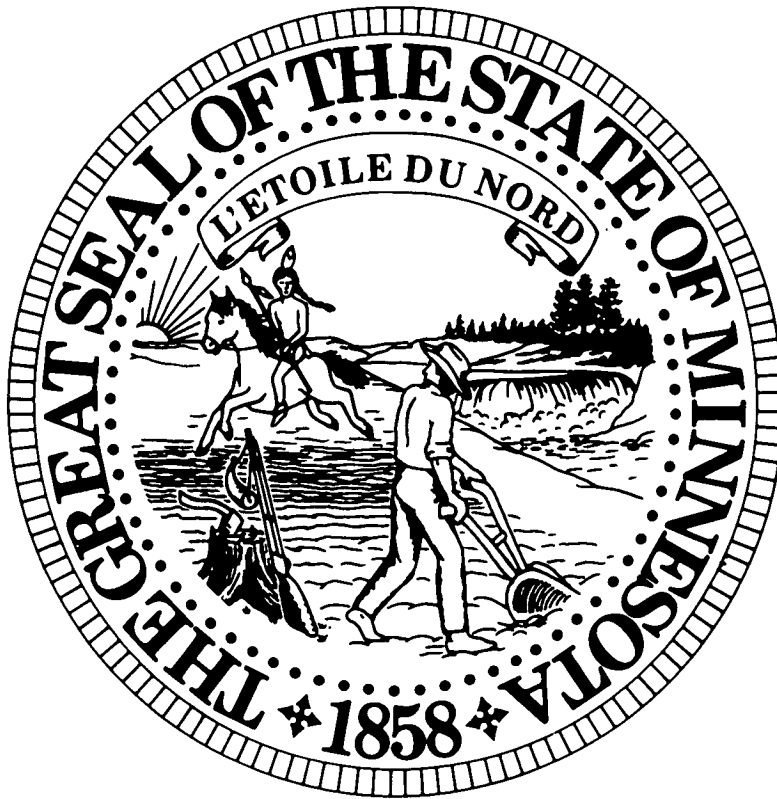


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The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday

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Volume 15, Number 19
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State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official notices, state and non-state contracts, contract awards, grants, and a monthly calendar of cases to be heard by the state supreme court.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 15 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
19	Monday 22 October	Monday 29 October	Monday 5 November
20	Monday 29 October	Monday 5 November	Tuesday 13 November
21	Monday 5 November	Friday 9 November	Monday 19 November
22	Friday 9 November	Monday 19 November	Monday 26 November

*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 *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

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.

Rudy Perpich, Governor
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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:

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

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Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 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.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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Proposed Rules

Pursuant to Minn. Stat. §§ 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 Human Services

Proposed Permanent Rules Relating to Merit System

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Human Services intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 256.012.

All persons have 30 days or until 4:30 p.m. on December 5, 1990 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

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

A free copy of the rule is available upon request from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822. A copy of the rule may also be viewed at any of the 87 county welfare or human services agencies in the State of Minnesota.

The Minnesota Merit System rules provide for a system of personnel administration for 73 county welfare and human service agencies. The rules apply to all positions and employees engaged in the administration of community social services or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, proposed changes to 9575.1500 would provide for a 4% adjustment to most of the salary ranges for professional, support, clerical, and maintenance and trades positions covered by Merit System compensation plans, since this is the general salary adjustment being recommended for incumbents. Other revisions to 9575.1500 provide for adjustments of varying amounts to the minimum and maximum salaries for some of the classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value.

Amendments are also proposed to part 9575.1500 providing class titles and minimum and maximum salaries for newly established classifications and deleting class titles and minimum and maximum salaries for abolished classes.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from

Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822 upon request.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2, estimating the fiscal impact of the rule is available from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the 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 rule, must submit the written request to Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

Ann Wynia
Commissioner of Human Services

Rules as Proposed

9575.1500 COMPENSATION PLAN; HUMAN SERVICES, ~~1990~~ 1991.

Subpart 1. **Professional.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

	Minimum	Maximum
Accountant	+762 <u>1832</u>	2749 <u>2859</u>
Accounting Supervisor	2102 <u>2186</u>	3434 <u>3571</u>
Administrative Assistant I	2199 <u>2287</u>	3758 <u>3908</u>
Administrative Assistant II	2352 <u>2446</u>	4018 <u>4179</u>
Administrative Assistant III	2805 <u>2917</u>	4378 <u>4553</u>
Adult Day Care Center Supervisor	+611 <u>1751</u>	2632 <u>2737</u>
Assistant Human Services Director	3073	4570
Assistant Welfare Director	3841 <u>4087</u>	5694 <u>6068</u>
Auditor	2102 <u>2186</u>	3434 <u>3571</u>
Chemical Dependency Coordinator	+762 <u>1832</u>	2870 <u>2859</u>
Collections and Accounting Unit Supervisor	+844 <u>1918</u>	3002 <u>3122</u>
Collection Services Supervisor II	+844 <u>1918</u>	3002 <u>3122</u>
Community Health Services Supervisor	2102 <u>2186</u>	3587 <u>3571</u>
Computer Programmer	+684 <u>1751</u>	2632 <u>2737</u>
Contract Services Representative	2014 <u>2002</u>	3141 <u>3267</u>
County Agency Social Worker (Licensing Specialist)	+611 <u>1751</u>	2632 <u>2737</u>
County Agency Social Worker	+684 <u>1832</u>	3002 <u>3122</u>
County Agency Social Worker (Child Protection Specialist)	+684 <u>1832</u>	3002 <u>3122</u>
County Agency Social Worker (MSW)	+844 <u>1918</u>	3002 <u>3122</u>
County Agency Social Worker (MSW) (Child Protection Specialist)	+844 <u>1918</u>	3002 <u>3122</u>
Day Care Center Teacher	+611	2632
Director of Business Management I	2352 <u>2446</u>	4018 <u>4179</u>
Director of Business Management II	2805 <u>3196</u>	4570 <u>4753</u>
Director of Financial Assistance	2805 <u>3196</u>	4570 <u>4753</u>
Director of Planning	2805 <u>3196</u>	4570 <u>4753</u>
Director of Public Health Nursing	2102 <u>2186</u>	3434 <u>3571</u>
Director of Social Services	2805 <u>3196</u>	4570 <u>4753</u>
Employment Guidance Counselor	+611 <u>1675</u>	2413 <u>2510</u>
Family Based Services Supervisor	+762 <u>1832</u>	2749 <u>2859</u>
Family Service Coordinator II	+611 <u>1675</u>	2413 <u>2510</u>
Financial Assistance Supervisor I	+844 <u>1918</u>	3002 <u>3122</u>

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

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Financial Assistance Supervisor II	2102 <u>2186</u>	3434 <u>3571</u>
Financial Assistance Supervisor III	2199 <u>2287</u>	3587 <u>3908</u>
Fiscal Manager	2199 <u>2287</u>	3587 <u>3908</u>
Fiscal Officer	1611 <u>1675</u>	2632 <u>2510</u>
Fiscal Supervisor I	1611 <u>1751</u>	2749 <u>2859</u>
Fiscal Supervisor II	2102 <u>2186</u>	3434 <u>3571</u>
Gerontology Counselor	1844 <u>1918</u>	3002 <u>3122</u>
Human Services Director III	3357 <u>3491</u>	4990 <u>5190</u>
Human Services Supervisor I	2199 <u>2287</u>	3758 <u>3908</u>
Human Services Supervisor II	2749 <u>2859</u>	4288 <u>4460</u>
Jobs and Training Supervisor	1844 <u>1918</u>	3002 <u>3122</u>
Mental Health Program Manager	2352 <u>2446</u>	4018 <u>4179</u>
Mental Health Worker	2014 <u>2002</u>	3141 <u>3267</u>
Methods & Procedures Analyst	1611 <u>1751</u>	2632 <u>2737</u>
Nutrition Project Assistant Director	1611 <u>1751</u>	2632 <u>2737</u>
Nutrition Project Director	2102 <u>2186</u>	3434 <u>3571</u>
Office Services Supervisor II	1541 <u>1603</u>	2413 <u>2510</u>
Planner (Human Services)	2014 <u>2002</u>	3141 <u>3267</u>
Psychologist I	1844 <u>1918</u>	3002 <u>3122</u>
Psychologist II	2102 <u>2186</u>	3434 <u>3571</u>
Psychologist III	2805 <u>2917</u>	4192 <u>4179</u>
Public Health Educator	1762 <u>1751</u>	2749 <u>2737</u>
Public Health Nurse	1844 <u>1918</u>	2870 <u>2985</u>
Public Health Nurse (Team Leader)	1925 <u>2002</u>	3002 <u>3122</u>
Registered Dietician	1611 <u>1751</u>	2632 <u>2737</u>
Registered Nurse (A. A. Degree, 3 year Diploma, or B.S. Degree)	1762 <u>1832</u>	2749 <u>2859</u>
Resident Activity Coordinator	1611	1632
Sanitarian	1611 <u>1751</u>	2632 <u>2737</u>
Senior Public Health Nurse	2014	3141
Senior Staff Development Specialist	2102 <u>2186</u>	3434 <u>3571</u>
Social Services Supervisor I	2199 <u>2287</u>	3758 <u>3908</u>
Social Services Supervisor II	2413 <u>2616</u>	4108 <u>4272</u>
Social Services Supervisor III	2749 <u>2859</u>	4288 <u>4460</u>
<u>Staff Attorney</u>	<u>2287</u>	<u>3908</u>
Staff Development Specialist	1611 <u>1751</u>	2632 <u>2737</u>
Student Social Worker (Intern)	Rate proposed by appointing authority.	
Support Services and Accounting Supervisor	2014 <u>2002</u>	3141 <u>3267</u>
Support Services Supervisor	1762 <u>1832</u>	2749 <u>2859</u>
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services.	
Volunteer Services Coordinator	1611 <u>1751</u>	2632 <u>2737</u>
Welfare Director I	2632 <u>2673</u>	3930 <u>4179</u>
Welfare Director II	2870 <u>2985</u>	4288 <u>4460</u>
Welfare Director III	3073 <u>3196</u>	4570 <u>4753</u>
Welfare Director IV	3357 <u>3491</u>	4990 <u>5190</u>
Welfare Director V	3504 <u>3730</u>	5218 <u>5547</u>
Welfare Director VI	4474 <u>4653</u>	6358 <u>6612</u>

Subp. 4. **Support personnel.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

	Minimum	Maximum
Account Clerk	1151 <u>1197</u>	1721 <u>1790</u>
Accounting Technician	1204 <u>1282</u>	1881 <u>1918</u>
Adult Day Care Center Program Coordinator	1233 <u>1282</u>	2014 <u>2095</u>
Case Aide	1233 <u>1282</u>	2014 <u>2095</u>

Proposed Rules

	Minimum	Maximum
Chemical Dependency Counselor	1505 <u>1565</u>	2146 <u>2232</u>
Child Health Aide	987 <u>1026</u>	1611 <u>1675</u>
Child Support Officer (Administrative Process)	1611 <u>1675</u>	2413 <u>2510</u>
Child Support Officer I	1380 <u>1499</u>	2146 <u>2232</u>
Child Support Officer II	1611 <u>1675</u>	2413 <u>2510</u>
Collections Officer	1351 <u>1405</u>	2102 <u>2186</u>
Collection Services Supervisor I	1762 <u>1832</u>	2870 <u>2859</u>
Community Service Aide	987 <u>1026</u>	1611 <u>1675</u>
Community Support Technician	1505 <u>1565</u>	2146 <u>2232</u>
Computer Operations Specialist	1204 <u>1197</u>	1721 <u>1790</u>
Coordinator of Aging	1541 <u>1675</u>	2413 <u>2510</u>
Crisis Center Resource Aide	1204 <u>1282</u>	1881 <u>1918</u>
Employment Technician	1233 <u>1282</u>	2014 <u>2095</u>
Family Based Services Provider	1505 <u>1565</u>	2146 <u>2232</u>
Family Service Aide I	1102 <u>1197</u>	1721 <u>1790</u>
Family Service Aide II	1204 <u>1282</u>	1881 <u>1918</u>
Family Service Coordinator I	1351 <u>1405</u>	2014 <u>2095</u>
Family Service/Home Health Aide	1102 <u>1197</u>	1721 <u>1790</u>
Financial Assistance Specialist	1541 <u>1603</u>	2413 <u>2510</u>
Financial Worker	1233 <u>1282</u>	2014 <u>2095</u>
Home Health Aide	1102 <u>1197</u>	1721 <u>1790</u>
Home Health Aide Coordinator	1351 <u>1405</u>	2014 <u>2095</u>
Housekeeper		

Rate proposed by appointing authority and approved by the merit system supervisor and the commissioner of human services.

Housing Coordinator	1762 <u>1832</u>	2749 <u>2859</u>
Housing Rehabilitation Specialist	1351 <u>1405</u>	2014 <u>2095</u>
Licensed Practical Nurse	1351 <u>1405</u>	2014 <u>2095</u>
Methods and Procedures Technician	1505 <u>1565</u>	2146 <u>2232</u>
Monitoring and Review Specialist	1233 <u>1282</u>	2014 <u>2095</u>
Office Services Supervisor I	1351 <u>1405</u>	2014 <u>2095</u>
Public Health Aide	987 <u>1026</u>	1611 <u>1675</u>
Senior Citizen's Aide	1151 <u>1197</u>	1721 <u>1790</u>
<u>SILS Program Coordinator</u>	<u>1565</u>	<u>2232</u>
Support and Collections Specialist	1611 <u>1675</u>	2413 <u>2510</u>
Support Enforcement Aide	1151 <u>1197</u>	1721 <u>1790</u>
Welfare Fraud Investigator	1684 <u>1675</u>	2413 <u>2510</u>

Subp. 7. **Clerical.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions:

	Minimum	Maximum
Administrative Secretary	1215 <u>1282</u>	1899 <u>1918</u>
Clerk I	836 <u>882</u>	1361 <u>1435</u>
Clerk II	956 <u>1026</u>	1626 <u>1675</u>
Clerk III	1137 <u>1197</u>	1778 <u>1790</u>
Clerk-Typist I	917 <u>963</u>	1483 <u>1565</u>
Clerk-Typist II	956 <u>1026</u>	1626 <u>1675</u>
Clerk-Typist III	1215 <u>1282</u>	1899 <u>1918</u>
Clerk-Steno	956 <u>1026</u>	1626 <u>1675</u>
Data Entry Operator	917 <u>963</u>	1483 <u>1565</u>

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

	Minimum	Maximum
Information Systems Specialist	956 <u>1026</u>	1626 <u>1675</u>
Legal Secretary	1137 <u>1197</u>	1778 <u>1790</u>
Switchboard Operator	917 <u>963</u>	1483 <u>1565</u>

Subp. 10. **Maintenance and trades.** The following minimum and maximum salary steps in monthly salary amounts shall be applicable to the specified classes of positions. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

	Minimum	Maximum
Auto Driver	959 <u>963</u>	1522 <u>1565</u>
Bus Driver	1023 <u>1026</u>	1621 <u>1675</u>
Janitor	1044 <u>1026</u>	1588 <u>1675</u>
Maintenance Worker	1136 <u>1197</u>	1727 <u>1790</u>

Department of Health

Proposed Permanent Rules Relating to Merit System

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Health intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 144.071.

All persons have 30 days or until 4:30 p.m. on December 5, 1990 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

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

A free copy of the rule is available upon request from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

The Minnesota Merit System rules apply to all positions funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, proposed changes to 4670.4210-4240 would provide for a 4% adjustment to most of the salary ranges for professional and administrative, health services support, clerical and building maintenance positions covered by Merit System compensation plans, since this is the general salary adjustment being recommended for incumbents. Other revisions to 4670.4210-4240 provide for adjustments of varying amounts to the minimum and maximum salaries for some of the classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822 upon request.

Adoption of these rules will not result in any cost of local public bodies. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2 is available from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the 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 rule, must submit the written request to Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

Sister Mary Madonna Ashton
Commissioner of Health

Rules as Proposed

4670.4210 PROFESSIONAL AND ADMINISTRATIVE COMPENSATION PLAN, 1991.

Subpart 1. Plan.

