developing disposal facilities outside the state to dispose of hazardous waste

generated in the state, taking into account the effects on business, employment, economic development, public health and safety, the environment, and the development of collection and processing facilities and services in the state.

In preparing the estimate, the board may identify need for disposal only to the extent that the board has determined that there are no feasible and prudent alternatives, including waste reduction, separation, pretreatment, processing, and resource recovery, which would minimize adverse impact upon air, water, land and all other natural resources. Economic considerations alone may not justify an estimate of need for disposal nor the rejection of alternatives. Alternatives that are speculative and conjectural are not feasible and prudent. The board shall consider all technologies being developed in other countries as well as in the United States when it considers the alternatives to hazardous waste disposal."

Documents which address these issues are being prepared by the Board. The documents include the EON report, which will total approximately 50 pages in length (double-spaced), and a series of working papers which will total 400-500 pages in length (double-spaced). The evaluation covered under the request for qualifications for a peer review include both the EON and working papers.

The EON and working papers contain data, information, and conclusions based on both primary and secondary data sources. The sources include data from the regulatory data base maintained by the Minnesota Pollution Control Agency, studies and reports prepared by consultants to the Board, the results of market studies prepared by hazardous waste management firms under a grant program funded and administered by the Board, and primary data collected by the Board through in-house survey efforts.

B. Proposal Tasks and Products

The primary purpose of the proposed peer review of the EON is to provide professional evaluation of the data, information and conclusions contained in the EON and associated working papers. Since the final decision by the Board and Minnesota Legislature with respect to the need for disposal facilities in the state will be an important and significant decision, an assessment of the reliability and accuracy of the data upon which the decision is based is of primary importance. Thus, the evaluation should focus on both the data and the policy conclusions reached in the report.

The product of the analysis would be expected to include a written evaluation of the EON and working papers. A broad overview evaluation of the primary policy conclusions stated in the EON and a more detailed evaluation of the data and assumptions upon which the policy decisions were reached will be required of the consultant. Presentation and discussion of the peer review results before the Board may also be required. This task, if necessary, would be covered under a supplement to the contract.

C. Consultant Qualifications

The Board encourages qualifications statements from consultants with a broad background and experience in hazardous waste management and planning. Specific experience in the following areas would be most appropriate:

- hazardous waste management planning,
- market analysis,
- policy analysis, including environmental assessment,
- RCRA regulations,
- economic and environmental implications of alternative hazardous waste management options,
- knowledge of the commercial hazardous waste management industry, and
- Minnesota's regulatory program.

The qualifications statement should address the specific ability and background of the consultant in each of the areas listed above. Staff to be assigned to the study should be identified and their qualifications included in the proposal.

D. Evaluation of Proposals

All statements received by the deadline will be evaluated by the Board. It is not expected that interviews will be required as part of the evaluation process. The primary factor upon which proposals will be judged will be the qualifications of both the firm and specific personnel assigned to the project.

E. Budget

The proposed budget for the review is estimated to be \$3,000; a budget for presentation of the results of the review before the Board at a regularly scheduled Board meeting, if necessary, has not been estimated and would be subject to a supplemental agreement.

STATE CONTRACTS

F. Submission of Qualifications Statement

Three (3) copies of the qualifications statement should be submitted to the Board by the close of business on Friday, August 9, 1985. The statements should be sent to:

Brett Smith
Economics and Policy Planner
Minnesota Waste Management Board
123 Thorson Community Center
7323 58th Avenue North
Crystal, Minnesota 55428
(612) 536-0816

ORDER FORM

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court and Tax Court decisions.

- _____ Annual subscription \$130.00
- _____ Trial subscription (13 weeks) \$40.00
- _____ Single copies \$3.25 each

Minnesota Guidebook to State Agency Services 1984-85. A 623-page guide to services provided by Minnesota agencies.

- _____ Single copy: \$12.50 + \$.75 tax = \$13.25* each

Minnesota Statutes 1984. 10-volume set.

- _____ Set: \$129.00 + \$7.74 = \$136.74.*
- _____ Each volume: \$13.00 + \$.78 = \$13.78.
- No handling charge.

Minnesota Rules Supplement—1984. All rules adopted between 8/1/83-8/31/84.

- _____ \$15.00 + \$.90 = \$15.90.*
- No handling charge.

*To avoid Minnesota sales tax, please include your Certificate of Exempt Status issued by the Department of Revenue.

Please enclose full amount for items ordered; prepaid orders only. Make check/money order payable to "State of Minnesota." (Phone orders are taken only with a Mastercard/VISA charge number.)

EACH ORDER MUST INCLUDE \$1.50 POSTAGE AND HANDLING FEE.

State Register Binder. Durable 3½ inches, forest green binders imprinted with the *State Register* logo.

- _____ *State Register Binder* \$6.50 + \$.39 tax = \$6.89* each

State Register Index. Contains cumulative findings aids to Volume 8 of the *State Register*, including MCAR Amendments and Additions, Executive Orders List, Executive Orders Index, Agency Index, Subject Matter Index.

- _____ Single copy \$5.00

Worker's Compensation Decisions. Volume 37. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription, quarterly updates.

- _____ Annual subscription \$85.00

Minnesota Outdoors Catalog—1985. Complete listing of material on the Minnesota outdoor activities. Bikeways, canoeing, county, lake and other maps. Books, charts, rules, laws, posters and more.

- _____ FREE COPY

Name _____

Attn of: _____

Street _____

City/State/Zip _____

Telephone # _____

CHANGE OF ADDRESS NOTICE

Please notify us as soon as your address changes so that we can continue to serve you.

OLD ADDRESS

NEW ADDRESS

Publication(s) you are receiving from us: _____

FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly/Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Contact: Senate Public Information Office
 B29 State Capitol, St. Paul, MN 55155
 (612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Contact: House Information Office
 Room 8 State Capitol, St. Paul, MN 55155
 (612) 296-2146

Legislative Reference Library
Room 111 Capitol

Interoffice