	Minimum	Maximum
Assistant Director of Environmental Health	2199 <u>2287</u>	3434 <u>3571</u>
Director of Environmental Health	2515 <u>2616</u>	3930 <u>4087</u>
Director of Public Health Nursing	2102 <u>2186</u>	3434 <u>3571</u>
Public Health Educator	1762 <u>1832</u>	2749 <u>2859</u>
Public Health Nurse	1844 <u>1918</u>	2870 <u>2985</u>
Registered Nurse (A.A. Degree, 3 year Diploma, or B.S. Degree)	1762 <u>1832</u>	2749 <u>2859</u>
Sanitarian	1611 <u>1751</u>	2632 <u>2737</u>
Senior Public Health Nurse	2014	3141

4670.4220 HEALTH SERVICES SUPPORT PERSONNEL COMPENSATION PLAN.

Subpart 1. Plan.

	Minimum	Maximum
Bookkeeper	1204 <u>1252</u>	1881 <u>1956</u>
Home Health Aide	1102 <u>1197</u>	1721 <u>1790</u>
Home Health Aide Coordinator	1351 <u>1405</u>	2014 <u>2095</u>
Inspector	1351 <u>1405</u>	2014 <u>2095</u>
Licensed Practical Nurse	1351 <u>1405</u>	2014 <u>2095</u>
Public Health Aide	987 <u>1026</u>	1611 <u>1675</u>

4670.4230 CLERICAL COMPENSATION PLAN.

Subpart 1. Plan.

	Minimum	Maximum
Clerk I	836 <u>882</u>	1361 <u>1435</u>
Clerk II	956 <u>1026</u>	1626 <u>1675</u>
Clerk III	1137 <u>1197</u>	1778 <u>1790</u>
Clerk-Typist I	917 <u>963</u>	1483 <u>1565</u>
Clerk-Typist II	956 <u>1026</u>	1626 <u>1675</u>
Clerk-Typist III	1215 <u>1282</u>	1899 <u>1918</u>
Clerk-Steno	956 <u>1026</u>	1626 <u>1675</u>
Switchboard Operator	917 <u>963</u>	1483 <u>1565</u>

4670.4240 BUILDING MAINTENANCE COMPENSATION PLAN.

Subpart 1. **Shift Differential.** Employees in the class specified in subpart 2 who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day work rate.

Subp. 2. **Shift differential; janitors.**

	Minimum	Maximum
Janitor	1044 <u>1026</u>	1588 <u>1675</u>

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Proposed Rules

Department of Public Safety

Proposed Permanent Rules Relating to Merit System

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Public Safety intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 12.22, subd. 3.

All persons have 30 days or until 4:30 p.m. on December 5, 1990 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

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

A free copy of the rule is available upon request from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

The Minnesota Merit System rules apply to positions in 22 local and county emergency management agencies funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration. The rules cover such areas as classification of positions, compensation, recruitment and examination, certification and appointment, leaves of absence, separation, tenure and reinstatement, and, in general, provide standards for agencies to follow so as to ensure compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900).

If adopted, proposed changes to 7520.1000-1100 would provide for a 4% adjustment to many of the salary ranges for professional and clerical positions covered by Merit System compensation plans, since this is the general salary adjustment being recommended for incumbents. Other revisions to 7520.1000-1100 provide for adjustments of varying amounts to the minimum and maximum salaries for some of the classes covered by the Merit System. These adjustments have been proposed to correct compensation inequities based upon comparable work value.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822 upon request.

Adoption of these rules will not result in any cost to local public bodies. A fiscal note prepared according to the requirements of *Minnesota Statutes*, section 3.98, subdivision 2 is available from Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the 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 rule, must submit the written request to Ralph W. Corey, Minnesota Merit System, Second Floor, Human Services Building, 444 Lafayette Road, St. Paul, Minnesota 55155-3822.

Rudy Perpich
Governor

Rules as Proposed

7520.1000 COMPENSATION PLAN (EMERGENCY MANAGEMENT), ~~1990~~ 1991; PROFESSIONAL.

Subpart 1. Plan.

	Minimum	Maximum
Administrative Officer	4762 1832	2632 2737

Proposed Rules

	Minimum	Maximum
Assistant		
Emergency Management Director	+541 <u>1675</u>	2413 <u>2510</u>
Communications Officer	+541 <u>1603</u>	2300 <u>2392</u>
Operations Officer	+762 <u>1832</u>	2632 <u>2737</u>
Public Information Officer	+762 <u>1832</u>	2632 <u>2737</u>
Radiological Officer	+541 <u>1603</u>	2300 <u>2392</u>
Safety Services Coordinator	+762 <u>1832</u>	2632 <u>2737</u>

7520.1100 COMPENSATION PLAN (EMERGENCY MANAGEMENT), ~~1990~~ 1991; CLERICAL.

Subpart 1. Plan.

	Minimum	Maximum
Clerk I	836 <u>882</u>	+364 <u>1435</u>
Clerk II	956 <u>1026</u>	+626 <u>1675</u>
Clerk III	+137 <u>1197</u>	+778 <u>1790</u>
Clerk-Typist I	917 <u>963</u>	+483 <u>1565</u>
Clerk-Typist II	956 <u>1026</u>	+626 <u>1675</u>
Clerk-Typist III	+215 <u>1282</u>	+899 <u>1918</u>
Clerk-Steno	956 <u>1026</u>	+626 <u>1675</u>

Department of Labor and Industry

Proposed Permanent Rules Relating to Power Piping Systems

Notice of Hearing

NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to *Minnesota Statutes* § 14.14, subdivision 1 in the above-captioned matter. The hearing will be held at 9:00 a.m., December 5, 1990, Room 5 State Office Bldg., 100 Constitution Avenue, St. Paul, Minnesota and continue until all interested persons and groups have had an opportunity to be heard concerning the proposed amendment to *Minnesota Rules* Chapter 5230. The proposed amendment may be modified as a result of the hearing process. You are encouraged to participate if you are in any way affected by these rules.

The statutory authority to promulgate these proposed rules can be found in *Minnesota Statutes*, section 326.47 subd. 6 and section 16A.128. The proposed amendments increase the filing fee from \$25.00 to \$50.00 and change the formula for calculating the inspection fee. The proposed amendment also clarifies the inclusion of ammonia piping as defined in *Minnesota Statutes* 326.461, subd. 2 (1989).

The proposed amendments follow this notice in the *State Register*. Copies will also be available at the door on the date of the hearing. One free copy of the proposed amendments may be obtained by contacting:

B. James Berg
Code Enforcement
Labor and Industry Building
443 Lafayette Road
St. Paul, Minnesota 55155-4304
Phone: (612) 297-1727

Any person may present views on the proposed rules in one or more of the following ways: by submitting written data to the administrative law judge at any time before the close of the hearing; by submitting oral or written data at the hearing; and by submitting written material to the administrative law judge during the comment period following the hearing. Statements may be submitted without appearing at the hearing.

Written material may be submitted and recorded in the hearing record for five working days after the public hearing ends. This comment period may be extended for a longer period not to exceed twenty calendar days if so ordered by the administrative law judge

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Proposed Rules

at the hearing. The written material received during this period shall be available for review at the Office of Administrative Hearings. The Department of Labor and Industry and any interested persons may respond in writing within three business days after the comment period ends to any new information submitted. However, no additional evidence may be submitted during this three-day period.

The Department of Labor and Industry requests that any persons submitting written views or data to the administrative law judge prior to the hearing or during the comment period also submit a copy of the written information to B. James Berg, Code Enforcement, Labor and Industry Building, 443 Lafayette Road, St. Paul, Minnesota, 55155-4304.

The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.14 to 14.20 and by parts 1400.0200 to 1400.1200 of *Minnesota Rules*. Questions regarding procedure may be directed to the administrative law judge. The administrative law judge assigned to preside over the hearing is:

Barbara L. Neilson, Administrative Law Judge
Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South
Minneapolis, MN 55415. Phone: (612) 341-7604

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 rules 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 rules were adopted and filed with the secretary of the state. The notice must be mailed on the same day that the rules are 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 rules with the secretary of state.

NOTICE IS HEREBY GIVEN that a **STATEMENT OF NEED AND REASONABLENESS** is now available for review at the agency and at the Office of Administrative Hearings. This 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 reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the Department of Labor and Industry or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Small businesses that install high pressure or ammonia piping will be affected by the proposed amendment increasing permit and inspection fees. Small businesses generally have smaller high pressure or ammonia piping projects. Most small businesses with high pressure installations would see an increase of less than \$100 per project. The average increase in fees for over 60% of the projects would be less than \$60. The average increase for over 80% of the projects would be less than \$100. The impact on small businesses will be further addressed in the Statement of Need and Reasonableness.

Minnesota Statutes, Chapter 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 *Minnesota Statutes* § 10A.01, subdivision 11 as any 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 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 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, 625 North Robert Street, St. Paul, Minnesota, 55101-2520, telephone (612) 296-5148.

Dated: 18 October 1990

Ken Peterson, Commissioner
Department of Labor and Industry

Rules as Proposed

5230.0100 FEES.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Permit to construct or install power piping, ammonia refrigeration systems, or anhydrous ammonia piping which form a part of a refrigeration, liquification, process, or manufacturing system.** A person, firm, or corporation that constructs or installs power piping, anhydrous ammonia, or ammonia refrigeration systems must file an application for a permit with the Department of Labor and Industry, or with a municipality that is authorized by law to issue that type of permit, before beginning construction or installation. The department's fees for a permit to construct or install power piping, anhydrous ammonia, or ammonia refrigeration systems are:

A. filing fee (application for permit), \$25 \$50; and

B. inspection fee, ~~0.010~~ 0.020 of the first \$1,000,000, plus ~~0.0075~~ 0.010 of the next \$2,000,000, plus ~~0.0005 of the next \$47,000,000, plus 0.00025 of the amount over \$50,000,000~~ \$3,000,000 of the cost of constructing or installing the power piping, anhydrous ammonia, or ammonia refrigeration systems as defined under part 5230.0260 and Minnesota Statutes, section 326.461, subdivision 2.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Board of Medical Examiners

Adopted Permanent Rules Relating to Physical Therapy

The rules proposed and published at *State Register*, Volume 14, Number 41, pages 2413-2419, April 9, 1990 (14 SR 2413) are adopted with the following modifications:

Rules as Adopted

5601.0100 DEFINITIONS.

Subp. 7. **Previously diagnosed condition.** "Previously diagnosed condition" means a lifelong and ongoing condition diagnosed by a health care professional ~~within the 24-month period preceding the date the~~ which requires physical therapist initiates therapy treatment for the condition.

5601.0300 CONTENTS OF APPLICATION.

The application must be submitted on forms prepared by the board together with the fees described under part 5600.2500, items L and M. To be complete, the application must include the following information:

G. an accounting of the applicant's current and previous physical therapy practice experience ~~listing two references from each place of service;~~

H. an accounting of ~~any~~ disciplinary action taken on past complaints, refusal of licensure or registration, or denial of examination eligibility by another state board or physical therapy society against the applicant;

I. an accounting of the applicant's personal use or administration of drugs that are subject to abuse any controlled substances and treatment for alcohol or drug abuse;

J. an accounting by the applicant of any ~~current disabling condition~~ disease, illness, or disease injury that impairs the applicant's ability to practice physical therapy;

K. an accounting of any ~~violation of federal, state, or local regulations or statutes by the applicant~~ convictions for crimes related to the practice of physical therapy, felonies, gross misdemeanors, and crimes involving moral turpitude;

5601.1200 REPORTS.

The physical therapist shall submit reports to ~~the referring~~ a licensed health care provider ~~at intervals determined by the health care provider concerning the condition and progress of the patient in therapy~~ for periodic review at least every two years. Reports should

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include, but are not limited to, an initial evaluation, progress notes, and a discharge note. Reports by the physical therapist must be made more frequently than designated by the health care provider if the patient's condition warrants. The physical therapist shall retain dated records evidencing submission of reports to a licensed health care provider for periodic review.

5601.1800 INITIATION OF TREATMENT FOR A CONDITION NOT PREVIOUSLY DIAGNOSED.

A. A physical therapist who has had more than one year of clinical experience may initiate treatment of a patient for a condition not previously diagnosed for up to 30 calendar days from the date of initial treatment once within a four-month period without referring to a licensed health care professional. Subsequent treatments for a condition not previously diagnosed of up to 30 calendar days within a four-month period beginning with the start of the initial treatment may only be made if the patient's complaint and symptoms are unrelated to the complaint and symptoms of the original treatment.

~~B. A physical therapist with less than one year of clinical experience may not initiate treatment of a previously diagnosed condition.~~

~~C. Items Item A and B do does~~ not apply to patients who have been referred for physical therapy treatment by order or referral of a licensed health care professional.

5601.1900 INITIATION OF TREATMENT FOR A PREVIOUSLY DIAGNOSED CONDITION.

A. A physical therapist who has had more than one year of clinical experience may initiate treatment of a patient for a lifelong and ongoing previously diagnosed condition ~~for up to 60 days warranting physical therapy treatment.~~

~~B. A physical therapist with less than one year of clinical experience may not initiate treatment of a previously diagnosed condition.~~

~~C. Documentation Verification~~ of the diagnosis under item A ~~or B~~ must be obtained from the medical records or a licensed health care professional by the physical therapist within 30 calendar days of the initial admission.

5601.2200 TWO-YEAR CONTINUING EDUCATION CYCLE.

Subpart 1. **Initial registration on or after January 1, 1991.** For physical therapists initially registered on or after January 1, 1991, the first two-year continuing education cycle begins on the January 1 following the date of initial ~~license~~ registration. Future cycles will run consecutively from that point. Continuing education courses taken between the date of initial registration and January 1 of the following year may be credited toward the first cycle.

5601.2400 CATEGORY 1 CREDIT.

Subpart 1. Courses. The board shall grant Category 1 continuing education credit meeting the standards of part 5601.2500 for the educational activities in items A to ~~D~~ C:

A. any course planned, sponsored, or cosponsored by an accredited university or college, medical school, state or national medical or osteopathic association, or a national medical specialty society;

B. any course planned, sponsored, or cosponsored by the American Physical Therapy Association or other national or state physical therapy association meeting the standards of part 5601.2500 and receiving board approval; and

C. any course planned, sponsored, or cosponsored by the Arthritis Foundation, American Heart Association, or other national or state health organization meeting the standards of part 5601.2500 and receiving board approval; and

~~D. Subp. 2. Other educational activity.~~ Any educational activity meeting not included under subpart 1 that meets the standards of part 5601.2500 submitted for shall be approved for Category 1 continuing education credit by a registered physical therapist in advance of the presentation of the activity and receiving approval by the board.

An individual or organization seeking board approval of an educational activity for Category 1 continuing education credit as provided under this subpart shall provide to the board documents describing the name and address of the organization sponsoring the activity, the name and address of the facility at which the activity will be presented, the name and credentials of each instructor or person making a presentation, and the course content in detail, including a time schedule for the activity.

5601.2500 CREDIT STANDARDS.

The board shall grant continuing education credit for any educational activity that meets the standards in items A to E.

E. Credit shall not be given for entertainment or recreational activities or programs, employment orientation sessions, holding an office or serving as an organizational delegate, individual self-directed study programs, management seminars not directly concerning physical therapy operations, meetings for the purpose of making policy, or noneducational association meetings.

Any course planned, sponsored, or cosponsored as provided under part 5601.2400, subpart 1, shall be presumed to meet the standards in items A to E. This presumption may be withdrawn by the board if it determines that a college, university, association, or specialty has sought credit for a course not meeting these standards.

5601.2600 VERIFICATION OF COMPLIANCE.

At the January ~~license~~ registration renewal immediately following their two-year continuing education cycle, registrants shall provide a signed statement to the board on a form provided by the board indicating compliance with parts 5601.2100 to 5601.2500. ~~The board may, in its discretion, require additional evidence necessary to verify compliance with parts 5601.2100 to 5601.2500.~~ The board ~~may~~ shall also accept certification of other state or national health or medical organizations regulatory agencies whose continuing education requirements are equal to or greater than those in parts 5601.2100 to 5601.2500.

Periodically, the board shall select a sample of the registered physical therapists and request evidence of the continuing education to which they attested. Documentation may come directly from the registrant or from state or national organizations that maintain those types of records.

A registrant failing to submit a statement or who submits a statement that, on its face, indicates noncompliance with parts 5601.2100 to 5601.2500 may be subject to the disciplinary provisions in part 5601.2700.

Pollution Control Agency

Water Quality Division

Adopted Permanent Rules Relating to Water Quality Program Development

The rules proposed and published at *State Register*, Volume 14, Number 27, pages 1662-1717, January 2, 1990 (14 SR 1662) are adopted with the following modifications:

Rules as Adopted

7050.0130 DEFINITIONS.

The terms "waters of the state," "sewage," "industrial wastes," and "other wastes," as well as any other terms for which definitions are given in the pollution control statutes, as used herein have the meanings ascribed to them in *Minnesota Statutes*, sections 115.01 and 115.41, with the exception that disposal systems or treatment works operated under permit or certificate of compliance of the agency shall not be construed to be "waters of the state."

"Commissioner" means the commissioner of the Minnesota Pollution Control Agency or the commissioner's designee.

"Nonpoint source" means a land management or land use activity that contributes or may contribute to ground and surface water pollution as a result of runoff, seepage, or percolation and that is not defined as a point source under *Minnesota Statutes*, section 115.01, subdivision 15.

"Surface waters" means waters of the state excluding groundwater as defined in Minnesota Statutes, section 115.01, subdivision 21.

7050.0185 NONDEGRADATION FOR ALL WATERS.

Subp. 2. **Definitions.** For the purpose of this part, the following terms have the meanings given them:

F. "Toxic pollutant" means a pollutant listed as toxic under section 307(a)(1) of the Clean Water Act, United States Code, title 33, section 1317(b)(a)(1), or as defined by *Minnesota Statutes*, section 115.01, subdivision 14.

7050.0210 GENERAL STANDARDS FOR DISCHARGERS TO WATERS OF THE STATE.

Subp. 5. **Mixing zones.** Means for expediting mixing and dispersion of sewage, industrial waste, or other waste effluents in the receiving waters are to be provided so far as practicable when deemed necessary by the agency to maintain the quality of the receiving waters in accordance with applicable standards. Mixing zones must be established by the agency on an individual basis, with primary consideration being given to the following guidelines:

D. for contaminants other than heat, the FAV, as defined in part 7050.0218, subpart 5 ~~3~~, item ~~M O~~, for toxic ~~substances~~ pollutants should not be exceeded as a one-day mean concentration at any point in the mixing zone;

Subp. 13. **Pollution prohibited.** No sewage, industrial waste, or other wastes shall be discharged from either a point or a nonpoint source into the waters of the state in such quantity or in such manner alone or in combination with other substances as to cause

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pollution as defined by law. ~~No sewage, industrial waste, or other wastes shall be discharged from either point or nonpoint sources into any waters of the state so as to cause any material change in any substances or characteristics that may impair the beneficial uses, defined in part 7050.0200, for which the waters of the state are protected.~~ In any case where the waters of the state into which sewage, industrial waste, or other waste effluents discharge are assigned different standards than the waters of the state into which the receiving waters flow, the standards applicable to the waters into which the sewage, industrial waste, or other wastes discharged shall be supplemented by the following:

The quality of any waters of the state receiving sewage, industrial waste, or other waste effluents shall be such that no violation of the standards of any waters of the state in any other class shall occur by reason of the discharge of the sewage, industrial waste, or other waste effluents.

7050.0211 FACILITY STANDARDS.

Subpart 1. **Minimum secondary treatment for municipal point source and other point source dischargers of sewage.** It is established that the agency shall require secondary treatment as a minimum for all municipal point source dischargers and other point source dischargers of sewage. For purposes of this part, municipal has the adjective meaning of municipality as defined in part 7001.1020, subpart 18. Secondary treatment facilities are defined as works which will provide effective sedimentation, biochemical oxidation, and disinfection, or the equivalent, including effluents conforming to the following:

Substance or Characteristic	Limiting Concentration or Range*
5-Day carbonaceous biochemical oxygen demand*	25 milligrams per liter
Fecal coliform group organisms ***	200 organisms per 100 milliliters
Total suspended solids*	30 milligrams per liter
Oil	Essentially free of visible oil
Phosphorus**	1 milligram per liter
pH range	6.0—9.0
Toxic or corrosive substances pollutants	None at levels that exceed the FAV as defined in part 7050.0218, subpart 5, item M, or are acutely toxic to humans or other animals or plant life, or directly damaging to real property.

Concentrations of toxic or corrosive pollutants shall not cause acute toxicity to humans or other animals or plant life or directly damage real property or exceed the final acute value unless the effluent satisfies the whole effluent toxicity test below. If a whole effluent toxicity test performed on the effluent results in less than 50 percent mortality of the test organisms, the effluent will not be considered acutely toxic unless the commissioner finds that the test species do not represent sensitive organisms in the affected surface water body or the whole effluent test was performed on a sample not representative of the effluent quality. The final acute value and whole effluent toxicity test are defined in part 7050.0218, subpart 3, items O and FF, respectively.

7050.0212 REQUIREMENTS FOR POINT SOURCE DISCHARGERS OF INDUSTRIAL OR OTHER WASTES.

Subp. 6. **Toxic or corrosive ~~substances pollutants~~.** In addition to the requirements of subpart 1, a person discharging industrial or other wastes from a point source shall comply with the control requirements of part 7050.0211, subpart 1, for toxic or corrosive ~~substances pollutants~~.

7050.0214 REQUIREMENTS FOR POINT SOURCE DISCHARGERS TO LIMITED RESOURCE VALUE WATERS.

Subpart 1. **Effluent limitations.** For point source discharges of sewage, industrial, or other wastes to surface waters classified as limited resource value waters pursuant to parts 7050.0200, number 7 and 7050.0400 to 7050.0470, the agency shall require treatment facilities which will provide effluents conforming to the following limitations:*

Substance or Characteristic	Limiting Concentration
5-Day carbonaceous biochemical oxygen demand	15 milligrams per liter (arithmetic mean of all samples taken during any calendar month)

*All effluent limitations specified in part 7050.0211, subpart 1, shall also be applicable to dischargers of sewage to Class 7 waters, provided that toxic or corrosive ~~substances pollutants~~ shall be limited to the extent necessary to protect the designated uses of the receiving water or affected downstream waters.

7050.0217 OBJECTIVES FOR PROTECTION OF SURFACE WATERS FROM TOXIC POLLUTANTS.

Subpart 1. Purpose and applicability. The purpose of parts 7050.0217 and 7050.0218 are to establish methods for developing

site-specific water quality criteria for toxic pollutants in the absence of numerical standards listed in part 7050.0220. The site-specific numerical criteria established by these methods protect Class 1 surface waters for public and private domestic consumption and Class 2 waters for the propagation and maintenance of fish and aquatic life, the consumption of fish and edible aquatic life by humans, and the consumption of aquatic organisms by wildlife. These criteria also protect the uses assigned to Class 7, limited resource value, waters as described in part 7050.0220.

Subp. 2. Objectives. Protection of the aquatic community from the toxic effects of pollutants means the protection of no less than 95 percent of all the species in any aquatic community. Greater protection may be applied to a community if economically, recreationally, or ecologically important species are very sensitive.

Protection of human consumers of fish, other edible aquatic organisms, and water for drinking from surface waters means that exposure from noncarcinogenic chemicals shall be below levels expected to produce known adverse effects; and the incremental cancer risk from exposure to carcinogenic chemicals, singly or in mixtures, shall not exceed one in 100,000. The combined risk from mixtures of carcinogens will be determined as described in part 7050.0220, subpart 3, item G.

Protection of wildlife that eat aquatic organisms means the protection of the most sensitive wildlife species or populations. Greater protection may be applied if the exposed animals include endangered or threatened wildlife species listed in chapter 6134, or in the Code of Federal Regulations, title 50, part 17, under the Endangered Species Act of 1973, United States Code, title 16, sections 1531 to 1543.

7050.0218 METHODS FOR DETERMINING PROTECTION OF SURFACE WATER STANDARDS FOR WATERS FROM TOXIC SUBSTANCES POLLUTANTS FOR WHICH NUMERICAL STANDARDS NOT PROMULGATED.

Subpart 1. Purpose and applicability. The purpose of this part is to establish methods for developing water quality standards for toxic substances. The standards established by these methods protect Class 1 surface waters for public and private domestic consumption; and Class 2 waters for the propagation and maintenance of fish and aquatic life, the consumption of fish and edible aquatic life by humans, and the consumption of aquatic organisms by wildlife. The standards also protect the uses assigned to Class 7, limited resource value, waters described in part 7050.0200.

Subp. 2. Policy. The standards established under this part, together with other provisions in this chapter, shall prevent the discharge of sewage, industrial waste, or other wastes from point or nonpoint sources into the waters of the state in amounts that impair the quality of the waters of the state or the aquatic community, or in any manner render the aquatic community unsuitable or objectionable for fishing, fish culture, or recreational uses.

Protection of the aquatic community from the toxic effects of substances means the protection of no less than 95 percent of all the species in any aquatic community. Greater protection may be applied to a community if economically, recreationally, or ecologically important species are very sensitive.

Protection of human consumers of fish, other edible aquatic organisms, and water for drinking from surface waters means that exposure from noncarcinogenic chemicals shall be below levels expected to produce known adverse effects; and the incremental cancer risk from exposure to carcinogenic chemicals, singly or in mixtures, shall not exceed one in 100,000. The combined risk from mixtures of carcinogens shall be determined as described in subpart 12, item E.

Protection of wildlife that eat aquatic organisms means the protection of the most sensitive wildlife species or populations. Greater protection may be applied if the exposed animals include endangered or threatened wildlife species listed in chapter 6134, or in Code of Federal Regulations, title 50, part 17, under the Endangered Species Act of 1973, United States Code, title 16, sections 1531 to 1543.

Subp. 3. Adoption of new standards. The agency may adopt new standards according to *Minnesota Statutes*, chapter 14, to replace those listed in part 7050.0220 that are more stringent or less stringent if new scientific evidence shows that a change in the standard is justified.

Subp. 4. Standards for substances not listed in part 7050.0220. Standards for toxic substances not listed in part 7050.0220 shall be derived by the commissioner using the procedures in this part. Numerical standards so derived have the same authority as standards listed in part 7050.0220. Any effluent limitation determined to be necessary based on standards derived under this subpart shall only be required after the discharger has been given notice of the specific effluent limitations and an opportunity for public hearing. The requirements in chapter 7001 regarding notice of National Pollutant Discharge Elimination System and State Disposal System permits can satisfy the notice and opportunity for hearing requirements in this subpart.

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Subpart 1. Purpose. The numerical water quality standards for toxic pollutants in part 7050.0220 do not address all pollutants which may be discharged to surface waters and cause toxic effects. Therefore, methods are established in this part to address on a site-by-site and case-by-case basis the discharge into surface waters of toxic pollutants not listed in part 7050.0220.

The agency may also adopt new standards according to Minnesota Statutes, chapter 14, to replace those listed in part 7050.0220 that are more stringent or less stringent if new scientific evidence shows that a change in the standard is justified.

Subp. 2. Site-specific criteria for pollutants not listed in part 7050.0220. Site-specific criteria for toxic pollutants not listed in part 7050.0220 shall be derived by the commissioner using the procedures in this part.

A. A site-specific criterion so derived is specific to the point source being addressed. Any effluent limitation derived from a site-specific criterion under this subpart shall only be required after the discharger has been given notice of the specific proposed effluent limitations and an opportunity to request a hearing as provided in parts 7000.1000 and 7001.0130.

B. A site-specific criterion so derived for remedial action cleanup activities is specific to the affected surface water body.

Subp. 3. Definitions. For the purposes of parts 7050.0214 to 7050.0220, the following terms have the meanings given them.

A. "Acute-chronic ratio" or "ACR" means the ratio of the acute toxicity, expressed as a LC50 or EC50, of a toxicant to its chronic toxicity expressed as the chronic value. The ACR is used as a factor for estimating chronic toxicity on the basis of acute toxicity.

C. "Available scientific data" means information derived from scientific literature including: published literature in peer reviewed scientific journals, USEPA ambient water quality criteria documents, and other reports or documents published by the USEPA or other governmental agencies.

D. "Bioaccumulation factor" or "BAF" means the concentration of a substance pollutant in one or more tissues of an aquatic organism, exposed from any source of the substance pollutant but primarily from the diet and bottom sediments in addition to the water column, divided by the average concentration in the solution in which the organism had been living.

E. "Bioconcentration factor" or "BCF" means the concentration of a substance pollutant in one or more tissues of an aquatic organism, exposed only to the water as the source of the substance pollutant, divided by the average concentration in the solution in which the organism had been living.

F. "Cancer potency factor" or "q1*" means a factor indicative of a chemical's human cancer causing potential. The q1* is the upper 95 percent confidence limit (one-sided) of the slope from a linear nonthreshold dose-response model used by the USEPA to provide an upper bound estimate of incremental cancer risk. The q1* assumes a lifetime exposure and is expressed in days times milligram toxicant per kilogram body weight per milligram toxicant (d x kg/mg).

G. "Chronic toxicity" means a stimulus that lingers or continues for a long period of time, often one-tenth the life span or more. A chronic effect can be mortality, reduced growth, reproduction impairment, harmful changes in behavior, and other nonlethal effects.

H. "Chronic criterion" or "CC" means the highest water concentration of a toxicant to which organisms can be exposed indefinitely without causing chronic toxicity.

I. "Chronic standard" or "CS" means the highest water concentration of a toxicant to which organisms can be exposed indefinitely without causing chronic toxicity. Chronic standards are listed in part 7050.0220, subpart 3.

J. "Chronic value" means the geometric mean of the highest tested concentration that did not cause an unacceptable adverse effect and the lowest tested concentration that did cause an unacceptable adverse effect, and in which all higher test values cause an effect, in an approved chronic test.

K. "Cold water fisheries" means a community of fish including species of trout and salmon from the Salmonidae family that inhabit trout waters as defined in part 7050.0420.

L. "Criterion" means a number or numbers established for a substance pollutant derived under this part, or issued by the USEPA, to protect aquatic life, humans, or wildlife.

M. "Duration" means the time over which the instream concentration of a substance pollutant is averaged for comparison with the standard or criterion.

N. "Effect concentration" or "EC50" means the toxicant concentration that causes equilibrium loss, immobilization, mortality, or other debilitating effects in 50 percent of the exposed organisms during a specific time of observation.

O. "Final acute value" or "FAV" means an estimate of the concentration of a material pollutant corresponding to the cumulative probability of 0.05 in the distribution of all the acute toxicity values for the genera or species from the acceptable acute toxicity tests conducted on a substance pollutant. The FAV is the acute toxicity limitation applied to mixing zones in part 7050.0210, subpart 5; and to dischargers in parts 7050.0211, subpart 1; 7050.0212, subpart 6; and 7050.0214, subpart 1.

~~N. P.~~ "Genus mean acute value" or "GMAV" means the geometric mean of the SMAVs available for the genus.

~~O. Q.~~ "K value" means the fraction of the total allowable daily dose of a toxic ~~substance~~ pollutant that is attributed to drinking water and fish consumption relative to other sources of the ~~substance~~ pollutant to humans, such as air or food, in the calculation of criteria. In the absence of sufficient data to establish a chemical-specific K value, the K value will be 0.2.

~~P. R.~~ "Lethal concentration" or "LC50" means the toxicant concentration killing 50 percent of the exposed organisms in a specific time of observation.

~~Q. S.~~ "Lowest observable adverse effect level" or "LOAEL" means the lowest tested concentration that caused a statistically significant occurrence of an adverse effect in comparison with a control when all higher test concentrations caused adverse effects.

~~R. T.~~ "Maximum criterion" or "MC" means the highest concentration of a toxicant in water to which aquatic organisms can be exposed for a brief time with zero to slight mortality. The MC equals the FAV divided by two.

U. "Maximum standard" or "MS" means the highest concentration of a toxicant in water to which aquatic organisms can be exposed for a brief time with zero to slight mortality. The MS equals the FAV divided by two. Maximum standards are listed in part 7050.0220, subpart 3.

~~S. V.~~ "National methods" means the methods the USEPA uses to develop aquatic life criteria as described in Stephan, C.E., D.J. Mount, D.J. Hansen, J.H. Gentile, G.A. Chapman, and W.A. Brungs, 1985, "Guidelines for deriving numerical national water quality criteria for the protection of aquatic organisms and their uses," USEPA, Office of Research and Development, Environmental Research Laboratories, Duluth MN; Narragansett, RI, Corvallis, OR. 98 p; available through the National Technical Information Service, Springfield, VA.

~~T. W.~~ "No observable adverse effect level" or "NOAEL" means the highest tested concentration that did not cause a statistically significant occurrence of an adverse effect in comparison with a control when no lower test concentration caused an injurious or adverse effect.

~~U. X.~~ "Octanol to water partition coefficient" or " K_{ow} " means the ratio of the concentration of a substance in the octanol phase to its concentration in the aqueous phase of a two-phase octanol to water system after equilibrium of the substance between the two phases has been achieved. The $\log_{10} K_{ow}$ has been shown to be proportional to the bioconcentration potential of lipophilic organic chemicals.

~~V. Y.~~ "Parachor" means the surface tension adjusted molar volume, and specifically is the molecular weight of a liquid times the fourth root of its surface tension, divided by the difference between the density of the liquid and the density of the vapor in equilibrium with it; essentially constant over wide ranges of temperature. Parachor relates to the physical properties of a molecule that affect its potential to bioaccumulate in aquatic organisms.

~~W. Z.~~ "Reference dose" or "RfD" means an estimate of a daily exposure to the human population, including sensitive subpopulations, that is likely to be without appreciable risk or deleterious effects over a lifetime. The RfD ~~dose~~ is expressed in units of daily dose and was formerly known as the acceptable daily intake.

~~X. AA.~~ "Species mean acute value" or "SMAV" means the geometric mean of all the available and acceptable acute values for a species.

~~Y. BB.~~ "Standard" means a number or numbers established for a ~~substance~~ pollutant or water quality characteristic to protect a specified beneficial use as listed in part 7050.0220. The standard for a toxic ~~substance~~ pollutant includes the lowest of the chronic criteria, established to protect aquatic life, humans, or wildlife, the MC, CS, MS, and the FAV. Some ~~substances~~ pollutants do not have an ~~MC~~ MS or an FAV due to insufficient data. For these ~~substances~~ pollutants, the ~~CS~~ CS alone is the standard.

~~Z. CC.~~ "Toxic pollutant" has the meaning given it in part 7050.0185, subpart 2, item F.

~~AA. DD.~~ "USEPA" means the United States Environmental Protection Agency.

~~BB. EE.~~ "Water quality characteristic" means a characteristic of natural waters, such as total hardness or pH; ~~that can~~. Some water quality characteristics can affect the toxicity of a ~~substance~~ pollutants to aquatic organisms.

FF. "Whole effluent toxicity test" means the aggregate toxic effect of an effluent measured directly by a toxicity test.

Subp. ~~6.~~ 4. **Adoption of USEPA national criteria.** The USEPA establishes aquatic life criteria under section 304(a)(1) of the Clean Water Act, United States Code, title 33, section 1314. The USEPA criteria, subject to modification as described in this subpart, are

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applicable to Class 2 waters of the state. The USEPA has described the national methods for developing aquatic life criteria in "Guidelines for deriving national numerical water quality criteria for the protection of aquatic organisms and their uses," available through the National Technical Information Service, Springfield, VA.

USEPA criteria that vary with an ambient water quality characteristic such as total hardness or pH will be established for specific waters or reaches using data available to the commissioner. Central values such as the means or medians for the characteristic will be used unless there is sufficient evidence to support using different values. Values for water quality characteristics can be estimated for specific waters or reaches that have no data by using data from a nearby watershed with similar chemical properties.

B. The USEPA criteria are adopted, subject to modification as described in this item or item C, for application to the cool and warm water fisheries habitats. Cool and warm water fisheries (Class 2Bd, 2B, and 2C) waters are defined in part 7050.0430 or listed in part 7050.0470.

(4) The FAV is determined according to the national methods as follows:

(g) using the selected GMAVs and their respective cumulative probabilities, calculate:

$$S^2 = \frac{\sum((\ln \text{GMAV})^2) - ((\sum(\ln \text{GMAV}))^2/4)}{\sum(P) - ((\sum(\sqrt{P}))^2/4)}$$

$$L = (\sum(\ln \text{GMAV}) - S(\sum(\sqrt{P}))) / 4$$

$$A = S(\sqrt{0.05}) + L$$

$$\text{FAV} = e^A$$

where: FAV = final acute value-

N = number of GMAVs

P = rank/N + 1

ln = natural logarithm

S, L, and A are intermediate steps

C. If the commissioner finds that the information that supports a USEPA criterion is no longer current or complete for reasons including, but not limited to, changes to the relationship between a water quality characteristic and toxicity; the ACR; the weight given to toxicity data for a commercially or recreationally important species; the RfD; the ql*; or the BAF; then the commissioner shall evaluate all available information and modify the criterion according to the information and with the objectives in subpart 2 part 7050.0217. Any effluent limitation determined to be necessary based on criteria derived under this item shall only be required after the discharger has been given notice to the specific proposed effluent limitations and an opportunity ~~for public to request a hearing as provided in parts 7000.1000 and 7001.0130. The requirements in chapter 7001 regarding notice of National Pollutant Discharge Elimination System and State Disposal System permits can satisfy the notice and opportunity for hearing requirements in this item.~~

~~Subp. 7- 5. Toxicity-based criteria.~~ Toxicity-based aquatic life criteria shall be determined using the methods in this subpart when no USEPA criterion is available.

A. Criteria shall be determined using the USEPA national method if the minimum data required in this item and item B are met. Data for saltwater organisms can be used for nonionizable organic chemicals. Data for saltwater organisms cannot be used for ionizable organic or inorganic chemicals. Data for all North American species can be used. A minimum of eight GMAVs representing the following groups must be available:

C. The FAV is calculated as described in subpart 6 4, item B, subitem (4). No more than two of the lowest four GMAVs may be for a saltwater species.

G. If the acute data available do not meet the requirements in items A and B, toxicity-based criteria can be determined by the method in this item. This method is not applicable to ionizable organic chemicals, or to bioaccumulative organic chemicals and pesticides with BCFs greater than 5,000 or log K_{ow} values greater than 5.19.

(12) If chronic data are available, they are used to determine measured ACRs as described in item F, and chronic data ~~is~~ are compared to the CC.

~~Subp. 8- 6. Human health-based criteria.~~ Human health-based aquatic life criteria protect humans from potential adverse effects of eating fish and edible aquatic organisms from Class 2 waters and from the consumption of drinking water from Class 1 surface waters.

B. Criteria for noncarcinogenic chemicals applicable to Class 2 2B or 2C surface waters are calculated as follows:

$$\text{fCC mg/l} = \frac{\text{RfD mg/kg/day} \times 70 \text{ kg} \times \text{K}}{0.01 \text{ l/day} + [0.030 \text{ kg/day} (\text{BAF})]}$$

where fCC = fish consumption criterion in mg/l
 0.01 l/day = assumed incidental ingestion of water.

C. Criteria for carcinogenic chemicals applicable to surface waters designated ~~both Class 1 and 2~~ Class 2A or 2Bd are calculated as follows:

$$dfCC \text{ mg/l} = \frac{70 \text{ kg} \times 10^{-5}}{ql^* [2 \text{ l/day} + 0.030 \text{ kg/day (BAF)}]}$$

where 10^{-5} = a risk level of one chance in 100,000
 ql* = the cancer potency factor in days x kg/mg.

D. Criteria for carcinogenic chemicals applicable to Class ~~2~~ 2B or 2C surface waters are calculated as follows:

$$fCC \text{ mg/l} = \frac{70 \text{ kg} \times 10^{-5}}{ql^* [0.01 \text{ l/day} + 0.030 \text{ kg/day (BAF)}]}$$

Subp. 9- 7. Bioaccumulation. A final BAF can be determined either from bioaccumulation measurements in the field or from laboratory bioconcentration experiments. Laboratory tests should have a duration of at least 28 days, or the bioconcentration should have achieved steady state. Bioconcentration tests should meet the requirements in the national methods.

If measured BAFs and BCFs are not available for lipophilic ~~substances~~ organic chemicals, a final BAF can be estimated using the relationship between bioconcentration and the log of the octanol to water partition coefficient ($\log K_{ow}$) as described in item D.

A. A final BAF for inorganic ~~substances~~ chemicals is equal to the geometric mean of the available BCFs and BAFs. The BCFs and BAFs can be for either whole body or edible tissue, or both.

B. A final BAF for lipophilic ~~substances~~ organic chemicals is determined when measured BAFs or BCFs and percent lipid data are available according to subitems (1) to (10).

(1) Measured BAFs and BCFs are assembled from ~~the USEPA documents~~, scientific literature, ~~USEPA documents~~, and other ~~credible~~ available sources of scientific data. BAFs and BCFs may be for edible portions of aquatic organisms or for the whole body.

(8) The BCF to BAF adjustment factor is applicable to lipophilic organic chemicals with $\log K_{ow}$ values ~~greater than~~ of three or more, unless ~~credible~~ chemical-specific data indicates the application of the factor is not appropriate. A value of six is used to calculate the factor for chemicals with $\log K_{ow}$ values greater than six. The BCF to BAF adjustment factor is calculated using the following equation; the results shall not be less than one nor greater than 15: $\log_{10}(\text{BCF to BAF factor}) = \del{0.441} \underline{0.384} \log_{10} K_{ow} - \del{0.0047} \underline{0.00055} \text{ Parachor} - \del{0.686} \underline{1.128}$.

(9) The following are representative factors from the equation in subitem (8):

$\log K_{ow}$	Factor (at Parachor = 500)
3.0	0.6 (1.0 is used)
3.5	1.0 <u>0.9 (1.0 is used)</u>
4.0	1.7 <u>1.4</u>
4.5	2.8 <u>2.1</u>
5.0	4.7 <u>3.3</u>
5.5	7.8 <u>5.1</u>
6.0 and greater	12.9 <u>8.0</u>

(10) When both measured BAFs and BCFs are available for chemicals with $\log K_{ow}$ values ~~greater than~~ of three or more, the commissioner will evaluate both BCFs and BAFs and other ~~credible~~ available scientific ~~evidence~~ data to select the appropriate values to use.

C. A final BAF is determined for lipophilic ~~substances~~ organic chemicals having measured BAF or BCF data, but no percent lipid data, as follows:

(3) the final BAF for chemicals having $\log K_{ow}$ values of three or more is the geometric mean of the species mean BCFs multiplied by the appropriate factor from the equation in item B, subitem (8). Chemicals may have both BAF and BCF data. The

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geometric mean BCF will be adjusted by the factor from the equation in item B, subitem (8), and the results compared to the measured BAFs. The commissioner will evaluate both BCFs and BAFs and other ~~credible~~ available scientific ~~evidence~~ data to select a final BAF. BAF data are usually preferred over BCF data.

D. A final BAF for lipophilic organic chemicals is determined according to subitems (1) to (4) when no measured BAFs or BCFs are available.

(1) A BCF can be estimated based on the relationship between BCFs and the log K_{ow} . A value of six is used to calculate the BCF for chemicals with log K_{ow} values greater than six. The equation is: $\log_{10} BCF = 0.79 \log_{10} K_{ow} \text{ value} - 0.40$.

Where $\log_{10} K_{ow}$ = the log of the octanol to water partition coefficient. If measured log K_{ow} values are not available in the scientific literature, they may be estimated using quantitative structure activity relationships. The average percent lipid of the organisms used to establish this relationship is 7.6.

(2) BCFs estimated from the equation in subitem (1) are adjusted for the percent lipid of edible portions.

(4) The final BAF for chemicals with log K_{ow} values of three or more equals the estimated BCF from subitem (2), multiplied by the factor from the equation in item ~~A~~ B, subitem (8).

~~Subp. 40.~~ 8. Taste and odor criteria. The agency shall limit the addition of pollutants to surface waters to the extent necessary to protect fish and other edible freshwater organisms from acquiring objectionable tastes and odors. The agency will use the USEPA national organoleptic criteria, established under section 304(a)(1) of the Clean Water Act, United States Code, title 33, section 1314, when establishing concentrations above which unacceptable tastes and odors could be imparted to aquatic organisms.

~~Subp. 41.~~ 9. Wildlife-based criteria. The agency shall use the procedures in this subpart to establish wildlife-based criteria. Wildlife criteria shall protect wildlife consumers of freshwater aquatic organisms from adverse effects of toxic ~~substances~~ pollutants. Wildlife criteria are applicable to all surface waters of the state, subject to the exceptions in subpart ~~42~~ 10, item B, subitem ~~(2)~~ (1).

A. Wildlife-based criteria shall be determined using toxicological information from ~~scientifically acceptable studies of available sources of scientific data~~ for wildlife or domestic animal species, exposed to toxic ~~chemicals~~ pollutants through ingestion including gavage.

B. Wildlife-based criteria are calculated using the following formula:

$$WCC \text{ mg/l} = \frac{NOAEL \times BWt \times SSF}{DW + (F \times BAF)}$$

where: WCC = wildlife CC mg/l

NOAEL = no observable adverse effect level in mg of substance per kg of body weight per day (mg/kg BWt/day) as derived from mammalian or avian toxicity studies.

If the NOAEL is in mg/l, the NOAEL will be multiplied by the average daily volume of water consumed by the test animals in liters per day and divided by the average weight of the test animals in kg.

If the NOAEL is in mg/kg of food consumed, the NOAEL will be multiplied by the average amount of food consumed daily by the test animals and divided by the average weight of the test animals in kg.

BWt = average body weight of test organisms in kg.

SSF = species sensitivity factor to account for difference in the sensitivity in test species.

This factor will vary between 1 and 0.1. The appropriate factor will be determined by the commissioner based on ~~credible~~ available scientific ~~evidence~~ data on the relative sensitivity of the test organism compared to other wildlife species.

DW = average volume of water consumed per day by the test animals in liters.

F = average amount of food consumed per day by test animals in kg.

BAF = BAF in liters per kg.

D. A final BAF for calculating a wildlife chronic criterion (WCC) is determined as in subpart ~~9~~ 7, except that the BCFs and BAFs are adjusted to represent whole body BCFs and BAFs.

(4) BCFs estimated using the relationship between BCFs and the log K_{ow} are normalized by dividing the estimated BCF by 7.6 and then multiplying by 12 for ~~cold water fisheries~~ Class 2A waters or by five for ~~cold and warm water fisheries~~ Class 2Bd, 2B, and 2C waters.

(5) Measured or estimated BCFs for lipophilic organic chemicals with log K_{ow} values in the range of three or more are multiplied by the factor from subpart ~~9~~ 7, item B, subitem (8).

Subp. 10. Applicable standards criteria. The standard criterion for a substance consists of three numbers pollutant includes: the CC, the MC, and the FAV. The standards criteria for toxic substances pollutants for the surface waters of the state are the lowest of the applicable criteria derived under this part. Specific standards for toxic substances are listed in part 7050.0220, or may be derived as required by the commissioner under subpart 4.

A. Applicable standards criteria for Class 4 and 2 2A, 2Bd, 2B, and 2C surface waters are the lowest of the following criteria:

- (1) a CC and MC based on toxicity to aquatic organisms from subpart 6 4 or 7 5;
- (2) a CC based on plant toxicity from subpart 6 4 or 7 5;
- (3) a dfCC or fCC from subparts 8 6 and 9 7;
- (4) a concentration that will prevent unacceptable taste or odor in water, fish, or other edible aquatic organisms from subpart 10 8; or
- (5) a WCC from subpart 11 9.

B. Applicable standards criteria for Class 7 waters are the lowest of the following criteria:

- (1) a WCC from subpart 11 9, if aquatic organisms can be sustained in the Class 7 water so that they are subject to predation by wildlife; or
- (2) other drinking water or aquatic life standards for toxic substances pollutants, consistent with the uses Class 7 waters are protected for under part 7050.0200.

C. To prevent acutely toxic conditions, concentrations of toxic substances from point or nonpoint sources, singly or in mixtures, must not exceed the FAV as a one-day average at the point of discharge or in the waters of the state consistent with parts 7050.0210, subpart 5; 7050.0211, subpart 1; 7050.0212, subpart 6; and 7050.0214, subpart 1.

Mixtures of substances will be considered additive in their acutely toxic effects according to the following formula unless an alternative model is supported by credible evidence:

$$\frac{C_1}{FAV_1} + \frac{C_2}{FAV_2} + \dots + \frac{C_i}{FAV_i} \text{ equals a value of one or more, an acutely toxic condition is indicated}$$

where: $C_1 \dots C_i$ is the concentration of the first to the i th toxicant.
 $FAV_1 \dots FAV_i$ is the FAV for the first to the i th toxicant.

D. To prevent chronically toxic conditions, concentrations of toxic substances must not exceed the applicable CC or MC in the waters of the state, as specified in items A and B, averaged over the following durations: the MC will be a one-day average; the CC, based on toxicity to aquatic life, will be a four-day average; and the CC, based on human health or wildlife toxicity, will be a 30-day average.

E. Concentrations of carcinogenic chemicals from point or nonpoint sources, singly or in mixtures, should not exceed a risk level of one chance in 100,000 in the waters of the state. Carcinogenic chemicals will be considered additive in their effect according to the following formula unless an alternative model is supported by credible evidence. The additive formula applies to chemicals that have a human health-based standard calculated with a cancer potency factor.

$$\frac{C_1}{CC_1} + \frac{C_2}{CC_2} + \dots + \frac{C_i}{CC_i} \text{ equals a value of one or more, a risk level greater than } 10^{-5} \text{ is indicated}$$

where: $C_1 \dots C_i$ is the concentration of the first to the i th carcinogen.
 $CC_1 \dots CC_i$ is the drinking water plus fish consumption criterion (dfCC) or fish consumption criterion (fCC) for the first to the i th carcinogenic chemical.

F. For carcinogenic or highly bioaccumulative chemicals with BCFs greater than 5,000 or log K_{ow} values greater than 5.19, the human health-based CC may be two or more orders of magnitude smaller than the acute toxicity-based MC. If the commissioner finds that a very large MC and FAV, relative to the CC for such substances, is not protective of the public health, the MC and the FAV shall be reduced according to the following guidelines:

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If the ratio of the MC to the CC is greater than 100, the CC times 100 should be substituted for the applicable MC, and the CC times 200 should be substituted for the applicable FAV. The agency shall provide an opportunity for a public hearing as required in subpart 4 when the FAV and MC, reduced according to the procedures in this item, are used as the basis for an effluent limitation in a permit.

C. In the site-specific application of criteria developed in this subpart to establish an effluent limitation for National Pollutant Discharge Elimination System and State Disposal System permits or to establish the degree of remedial action cleanup activities, the provisions of part 7050.0220, subpart 3, items E to H shall apply.

Subp. 13. Site-specific standards. The standards derived under this part, or the standards in part 7050.0220, are subject to review and modification as a result of information pertaining to a specific surface water reach or segment. If substantial site-specific information is available that shows that a site-specific standard is more appropriate than the statewide standard for a particular water or reach in question, the site-specific information will be the basis for the modification.

The information supporting a site-specific standard can be provided by the commissioner, or by any person outside the agency. The commissioner shall evaluate all data in support of a modified standard and determine whether a change in the standard for a specific water or reach is justified.

The agency shall provide an opportunity for a public hearing as required in subpart 4 when a modified standard is used as the basis for an effluent limitation in a permit.

7050.0220 SPECIFIC STANDARDS OF QUALITY AND PURITY FOR DESIGNATED CLASSES OF WATERS OF THE STATE.

Subp. 2. Class 1. Domestic consumption.

B. Class 1B. The quality of this class of the waters of the state shall be such that with approved disinfection, such as simple chlorination or its equivalent, the treated water will meet in all respects both the mandatory and recommended requirements of the Public Health Service Drinking Water Standards-1962 for drinking water as specified in Publication No. 956 published by the Public Health Service of the United States Department of Health, Education and Welfare, and any revisions, amendments, or supplements to it. This standard will ordinarily be restricted to surface and underground waters with a moderately high degree of natural protection. The physical and chemical standards quoted above for Class 1A waters shall also apply to these waters in the untreated state.

C. Class 1C. The quality of this class of the waters of the state shall be such that with treatment consisting of coagulation, sedimentation, filtration, storage, and chlorination, or other equivalent treatment processes, the treated water will meet in all respects both the mandatory and recommended requirements of the Public Health Service Drinking Water Standards-1962 for drinking water specified in Publication No. 956 published by the Public Health Service of the United States Department of Health, Education and Welfare, and any revisions, amendments, or supplements to it. This standard will ordinarily be restricted to surface waters, and groundwaters in aquifers not considered to afford adequate protection against contamination from surface or other sources of pollution. Such aquifers normally would include fractured and channeled limestone, unprotected impervious hard rock where water is obtained from mechanical fractures or joints with surface connections, and coarse gravels subjected to surface water infiltration. The physical and chemical standards quoted above for Class 1A waters shall also apply to these waters in the untreated state, except as listed below:

Substance or Characteristic	Limit or Range
Turbidity value	25 NTUs

D. Class 1D. The quality of this class of the waters of the state shall be such that after treatment consisting of coagulation, sedimentation, filtration, storage, and chlorination, plus additional pre, post, or intermediate stages of treatment, or other equivalent treatment processes, the treated water will meet in all respects the recommended requirements of the Public Health Service Drinking Water Standards-1962 for drinking water as specified in Publication No. 956 published by the Public Health Service of the United States Department of Health, Education and Welfare, and any revisions, amendments, or supplements to it. This standard will ordinarily be restricted to surface waters, and groundwaters in aquifers not considered to afford adequate protection against contamination from surface or other sources of pollution. Such aquifers normally would include fractured and channeled limestone, unprotected impervious hard rock where water is obtained from mechanical fractures or joints with surface connections, and coarse gravels subjected to surface water infiltration. The concentrations or ranges given below shall not be exceeded in the raw waters before treatment:

Subp. 3. Class 2. Fisheries and recreation.

A. Class 2A. The quality of this class of the surface waters of the state shall be such as to permit the propagation and maintenance of warm or cold water sport or commercial fishes and their habitats and be suitable for aquatic recreation of all kinds, including bathing, for which the waters may be usable. This class of surface waters is also protected as a source of drinking water. The applicable standards are given below, with substances considered carcinogenic and having human health-based standards followed by a (c). Part 7050.0218 7050.0220, subpart 4 3, item F H, should be referenced for FAVs and MC MS values noted with an asterisk (*):

Substance or Characteristic (c) = carcinogen	Standards		
	€€ CS	MC MS	FAV
Acenaphthene ug/l	12	41	81
Acrylonitrile (c) ug/l	0.38	1140*	2281*
Aluminum, total ug/l	87	748	1496
Ammonia un-ionized as N ug/l	16	none	none

The percent un-ionized ammonia can be calculated for any temperature and pH by using the following formula taken from Emerson, K., R.C. Russo, R.E. Lund, and R.V. Thurston, 1975. Aqueous ammonia equilibrium calculations; effect of pH and temperature. Journal of the Fisheries Board of Canada 32: 2379-2383.

$$f = \frac{1}{10^{(pk_a - pH)} + 1} \times 100$$

where:

f = the percent of total ammonia in the un-ionized state

$pk_a = 0.09 + \frac{2730}{T}$, dissociation constant for ammonia

T = temperature in degrees Kelvin (273.16° Kelvin = 0° Celsius)

Anthracene ug/l	0.029	0.78	1.6
Arsenic, total ug/l	50	360	720
Benzene (c) ug/l	5.9	4400 4487*	8800 8974*
Bromoform ug/l	103	2900	5800
Cadmium, total ug/l			

The €€ CS shall not exceed: $\exp.(0.7852[\ln(\text{total hardness mg/l})]-3.49)$.

The MC MS shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-3.828)$.

The FAV shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-3.1349)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Cadmium standards in ug/l at various hardness values

Hardness mg/l			
50	0.66	1.8	3.6
100	1.1	3.9	7.8
200	2.0	8.6	17.1

Carbon tetrachloride (c) ug/l	1.9	1750*	3500*
Chlordane (c) ug/l	0.000073	1.2*	2.4*
Chloride mg/l	230	860	1720
Chlorine, total residual ug/l	6	19	38

Applies to conditions of continuous exposure, where continuous exposure refers to chlorinated effluents that are discharged for more than a total of two hours in any 24-hour period.

Chlorobenzene ug/l (Monochlorobenzene)	10	423	846
Chloroform (c) ug/l	49	2235	4471
Chlorpyrifos ug/l	0.041	0.083	0.17
Chromium + 3, total ug/l			

The €€ CS shall not exceed: $\exp.(0.819[\ln(\text{total hardness mg/l})] + 1.561)$.

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The MC MS shall not exceed: $\exp(0.819[\ln(\text{total hardness mg/l})] + 3.688)$.

The FAV shall not exceed: $\exp(0.819[\ln(\text{total hardness mg/l})] + 4.380)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Chromium + 3 standards in ug/l at various hardness values

	Hardness mg/l			
	50	117	984	1966
	100	207	1737	3469
	200	365	3064	6120
Chromium + 6, total ug/l		11	16	32
Color value Pt.-Co. units		30	none	none
Copper, total ug/l				

The CC CS shall not exceed: $\exp(0.62[\ln(\text{total hardness mg/l})] - 0.57)$.

The MC MS shall not exceed: $\exp(0.9422[\ln(\text{total hardness mg/l})] - 1.464)$.

The FAV shall not exceed: $\exp(0.9422[\ln(\text{total hardness mg/l})] - 0.7703)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Copper standards in ug/l at various hardness values

	Hardness mg/l			
	50	6.4	9.2	18
	100	9.8	18	35
	200	15	34	68
Cyanide, free ug/l		5.2	22	45
Dissolved oxygen mg/l		7 as a daily minimum	none	none

This dissolved oxygen standard requires compliance with the standard 50 percent of the days at which the flow of the receiving water is equal to the lowest weekly flow with a once in ten-year recurrence interval (7Q10).

DDT (c) ug/l	0.00011	0.55*	1.1*
1,2-Dichloroethane (c) ug/l	3.5	45050*	90100*
Dieldrin (c) ug/l	0.0000065	1.25*	2.5*
Di-2-Ethylhexyl phthalate (c) ug/l	1.94 1.9	none	none
Di-n-Octyl phthalate ug/l	30	825	1650
Endosulfan ug/l	0.056 0.044	0.11 0.084	0.22 0.17
Endrin ug/l	0.0033 0.0039	0.090	0.18
Ethylbenzene ug/l	68	1859	3717
Fecal coliform organisms			

Not to exceed 200 organisms per 100 milliliters as a geometric mean of not less than five samples in any calendar month, nor shall more than ten percent of all samples taken during any calendar month individually exceed 400 organisms per 100 milliliters. The standard applies only between March 1 and October 31.

Fluoranthene ug/l	1.1	199	398
Heptachlor (c) ug/l	0.000088 0.00010	0.26*	0.52*
Heptachlor epoxide (c) ug/l	0.00012	0.27*	0.53*
Hexachlorobenzene (c) ug/l	0.000056	none	none
Lead, total ug/l			

The CC CS shall not exceed: $\exp(1.273[\ln(\text{total hardness mg/l})] - 4.705)$.

The MC MS shall not exceed: $\exp(1.273[\ln(\text{total hardness mg/l})] - 1.460)$.

The FAV shall not exceed: $\exp(1.273[\ln(\text{total hardness mg/l})] - 0.7643)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Lead standard in ug/l at various hardness values

	Hardness mg/l			
	50	1.3	34	68
	100	3.2	82	164
	200	7.7	197	396
Lindane (c) ug/l (Hexachlorocyclohexane, gamma-)	0.0030 <u>0.0087</u>		1.0*	2.0*
Mercury, total ug/l	<u>0.0069</u>		2.4*	4.9*
Methylene chloride (c) ug/l (Dichloromethane)	44.7 <u>45</u>		9600*	19200*
Nickel, total ug/l				

The ~~CC~~ CS shall not exceed the human health-based criterion of 88 ug/l. For waters with total hardness values less than 50 mg/l, the ~~CC~~ CS shall not exceed: $\exp(0.846[\ln(\text{total hardness mg/l})] + 1.1645)$.

The ~~MC~~ MS shall not exceed: $\exp(0.846[\ln(\text{total hardness mg/l})] + 3.3612)$.

The FAV shall not exceed: $\exp(0.846[\ln(\text{total hardness mg/l})] + 4.0543)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Nickel standards in ug/l at various hardness values

	Hardness mg/l			
	50	88	789	1578
	100	88	1418	2836
	200	88	2549	5098
Oil ug/l		500	5000	10000
Parathion ug/l		0.013	0.07	0.13
Pentachlorophenol ug/l				

The ~~CC~~ CS shall not exceed: $\exp(1.005[\text{pH}] - 5.290)$.

The ~~MC~~ MS shall not exceed: $\exp(1.005[\text{pH}] - 4.830)$.

The FAV shall not exceed: $\exp(1.005[\text{pH}] - 4.1373)$.

Pentachlorophenol standards in ug/l at various pH values

	pH			
	7.0	5.7	9.1	18
	7.5	9.5	15	30
	8.0	16	25	50
pH value not less than 6.5 nor greater than 8.5				
Phenanthrene ug/l		2.1	29	58
Phenol ug/l		123	2214	4428
Polychlorinated biphenyls ₂ total (c) ug/l		0.000014	1.0*	2.0*
Radioactive materials				

Not to exceed the lowest concentrations permitted to be discharged to an uncontrolled environment as prescribed by the appropriate authority having control over their use.

Selenium, total ug/l	5.0	20	40
Silver, total ug/l			

The ~~CC~~ CS shall not exceed: 0.12.

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The MC MS shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-7.2156)$ and the FAV shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-6.52)$ provided that the MC MS and FAV shall be no less than 0.12 ug/l.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Silver standards in ug/l at various hardness values

Hardness mg/l			
50	n/a	0.61	1.2
100	n/a	2.0	4.1
200	n/a	6.7	13

Temperature

No material increase

2,3,7,8-Tetrachlorodibenzo-p-dioxin (c)

picograms/l	0.0003	none	none
1,1,2,2-Tetrachloroethane (c) ug/l	1.1	1127*	2253*
Tetrachloroethylene (c) ug/l	2-9 3.8	428*	857*
Toluene ug/l	253	1352	2703
Toxaphene (c) ug/l	0.00039		
	0.00031	0.73*	1.5*
1,1,1-Trichloroethane ug/l	263	2628	5256
1,1,2-Trichloroethylene (c) ug/l	25	6988*	13976*
2,4,6-Trichlorophenol ug/l	2.0	102	203
Turbidity value NTUs	10	none	none
Vinyl chloride (c) ug/l	0.14	none	none
Xylene, total m, p, and o ug/l	166	1407	2814
Zinc, total ug/l			

The CC CS shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 0.7615)$.

The MC MS shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 0.8604)$.

The FAV shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 1.5536)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Zinc standards in ug/l at various hardness values

Hardness mg/l			
50	59	65	130
100	106	117	234
200	191	211	421

B. Class 2Bd. The quality of this class of the surface waters of the state shall be such as to permit the propagation and maintenance of cool or warm water sport or commercial fishes and their habitats and be suitable for aquatic recreation of all kinds, including bathing, for which the waters may be usable. This class of surface waters are also protected as a source of drinking water. The standards for waters listed in item A shall apply to these waters except as listed below, with substances considered carcinogenic and having human health-based standards followed by a (c). Part ~~7050.0218~~ 7050.0220, subpart ~~2 3~~, item ~~F H~~, should be referenced for FAVs and MC MS values noted with an asterisk (*):

Substance or Characteristic	<u>CC CS</u>	Standard <u>MC MS</u>	FAV
(c) = carcinogen			
Aluminum ₂ total ug/l	125	1072	2145
Ammonia un-ionized as N ug/l	40	none	none

The percent of un-ionized ammonia can be calculated for any temperature and pH as described in item A.

Benzene (c) ug/l	6.9	4400* 4487*	8800* 8974*
Bromoform ug/l	128	2900	5800
Cadmium, total ug/l			

The CC CS shall not exceed: $\exp.(0.7852[\ln(\text{total hardness mg/l})]-3.49)$.

The MC MS shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-1.685)$.

The FAV shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-0.9919)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Cadmium standards in ug/l at various hardness values

	Hardness mg/l			
	50	0.66	15	31
	100	1.1	33	67
	200	2.0	73	146
Chlordane (c) ug/l		0.00029	1.2*	2.4*
Chloroform (c) ug/l		55	2235	4471
Dissolved oxygen mg/l		5 as a daily minimum	none	none

This dissolved oxygen standard requires compliance with the standard 50 percent of the days at which the flow of the receiving water is equal to the lowest weekly flow with a once in ten year recurrence interval (7Q10).

DDT (c) ug/l	0.0017	0.55*	1.1*
1,2-Dichloroethane (c) ug/l	3.8	45050*	90100*
Dieldrin (c) ug/l	0.000026	1.25*	2.5*
Endosulfan ug/l	0.15	0.28	0.56
Endrin ug/l	0.013 <u>0.016</u>	0.090	0.18
Fecal coliform organisms			

Not to exceed 200 organisms per 100 milliliters as a geometric mean of not less than five samples in any calendar month, nor shall more than ten percent of all samples taken during any calendar month individually exceed 2,000 organisms per 100 milliliters. The standard applies only between March 1 and October 31.

Fluoranthene ug/l	4.1	199	398
Heptachlor (c) ug/l	0.00035 <u>0.00039</u>	0.26*	0.52*
Heptachlor epoxide (c) ug/l	0.00048	0.27*	0.53*
Hexachlorobenzene (c) ug/l	0.00022	none	none
Lindane (c) ug/l (Hexachlorocyclohexane gamma-)	0.012 <u>0.032</u>	1.0 <u>4.4*</u>	2.0 <u>8.8*</u>
Methylene chloride (c) ug/l (Dichloromethane)	46	9600*	19200*
pH value			
Not less than 6.5 nor greater than 9.0			
Polychlorinated biphenyls, total (c) ug/l	0.000029	1.0*	2.0*
Silver, total ug/l			

The ~~CC~~ CS shall not exceed: 1.0.

The ~~MC~~ MS shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-7.2156)$ and the FAV shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-6.52)$ provided that the ~~MC~~ MS and FAV shall be no less than 1.0 ug/l.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Silver standards in ug/l at various hardness values

	Hardness mg/l			
	50	n/a	1.0	1.2
	100	n/a	2.0	4.1
	200	n/a	6.7	13

Temperature

5°F above natural in streams and 3°F above natural in lakes, based on monthly average of the maximum daily temperature, except in no case shall it exceed the daily average temperature of 86°F.

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.

Adopted Rules

~~2,3,7,8-Tetrachlorodibenzo-p-dioxin (e)~~

picograms/l	0.0012	none	none
1,1,2,2-Tetrachloroethane (c) ug/l	1.54	1127*	2253*
Toxaphene (c) ug/l	0.0016	0.73*	1.5*
	<u>0.0013</u>		
Turbidity value NTUs	25	none	none
Vinyl chloride (c) ug/l	0.15	none	none

C. Class 2B. The quality of this class of the surface waters of the state shall be such as to permit the propagation and maintenance of cool or warm water sport or commercial fishes and their habitats and be suitable for aquatic recreation of all kinds, including bathing, for which the waters may be usable. This class of surface water is not protected as a source of drinking water. The applicable standards are given below, with substances considered carcinogenic and having human health-based standards followed by a (c). Part ~~7050.0218~~ 7050.0220, subpart ~~2~~ 3, item ~~F~~ H, should be referenced for FAVs and ~~MC~~ MS values noted with an asterisk (*):

Substance or Characteristic (c) = carcinogen	CC <u>CS</u>	Standard MC <u>MS</u>	FAV
Acenaphthene ug/l	12	41	81
Acrylonitrile (c) ug/l	0.89	1140*	2281*
Aluminum, total ug/l	125	1072	2145
Ammonia un-ionized as N ug/l	40	none	none

The percent un-ionized ammonia can be calculated for any temperature and pH as described in item A.

Anthracene ug/l	0.029	0.78	1.6
Arsenic, total ug/l	70	360	720
Benzene (c) ug/l	111 <u>114</u>	4400 <u>4487</u>	8800 <u>8974</u>
Bromoform ug/l	558	2900	5800
Cadmium, total ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(0.7852[\ln(\text{total hardness mg/l})]-3.49)$.

The ~~MC~~ MS shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-1.685)$.

The FAV shall not exceed: $\exp.(1.128[\ln(\text{total hardness mg/l})]-0.9919)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Cadmium standards in ug/l at various hardness values

	Hardness mg/l		
	50	100	200
	0.66	1.1	2.0
	15	33	73
	31	67	146
Carbon tetrachloride (c) ug/l	5.9	1750*	3500*
Chlordane (c) ug/l	0.00029	1.2*	2.4*
Chloride mg/l	230	860	1720
Chlorine, total residual ug/l	6	19	38

Applies to conditions of continuous exposure, where continuous exposure refers to chlorinated effluents that are discharged for more than a total of two hours in any 24-hour period.

Chlorobenzene ug/l (Monochlorobenzene)	10	423	846
Chloroform (c) ug/l	224	2235	4471
Chlorpyrifos ug/l	0.041	0.083	0.17
Chromium + 3, total ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(0.819[\ln(\text{total hardness mg/l})] + 1.561)$.

The ~~MC~~ MS shall not exceed: $\exp.(0.819[\ln(\text{total hardness mg/l})] + 3.688)$.

The FAV shall not exceed: $\exp.(0.819[\ln(\text{total hardness mg/l})] + 4.38)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Chromium + 3 standards in ug/l at various hardness values

Hardness mg/l			
50	117	984	1966
100	207	1737	3469
200	365	3064	6120

Chromium + 6, total ug/l	11	16	32
Copper, total ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(0.62[\ln(\text{total hardness mg/l})]-0.57)$.

The ~~MC~~ MS shall not exceed: $\exp.(0.9422[\ln(\text{total hardness mg/l})]-1.464)$.

The FAV shall not exceed: $\exp.(0.9422[\ln(\text{total hardness mg/l})]-0.7703)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Copper standards in ug/l at various hardness values

Hardness mg/l			
50	6.4	9.2	18
100	9.8	18	35
200	15	34	68

Cyanide, free ug/l	5.2	22	45
Dissolved oxygen mg/l	5 as a daily minimum	none	none

This standard applies to all Class 2 waters except for the reach of the Mississippi River from the outlet of the metro wastewater treatment works in Saint Paul (River Mile 835) to Lock and Dam No. 2 at Hastings (River Mile 815). For this reach of the Mississippi River the standard is not less than five milligrams per liter as a daily average from April 1 through November 30, and not less than four milligrams per liter at other times.

This dissolved oxygen standard requires compliance with the standard 50 percent of the days at which the flow of the receiving water is equal to the lowest weekly flow with a once in ten year recurrence interval (7Q10).

DDT (c) ug/l	0.0017	0.55*	1.1*
1,2-Dichloroethane (c) ug/l	190	45050*	90100*
Dieldrin (c) ug/l	0.000026	1.25*	2.5*
Di-2-Ethylhexyl phthalate (c) ug/l	2.1	none	none
Di-n-Octyl phthalate ug/l	30	825	1650
Endosulfan ug/l	0.15	0.28	0.56
Endrin ug/l	0.013 <u>0.016</u>	0.090	0.18
Ethylbenzene ug/l	68	1859	3717
Fecal coliform organisms			

Not to exceed 200 organisms per 100 milliliters as a geometric mean of not less than five samples in any calendar month, nor shall more than ten percent of all samples taken during any calendar month individually exceed 2,000 organisms per 100 milliliters. The standard applies only between March 1 and October 31.

Fluoranthene ug/l	4.6	199	398
Heptachlor (c) ug/l	0.00035 <u>0.00039</u>	0.26*	0.52*
Heptachlor epoxide (c) ug/l	0.00048	0.27*	0.53*
Hexachlorobenzene (c) ug/l	0.00022	none	none
Lead, total ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(1.273[\ln(\text{total hardness mg/l})]-4.705)$.

The ~~MC~~ MS shall not exceed: $\exp.(1.273[\ln(\text{total hardness mg/l})]-1.460)$.

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Adopted Rules

The FAV shall not exceed: $\exp.(1.273[\ln(\text{total hardness mg/l})]-0.7643)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Lead standards in ug/l at various hardness values

Hardness mg/l			
50	1.3	34	68
100	3.2	82	164
200	7.7	197	396
Lindane (c) ug/l (Hexachlorocyclohexane gamma-)	0.012 0.036	1.0 4.4*	2.0 8.8*
Mercury, total ug/l	0.0069	2.4*	4.9*
Methylene chloride (c) ug/l (Dichloromethane)	1561	9600	19200
Nickel, total ug/l			

For waters with total hardness values greater than 143 mg/l, the ~~CC~~ CS shall not exceed the human health-based criterion of 213 ug/l. For waters with total hardness values less than 144 mg/l, the ~~CC~~ CS shall not exceed: $\exp.(0.846[\ln(\text{total hardness mg/l})] + 1.1645)$.

The ~~MC~~ MS shall not exceed: $\exp.(0.846[\ln(\text{total hardness mg/l})] + 3.3612)$.

The FAV shall not exceed: $\exp.(0.846[\ln(\text{total hardness mg/l})] + 4.0543)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Nickel standards in ug/l at various hardness values

Hardness mg/l			
50	88	789	1578
100	158	1418	2836
200	213	2549	5098
Oil ug/l	50 500	5000	10000
Parathion ug/l	0.013	0.07	0.13
Pentachlorophenol ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(1.005[\text{pH}]-5.290)$.

The ~~MC~~ MS shall not exceed: $\exp.(1.005[\text{pH}]-4.830)$.

The FAV shall not exceed: $\exp.(1.005[\text{pH}]-4.1373)$.

Pentachlorophenol standards in ug/l at various pH values

pH			
7.0	5.7	9.1	18
7.5	9.5	15	30
8.0	16	25	50
pH value			
not less than 6.5			
nor greater than 9.0			
Phenanthrene ug/l	2.1	29	58
Phenol ug/l	123	2214	4428
Polychlorinated biphenyls, total (c) ug/l	0.000029	1.0*	2.0*
Radioactive materials			

Not to exceed the lowest concentration permitted to be discharged to an uncontrolled environment as prescribed by the appropriate authority having control over their use.

Selenium, total ug/l	5.0	20	40
Silver, total ug/l			

The ~~CC~~ CS shall not exceed: 1.0.

The ~~MC~~ MS shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-7.2156)$ and the FAV shall not exceed: $\exp.(1.72[\ln(\text{total hardness mg/l})]-6.52)$ provided that the ~~MC~~ MS and FAV shall be no less than 1.0 ug/l.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Silver standards in ug/l at various hardness values

Hardness mg/l			
50	n/a	1.0	1.2
100	n/a	2.0	4.1
200	n/a	6.7	13

Temperature

5°F above natural in streams and 3°F above natural in lakes, based on monthly average of the maximum daily temperature, except in no case shall it exceed the daily average temperature of 86°F.

~~2,3,7,8-Tetrachlorodibenzo-p-dioxin (e)~~

picograms/l	0.0012	none	none
1,1,2,2-Tetrachloroethane (c) ug/l	13	1127	2253
Tetrachloroethylene (c) ug/l	5-3 <u>8.9</u>	428	857
Toluene ug/l	253	1352	2703
Toxaphene (c) ug/l	0.0016	0.73*	1.5*
	<u>0.0013</u>		
1,1,1-Trichloroethane ug/l	263	2628	5256
1,1,2-Trichloroethylene (c) ug/l	120	6988	13976
2,4,6-Trichlorophenol ug/l	2.0	102	203
Turbidity value NTUs	25	none	none
Vinyl chloride (c) ug/l	7.6	none	none
Xylene, total m, p, and o ug/l	166	1407	2814
Zinc, total ug/l			

The ~~CC~~ CS shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 0.7615)$.

The ~~MC~~ MS shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 0.8604)$.

The FAV shall not exceed: $\exp.(0.8473[\ln(\text{total hardness mg/l})] + 1.5536)$.

For hardness values greater than 400 mg/l, 400 mg/l shall be used in the calculation of the standard.

Zinc standards in ug/l at various hardness values

Hardness mg/l			
50	59	65	130
100	106	117	234
200	191	211	421

D. Class 2C. The quality of this class of ~~the surface~~ waters of ~~the state~~ shall be such as to permit the propagation and maintenance of rough fish or species commonly inhabiting waters of the vicinity under natural conditions, maintain the habitat for such fisheries, and be suitable for boating and other forms of aquatic recreation for which the waters may be usable. The standards for Class 2B waters listed in item C shall apply to these waters except as listed below:

Substance or Characteristic	CC <u>CS</u>	Standard MC <u>MS</u>	FAV
Dissolved oxygen mg/l	5 as a daily minimum	none	none

This standard applies to all Class 2 waters except for the reach of the Mississippi River from the outlet of the metro wastewater treatment works in Saint Paul (River Mile 835) to Lock and Dam No. 2 at Hastings (River Mile 815) and except for the reach of the Minnesota River from the outlet of the Blue Lake wastewater treatment works (River Mile 21) to the mouth at Fort Snelling. For this reach of the Mississippi River the standard is not less than five milligrams per liter as a daily average from April 1 through November 30, and not less than four milligrams per liter at other times. For the specified reach of the Minnesota River the standard shall be not less than five milligrams per liter as a daily average year-round.

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Adopted Rules

This dissolved oxygen standard requires compliance with the standard 50 percent of the days at which the flow of the receiving water is equal to the lowest weekly flow with a once in ten year recurrence interval (7Q10).

Temperature

5°F above natural in streams and 3°F above natural in lakes, based on monthly average of the maximum daily temperature, except in no case shall it exceed the daily average temperature of 90°F.

For all classes of fisheries and recreation waters, the aquatic habitat, which includes the waters of the state and stream bed, shall not be degraded in any material manner, there shall be no material increase in undesirable slime growths or aquatic plants, including algae, nor shall there be any significant increase in harmful pesticide or other residues in the waters, sediments, and aquatic flora and fauna; the normal fishery and lower aquatic biota upon which it is dependent and the use thereof shall not be seriously impaired or endangered, the species composition shall not be altered materially, and the propagation or migration of the fish and other biota normally present shall not be prevented or hindered by the discharge of any sewage, industrial waste, or other wastes to the waters.

No sewage, industrial waste, or other wastes from point or nonpoint sources shall be discharged into any of the waters of this category so as to cause any material change in any other substances or characteristics which may impair the quality of the waters of the state or the aquatic biota of any of the above listed classes or in any manner render them unsuitable or objectionable for fishing, fish culture, or recreational uses. Additional selective limits or changes in the discharge bases may be imposed on the basis of local needs.

E. To prevent acutely toxic conditions, concentrations of toxic pollutants from point or nonpoint sources must not exceed the FAV as a one-day average at the point of discharge or in the surface water consistent with parts 7050.0210, subpart 5; 7050.0211, subpart 1; 7050.0212, subpart 6; and 7050.0214, subpart 1.

If a discharge is composed of a mixture of more than one chemical, and the chemicals have the same mode of toxic action, the commissioner has the option to apply an additive model to determine the toxicity of the mixture using the following formula:

$$\frac{C1}{FAV1} + \frac{C2}{FAV2} + \dots + \frac{Cn}{FAVn} \text{ equals a value of one or more, an acutely toxic condition is indicated}$$

where: $C1 \dots Cn$ is the concentration of the first to the nth toxicant.
 $FAV1 \dots FAVn$ is the FAV for the first to the nth toxicant.

F. To prevent chronically toxic conditions, concentrations of toxic pollutants must not exceed the applicable CS or MS in surface waters outside allowable mixing zones as described in part 7050.0210, subpart 5. The CS and MS will be averaged over the following durations: the MS will be a one-day average; the CS, based on toxicity to aquatic life, will be a four-day average; and the CS, based on human health or wildlife toxicity, will be a 30-day average.

G. Concentrations of carcinogenic chemicals from point or nonpoint sources, singly or in mixtures, should not exceed a risk level of one chance in 100,000 in surface waters. Carcinogenic chemicals will be considered additive in their effect according to the following formula unless an alternative model is supported by available scientific evidence. The additive formula applies to chemicals that have a human health-based standard calculated with a cancer potency factor.

$$\frac{C1}{CC1} + \frac{C2}{CC2} + \dots + \frac{Cn}{CCn} \text{ equals a value of one or more, a risk level greater than } 10^{-5} \text{ is indicated}$$

where: $C1 \dots Cn$ is the concentration of the first to the nth carcinogen.
 $CC1 \dots CCn$ is the drinking water plus fish consumption criterion (dfCC) or fish consumption criterion (fCC) for the first to the nth carcinogenic chemical.

H. For carcinogenic or highly bioaccumulative chemicals with BCFs greater than 5,000 or log Kow values greater than 5.19, the human health-based CS may be two or more orders of magnitude smaller than the acute toxicity-based MS. If the commissioner finds that a very large MS and FAV, relative to the CS for such pollutants is not protective of the public health, the MS and FAV shall be reduced according to the following guidelines:

If the ratio of the MS to the CS is greater than 100, the CS times 100 should be substituted for the applicable MS, and the CS times 200 should be substituted for the applicable FAV. Any effluent limitation derived using the procedures of this item shall only be required after the discharger has been given notice of the specific proposed effluent limitations and an opportunity to request a hearing as provided in parts 7000.1000 and 7001.0130.

Subp. 3a. Site-specific modifications of standards. The standards listed in subpart 3 are subject to review and modification as applied to a specific surface water reach or segment in the course of development of a permit effluent limitation or the evaluation of

a remedial action cleanup activity. If site-specific information is available that shows that a site-specific modification is more appropriate than the statewide standard for a particular water or reach to be protected by the permit or cleanup activity, the site-specific information will be applied.

The information supporting a site-specific modification can be provided by the commissioner, or by any person outside the agency. The commissioner shall evaluate all data in support of a modified standard and determine whether a change in the standard for a specific water or reach is justified.

Any effluent limitation determined to be necessary based on a modified standard shall only be required after the discharger has been given notice to the specific proposed effluent limitations and an opportunity to request a hearing as provided in parts 7000.1000 and 7001.0130.

Subp. 8. **Class 7. Limited resource value waters.** The quality of this class of waters of the state shall be such as to protect aesthetic qualities, secondary body contact use, and groundwater for use as a potable water supply. Limits or concentrations of substances or characteristics given below shall not be exceeded in the waters:

Substance or Characteristic	Standard
Fecal coliform organisms	Not to exceed 1,000 organisms per 100 milliliters in any calendar month as determined by the logarithmic mean of a minimum of five samples, nor shall more than ten percent of all samples taken during any calendar month individually exceed 2,000 organisms per 100 milliliters. The standard applies only between May 1 and October 31.

pH value
Not less than 6.0
nor greater than 9.0

Dissolved oxygen
At concentrations which will avoid odors or putrid conditions in the receiving water or at concentrations at not less than 1 mg/l (daily average) provided that measurable concentrations are present at all times.

Toxic substances <u>Pollutants</u>	Toxic substances <u>pollutants</u> shall not be allowed in such quantities or concentrations that will impair the specified uses.
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7050.0470 CLASSIFICATIONS FOR WATERS IN MAJOR SURFACE WATER DRAINAGE BASINS.

Subp. 4. **Upper Mississippi River Basin.** The water use classifications for the listed waters in the Upper Mississippi River Basin are as identified in items A and B:

A. Streams:

(68) *Mississippi River, [11/5/84R] (From Fort Ripley to the southerly ~~border~~ boundary of Morrison County): 1C, 2Bd, 3B;

(79) Pike Creek (~~except~~ excluding Class 7 segment), (T.129, R.30): 2C;

Subp. 5. **Minnesota River Basin.** The water use classifications for the listed waters in the Minnesota River Basin are as identified in items A, B, and C:

A. Streams:

(28) County Ditch No. 6 (Judicial Ditch No. 11), Janesville, (T.107, R.24, S.4, 8, 9, 17, 18; T.107, R.25, S.13): 7;

(30) County Ditch No. 12 (County Ditch No. 45), Waseca, (T.107, R.23, S.22, 23): 7;

(121) Unnamed Ditch (County Ditch No. 47), New Richland, (T.105, R.22, S.17, 18, 19; T.105, R.23, S.24): 7;

(124) Unnamed Ditch (County Ditch No. 45), Waseca, (T.107, R.23, S.14, 23): 7;

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Adopted Rules

Subp. 9. **Missouri River Basin.** The water use classifications for the listed waters in the Missouri River Basin are as identified in items A and B:

B. Fens:

- (1) *Adrian fen, (T.102, R.43, S.11): 2B, 3B;
- (2) *Burke State Wildlife Management Area fen, (T.106, R.44, S.28): 2B, 3B; and
- (3) *Altona State Wildlife Management Area fen, (T.108, R.46, S.1; T.109, R.45, S.31): 2B, 3B.

Nursing Home Administration Licensure Board

Adopted Permanent Rules Relating to Examination Scores

The rules proposed and published at *State Register*, Volume 14, Number 45, page 2581, May 7, 1990 (14 SR 2581) are adopted as proposed.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Administration

Adopted Emergency Amendments to Permanent Rules Relating to the Small Business Procurement Program

The rules proposed and published at *State Register*, Volume 15, Number 5, pages 293-307, July 30, 1990 (15 SR 293) are adopted with the following modifications:

Rules as Adopted**1230.1700 CERTIFICATION OF ELIGIBILITY.**

Subpart 1. **Required information.** To qualify for the preference programs established by *Minnesota Statutes*, section 16B.19, subdivisions 2a to 2d, each business shall file with the Materials Management Division the following information on the application forms provided:

B. which type of designation as a small business, socially disadvantaged small business or economically disadvantaged area small business, is being applied for:

(1) socially disadvantaged small businesses are those businesses owned by socially disadvantaged persons as defined by Minnesota Department of Administration, part 1230.1550, subpart 24; or

Subp. 6. **Appeal of rejection of application.** After an applicant has received written notice of rejection of the application for certification as a socially disadvantaged small business or economically disadvantaged area small business, the applicant may appeal the decision in writing to the commissioner of administration within 15 calendar days of receipt of the determination. If there are facts in dispute, the commissioner may refer the matter to the Office of Administrative Hearings for a contested case hearing under *Minnesota Statutes*, sections 14.57 to 14.62. The applicant has the burden of proof in establishing qualifications for certification. The commissioner shall, if feasible time permits, refer the appeal to the Small Business Procurement Advisory Council for its recommendation before reaching a final decision. The commissioner shall make a final decision in writing within 45 calendar days of receipt of the appeal.

1230.1820 REQUIRED SUBCONTRACTING FOR CONSTRUCTION, CONSULTING, OR PROFESSIONAL OR TECHNICAL SERVICES.

Subpart 1. **Goal setting.** The division may set goals that require prime contractors to subcontract a portion of any contract for construction, consulting, or professional or technical services to targeted group small businesses.

A. Goals for subcontracting ~~may be independently set for each contract and may vary from contract to contract, depending on~~ will depend upon the type of work involved and the availability of certified, willing, and able targeted group small businesses open to subcontracts from the prime contractor.

Subp. 4. **Incentives and penalties.** Bid documents will state whether or not the incentive rule applies for the project being bid. If so,

B. Prime contractors who have been awarded a contract and fail to meet the project goal for certified targeted group subcontractor use without approved waiver shall be penalized up to six percent of the total project value, not to exceed \$60,000. The penalty to be assessed will be proportionate to the actual underuse of certified targeted group subcontractors as compared to the project goal. The contractor involved shall be notified in writing of the proposed penalty and the reasons for the penalty. Within 15 calendar days of receipt of the notice the contractor may request a hearing before the ~~Materials Management Review Board~~ director or the director's designee. The ~~board~~ director may uphold, modify, or reject the penalty. The decision of the ~~board~~ director may be appealed within 30 calendar days to the commissioner. If there are facts in dispute, the commissioner may refer the matter to the Office of Administrative Hearings for a contested case hearing under *Minnesota Statutes*, sections 14.57 to 14.62, or, if feasible, may affirm or reject the ~~board's~~ director's decision.

1230.1900 GENERAL TERMS AND CONDITIONS.

Subp. 5. **Dividing bid invitations.** The director of the division shall divide bid invitations by dollar amounts, units of production, or duration of contract to facilitate awarding set-aside or preference contracts ~~wherever the division is considered~~ where economically feasible.

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.

Withdrawn Rules

Board of Marriage and Family Therapy

Notice of Withdrawal of Rules as Proposed

Notice is hereby given that the rules relating to marriage and family therapy that were proposed at 15 *State Register* 167, July 23, 1990 are hereby withdrawn. A new version of the rules has been proposed and was published at 15 *State Register* 931, October 22, 1990.

Persons having questions about this matter may contact Sharon Davern-Fecker, Chairperson, Board of Marriage and Family Therapy, 2700 University Avenue West, Suite 225, St. Paul, MN 55114.

Dated: 23 October 1990

Errata

Board of Marriage and Family Therapy

Correction to Proposed Permanent Rules for Marriage and Family Therapy

This corrects a publication error in rules published and proposed at 15 *State Register* 931, October 22, 1990. Due to a proofing error, the stricken language in proposed rule, part 5300.0320, subpart 4, items A and D should have been omitted and the underscored language should have appeared without underscoring.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, 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.

Minnesota State Agricultural Society Minnesota State Fair

Meeting Notice

The board of managers of the Minnesota State Agricultural Society, governing body of the State Fair, will conduct a business meeting at 10 a.m. Monday Nov. 5 at the Administration Building on the fairgrounds. Preceding the general meeting will be a meeting of the board's space rental committee at 9 a.m.

Board of Animal Health

Notice of Board Meeting

A meeting of the Board of Animal Health has been scheduled for Friday, November 30, 1990 at the board offices at 9:30 a.m. The board offices are located at 90 W. Plato Blvd., St. Paul, MN 55107.

Information about this meeting may be obtained by calling the board office at 612-296-5000.

Eugene H. Kirchoff
Accounting Supervisor

Department of Commerce

Notice of Activation of the Minnesota Joint Underwriting Association to Insure Specified Classes of Business and Public Hearing

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes*, section 62I.21, the Minnesota Joint Underwriting Association (MJUA) and the Market Assistance Plan (MAP) are activated to provide assistance to the following classes of business unable to obtain insurance from private insurers:

- **Auto Dismantling and Parts Sales**

The MJUA and MAP are activated to provide assistance to the above classes of business for a period of 180 days following publication of this notice. A public hearing will be held, for the purpose of determining whether activation should continue beyond 180 days, at the Office of Administrative Hearings, 310-4th Avenue South, 5th Floor, Flour Exchange Building, Minneapolis, Minnesota 55415 on November 20, 1990 at 1:30 p.m. and continuing until all interested persons and groups have had an opportunity to be heard. The hearing shall be governed by *Minnesota Statute* Sections 14.57-14.69 and by *Minnesota Rules* Parts 1400.1500-1400.8400, (1985). Questions regarding the procedure may be directed to Administrative Law Judge, Peter C. Erickson, 310-4th Avenue South, 4th Floor Summit Bank Building, Minneapolis, Minnesota 55415, telephone (612) 341-7600. The authority for this proceeding is found in Chapter 62I of *Minnesota Statutes*, specifically sections 62I.21 and 62I.22. (A copy of those sections follows this notice.)

Prior to the hearing a pre-hearing conference will be held at 9:30 p.m. on November 5, 1990, at the Office of Administrative Hearings, 310-4th Avenue South, 5th Floor, Flour Exchange Building, Minneapolis, Minnesota 55415.

Minnesota Statutes, Chapter 62I, which governs the Minnesota Joint Underwriting Association provides for temporary activation for 180 days by the Commissioner of Commerce. To extend the Minnesota Joint Underwriting Association's authority beyond the 180 day period a hearing must be held. Those classes of business for which the Minnesota Joint Underwriting Association was temporarily activated, by this notice and by previously published notices, must prove, at the hearing, that they meet the statutory requirements for coverage by the Minnesota Joint Underwriting Association.

Among those requirements are:

- (1) That members of those classes are unable to obtain insurance through ordinary means;
- (2) That the insurance being sought is required by statute, ordinance, or otherwise required by law, or is necessary to earn a livelihood or conduct a business; and
- (3) That the classes of business serve a public purpose.

The classes of business specified in this notice and previously published notices must be shown to meet the statutory requirements of the Minnesota Joint Underwriting Association's authority to provide coverage to them will end after 180 days from the date the notice of activation was published in the *State Register*.

Activation of a class of business does not guarantee coverage to any class member. Coverage of individual class members is determined by the Minnesota Joint Underwriting Association on a case by case basis once the class has been activated. The MJUA's address is: Pioneer Post Office Box 1760, St. Paul, Minnesota 55101. Their phone number is (612) 222-0484.

The Department strongly suggests that any persons affected by this hearing or otherwise interested in the proceedings familiarize themselves with the requirements of Chapter 62I and the contested case procedures prior to the hearing, that they take such other steps as are appropriate to protect their interest and that any questions they may have as to how to proceed or how to participate at the hearing be directed to the Administrative Law Judge prior to the hearing.

All interested or affected persons will have an opportunity to participate at the hearing. Questioning of agency representatives or witnesses, and of interested persons making oral statements will be allowed in the manner set forth in the Rules pertaining to contested cases (*Minnesota Rules* parts 1400.1500-1400.8400).

Anyone wishing to oppose activation beyond the 180 days for any particular class, must file a petition to intervene with the administrative law judge at least 10 days before the hearing date. If no notice to intervene is filed for a class, then the class is activated beyond the 180 day period without further action.

Minnesota Statutes chapter 10A requires each lobbyist to register with the State of Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statute* Section 10A.01, subdivision 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 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

Official Notices

(b) Who spends more than \$250, not including 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.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101, telephone (612) 296-5148.

Dated: 19 October 1990

62I.21 ACTIVATION OF MARKET ASSISTANCE PLAN AND JOINT UNDERWRITING ASSOCIATION.

At any time the commissioner of commerce deems it necessary to provide assistance with respect to the placement of general liability insurance coverage on Minnesota risks for a class of business, the commissioner shall by notice in the *State Register* activate the market assistance plan and the joint underwriting association. The plan and association are activated for a period of 180 days from publication of the notice. At the same time the notice is published, the commissioner shall prepare a written petition requesting that a hearing be held to determine whether activation of the market assistance plan and the joint underwriting association is necessary beyond the 180-day period. The hearing must be held in accordance with section 62I.22. The commissioner by order shall deactivate the market assistance program and the joint underwriting association at any time the commissioner finds that the market assistance program and the joint underwriting association are not necessary.

62I.22 HEARING.

Subdivision 1. ADMINISTRATIVE LAW JUDGE. The commissioner shall forward a copy of the petition to activate the market assistance plan and the joint underwriting association with respect to a class of business to the chief administrative law judge. The chief administrative law judge shall, within three business days of receipt of the copy of the petition, set a hearing date, assign an administrative law judge to hear the matter, and notify the commissioner of the hearing date and administrative law judge assigned to the matter. The hearing date must be no less than 60 days nor more than 90 days from the date of receipt of the petition by the chief administrative law judge.

Subd. 2. NOTICE. The commissioner of commerce shall publish notice of the hearing in the *State Register* at least 30 days before the hearing date. The notice should be that used for rulemaking under chapter 14. Approval by the administrative law judge of the notice prior to publication is not required. The notice must contain a statement that anyone wishing to oppose activation beyond 180 days for any particular class, must file a petition to intervene with the administrative law judge at least ten days before the hearing date. If no notice to intervene is filed for a class then the class is activated beyond the 180 day period without further action.

Subd. 3. CONTESTED CASE; REPORT. The hearing and all matters after the hearing are a contested case under chapter 14. Within 45 days from the commencement of the hearing and within 15 days of the completion of the hearing of the administrative law judge shall submit a report to the commissioner of commerce. The parties, or the administrative law judge, if the parties cannot agree, shall adjust all time requirements under the contested case procedure to conform within the 45 day requirement.

Subd. 4. DECISION. The commissioner shall make a decision within ten days of the receipt of the administrative law judge's report.

Subd. 5. WAIVER OF MODIFICATION. If all parties to the proceeding agree, any of the requirements of this section may be waived or modified.

Subd. 6. CASE PRESENTATION. The department of commerce, upon request by small businesses as defined by section 14.115, subdivision 1, shall assist small businesses in any specific class requesting continuation of coverage beyond the 180 day period, in coordinating the class and presenting the case in the contested hearing.

Legislative Coordinating Commission

Notice of Opening of Nominations for Four Positions on the Board of Regents of the University of Minnesota

Nominations are open for four positions on the Board of Regents of the University of Minnesota. Terms of the four members from Congressional Districts 1, 4, 6 and 7 will expire in 1991, creating four vacancies. The Regent Candidate Advisory Council will screen applicants and recommend candidates to the Legislature. Nominees may be self-appointed or nominated by one or more citizens. For further information and/or applications, please contact Mary E. Ryan, (612) 296-1121 or write to Room 85, State Office Building, St. Paul, MN 55155. Nominations will close November 15, 1990. Applications of those nominated must be postmarked no later than December 1, 1990.

Public Employees Retirement Association

Board of Trustees, Notice of Meetings

The next regular meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) is scheduled to be held on Thursday, November 8, 1990, at 3:00 p.m. in the Association offices, 514 St. Peter Street, Suite 200, St. Paul, Minnesota. The meeting will be followed by a Town Meeting at 6:30 p.m. in the Earle Brown Continuing Education Center at the University of Minnesota St. Paul Campus, 1890 Buford Avenue, St. Paul, Minnesota.

A special meeting of the PERA Board of Trustees is scheduled to be held on Tuesday, November 20, 1990, at 9:00 a.m. in the Association offices to interview final candidates for the executive director position.

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, November 28, 1990, at 9:30 a.m. in Suite 500, Gallery Building, 17 West Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management 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 whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

Commodity: Propane tanks
Contact: Steve Burgstahler 296-3775
Bid due date at 2pm: November 9
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 79382-02140

Commodity: Amusement & handcar system
Contact: Steve Burgstahler 296-3775
Bid due date at 2pm: November 9
Agency: Iron Range Resources & Rehabilitation Board
Deliver to: Eveleth
Requisition #: 43000-13986

Commodity: Lottery vinyl playslip holders
Contact: Linda Parkos 296-3725
Bid due date at 2pm: November 9
Agency: Minnesota State Lottery
Deliver to: Roseville
Requisition #: 99997-00047

Commodity: Gambling control files
Contact: John Bauer 296-2621
Bid due date at 4:30pm: November 9
Agency: Gaming Department
Deliver to: St. Paul
Requisition #: 09200-91045

Commodity: Copier rental
Contact: John Bauer 296-2621
Bid due date at 4:30pm: November 9
Agency: Department of Natural Resources
Deliver to: Bemidji
Requisition #: 29001-17613

Commodity: "Sound Proof" dance studio & stage
Contact: Pamela Anderson 296-1053
Bid due date at 4:30pm: November 9
Agency: Center for Arts Education
Deliver to: Golden Valley
Requisition #: 25000-10318

State Contracts and Advertised Bids

Commodity: 3090/400J Memory Upgrade
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: November 13
Agency: InterTechnologies Group-Administration Department
Deliver to: St. Paul
Requisition #: 02410-12017

Commodity: Buses
Contact: Mary Jo Bruski 296-3772
Bid due date at 2pm: November 27
Agency: Transportation Department
Deliver to: Various
Requisition #: 79000-12171

Commodity: Standby generator and switchgear
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 14
Agency: Vets Home
Deliver to: Minneapolis
Requisition #: 02305-13189

Commodity: Unleaded gasoline and diesel fuel
Contact: Dale Meyer 296-3773
Bid due date at 2pm: November 14
Agency: Transportation Department
Deliver to: Detroit Lakes
Requisition #: Price Contract

Commodity: Plotter supplies
Contact: Ann Wefald 296-2546
Bid due date at 2pm: November 19
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Department of Commerce Regulated Profession Publications

Banking Laws 1989. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$31.95

Business and Nonprofit Corporation Act of 1989. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$15.00

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00

Insurance Laws 1988. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

Insurance Rules 1989. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1 \$18.00

Notary Public Laws 1989. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$5.00

Real Estate Laws 1988. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$7.00

Real Estate Rules 1987. Contains all education and licensing requirements for agents. Chapters 2800.2805, and 2810. Code #3-99 \$8.00

Securities Laws 1989. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$7.00

Securities Rules 1988. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$14.00

Banking Rules 1987. Code #3-81. \$6.00

Uniform Commercial Code 1986. Chapter 336, U.S. laws governing trade, including contracts, title, payment, warranties, performance and liability. Code #2-2 \$10.00

Mailing Lists. All kinds available. Call to receive a copy of mailing list service packet, (612) 297-2552.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.

Commodity: Motor vehicle sticker envelope, 300M 6½"x3¾", with window 2¾"x1", glue line on right side of pocket, camera ready, 2-sided, 1-color
Contact: Printing Buyer's Office
Bids are due: November 8
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 12446

Commodity: University brochure, 5M 5½"x12½", 20 pages per book, 4-color process + 2 PMS colors, screen tints, self cover, 10 transparency, camera ready, 2-sided
Contact: Printing Buyer's Office
Bids are due: November 8
Agency: State University
Deliver to: Moorhead
Requisition #: 12454

Commodity: Uniform traffic ticket, 100M 4-part sets, 4¼"x7½" detached, preprinted numbering, type to set, 1- and 2-sided, stub at top of tickets, chipboard back
Contact: Printing Buyer's Office
Bids are due: November 8
Agency: State Patrol
Deliver to: St. Paul
Requisition #: 12476

Professional, Technical & Consulting Contracts

Commodity: Salary Deduction Report, 200M 3-part forms, 9 $\frac{7}{8}$ "x11" overall includes pinfeeds, type to set and camera ready

Contact: Printing Buyer's Office

Bids are due: November 9

Agency: Public Employees Retirement Assn.

Deliver to: St. Paul

Requisition #: 12510

Commodity: Minnesota Health Statistics-1988, 1,500 books 196 pages + cover, 8 $\frac{1}{2}$ "x11", camera ready, 1- and 2-sided, perfect bind with dividers

Contact: Printing Buyer's Office

Bids are due: November 9

Agency: Minnesota Health Department

Deliver to: Minneapolis

Requisition #: 12164

Commodity: Minnesota Careers 1990, 40M 36-pages self cover, 22"x17", folded to 11"x17", camera ready, 2-sided, saddle stitch

Contact: Printing Buyer's Office

Bids are due at 2pm: November 13

Agency: Jobs and Training Department

Deliver to: St. Paul

Requisition #: 12349

Commodity: Lead Report, 5M books, 42-pages + cover, 8 $\frac{1}{2}$ "x11", 10 screens, 3 halftones, 1 PMS color + black, perfect bind

Contact: Printing Buyer's Office

Bids are due at 2pm: November 13

Agency: Minnesota Health Department

Deliver to: Minneapolis

Requisition #: 9773

Professional, Technical & Consulting Contracts

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. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Department of Corrections

Notice of Request for Proposals for Certified Chemical Dependency Counselor

The Minnesota Department of Corrections is seeking proposals for a Certified Chemical Dependency Counselor to provide chemical dependency education to the American Indian populations at the Stillwater, Lino Lakes and Shakopee facilities.

DUTIES AND RESPONSIBILITIES

- Develop a Substance Abuse education program specific to the needs and issues of the American Indian
- Participate in institution chemical dependency meetings as indicated to assure continuity with other on-going programs
- Develop assessment instruments which measures and evaluates learning experiences of participants

KNOWLEDGE AND SKILLS

- Knowledge of Substance Abuse education curriculums
- Knowledge of American Indian issues surrounding chemical dependency
- Skills and ability to establish trusting relationships with American Indian program participants

SPECIAL REQUIREMENTS

- Certification as a Chemical Dependency Counselor

For further information contact:

Dana Baumgartner, Health Care Administrator
Minnesota Department of Corrections
300 Bigelow Building
450 No. Syndicate
St. Paul, MN 55105
(612) 642-0248

Proposals must be received no later than 4:30 p.m. November 16, 1990.

State Designer Selection Board

Request for Proposal for Two Projects: Construction at the University of Minnesota-Minneapolis and Camp Ripley, Little Falls

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for two projects. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., November 27, 1990, 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) *Mandatory Proposal contents in sequence:*

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) 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 desired, identify roles that such persons played in projects which are relevant to the project at hand.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall *list and total* all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above.

e) A section 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. It must be noted if the personnel named were, at the time of the work, employed by other than their present firms.

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) *Statutory Proposal Requirements:*

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, 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.

The 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 the firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or

c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or

d) A statement certifying that the firm has an application pending for a certificate of compliance.

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 stamped 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; or

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.

Professional, Technical & Consulting Contracts

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.

7a) PROJECT—32-90

University Child Care Center
University of Minnesota

The University of Minnesota is planning to build a new University Child Care Facility near the Minneapolis Campus. The building will serve an existing program which is widely recognized for its excellence and innovation. The site is located at the southeastern corner of the intersection of Como Avenue Southeast and Rollins Street Southeast, currently a surface parking lot.

The project consists of approximately 18,000 gsf of new construction. Included will be areas for administrative and clerical functions, food service, gymnasium, and classrooms. The facility will serve approximately 160 children. It will provide full time care for infants, toddlers, and preschoolers; it will also have part time 'flexible' care available. Design of a creative outdoor play area, incorporating landscape elements and play equipment to meet the program's developmental goals, is an integral part of the project. The project has an estimated project cost of \$2,200,000.00, of which \$1,650,000.00 is for construction.

Occupancy of the facility by August 15, 1992 is a program requirement. Phased construction may be required to attain this goal. The consultant must have previous experience in the design of several day care facilities and familiarity with phased construction.

Questions concerning this project may be referred to Clinton Hewitt at (612) 625-7355.

7b) PROJECT—33-90

Bradley Gunnery/Multi-Purpose
Tank Firing Range
Camp Ripley

A. General Description of Project: The proposed is a year-round use, multi-purpose tank range for the Bradley Fighting Vehicle. This is an outdoor computer controlled moving target firing range for this new armored weapons system.

B. Estimated Project Construction Cost: \$2,125,000.00

C. Project Details: The project site is approximately three (3) square kilometers. Site design will include a firing lane road, fixed target emplacements, moving (railroad track type) target emplacements, protection berms, concrete pad firing positions, access roads and parking lot.

Electrical design will include target data and power cabling/transforming and electrical service.

Buildings include a control tower (250 SF), target storage/repair building (800 SF), dining and toilet facility (2800 SF), ammunition breakdown/loading dock (800 SF), and covered maintenance shelter (2075 SF).

Because this project primarily consists of earthwork and landscaping, it is required that a Landscape Architect or Civil Engineer be included on the design team.

D. Work to be Performed by the Designer: The work includes: topographic survey and soil test borings; the design of the complete facility; the preparation of required drawings, specifications and allied documents to include bidding documents; presiding at the bid opening; the handling of contract documents; the general supervision of the construction work for the Owner; assisting in the preparation of supplemental agreements; review and approval of shop drawings and payment requests; assisting in final acceptance of the work. The specification format will be the designer's normal for commercial work, tailored to the project.

E. Designer's Fee for the Work: The fee for design, printing, travel, topographic survey, soil testing and supervision services is Government established on a variable scale at a percentage of the construction cost of the work. Estimated fee is 5.6%. The Department of Military Affairs will provide the designer with programming documents and Department construction standards which include space criteria, supporting facility criteria, construction standards, authorized finish schedules and use relationships.

Questions concerning this project may be referred to Lt. Colonel Wayne Johnson or Thomas Vesely at (612) 632-6631.

Richard F. Whiteman, Chairman
State Designer Selection Board

Department of Education

Notice of Request for Proposals for Program Evaluation of Early Childhood Family Education K-3 Expansion Programs and Co-located Services Implementation Programs for Meeting the Needs of Targeted Children and Youth

Proposals are being solicited to conduct evaluation of **Ten Early Childhood Family Education K-3 Expansion Programs and Six Co-located Services Implementation Programs for Meeting the Needs of Targeted Children and Young People.**

This Request for Proposals is to conduct an evaluation which will identify and describe characteristics, components, arrangements and agreements used in effective education prevention programs.

The anticipated time frame for this evaluation is January 1, 1991 through December 31, 1991. Up to \$50,000 is available for this evaluation. This is a twelve-month contract.

Copies of the RFP may be obtained by contacting Nancy Montemurro at 612/296-3925 or writing the Minnesota Department of Education, Learner Support Systems, 906 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101.

Proposals must be postmarked no later than December 15, 1990, and should be mailed to the above address.

Department of Health

Request for Proposals for Program Planning Services for Four Workshops Related to Working With Families With Infants With Life-Threatening Conditions

The Minnesota Department of Health will develop and plan four (4) workshops related to working with families with infants with life-threatening conditions. These workshops are to include one (1) metro and three (3) out-state to be scheduled from 5/01/91 to 6/15/91. The Department is requesting proposals for program planning services to develop, administer, implement, and evaluate these workshops. This includes, but is not limited to, preparing workshop announcements, registering students, maintaining student records, making all physical arrangements with the hosting facilities, assisting with program development, securing presenters, arranging for professional continuing education credit or university course credit, insuring the workshop support services run smoothly, and developing all written materials and correspondence.

This request for proposals does not obligate the State to complete the project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest.

A. Scope of the Project

The contractor will provide the services required for planning and implementing the workshops. The workshops will relate to working with families with infants with life-threatening conditions. The four workshops are to be scheduled between May 1, 1991, and June 15, 1991. This work will be coordinated with the Department of Health's project representative.

B. Goals and Objectives

1. To provide training for professionals working with infants with life-threatening conditions and their families.
2. To teach professionals how to utilize the Family Needs Assessment guidelines to identify risk factors for medical neglect.
3. To help professionals identify support systems needed for families with infants with life-threatening conditions.

C. Project Tasks

1. Assist with program planning.
2. Identify, contact, and confirm presenters for the workshops.
3. Prepare and distribute all registration materials.
4. Manage all aspects of registration process.
5. Arrange for professional continuing education credit and maintain those records.
6. Propose a workshop budget outlining direct costs and other related expenses.
7. Identify host facilities and make all physical arrangements.
8. Provide on-site assistance to participants of the workshops.
9. Submit a final report on the contractor's activities expenses, and outcome of the workshops to the State.

*Respondent may propose additional tasks or activities if they will substantially improve the results of the project.

D. Proposal Cost

The Department of Health has estimated that the cost of this assistance should not exceed \$20,200.00.

E. Department Contacts

Prospective responders who have any questions regarding this request for proposal may call or write:

Katie Linde
Child Protection Service Consultant
Minnesota Department of Health
Division of Maternal and Child Health
717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440
(612) 623-5173

Other Department personnel are not allowed to discuss the project with responders before the submittal of proposal deadline.

F. Submission of Proposals

All proposals must be sent to and received by:

Katie Linde
Child Protection Service Consultant
Minnesota Department of Health
Division of Maternal and Child Health
717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440

No later than 3:00 p.m. on November 26, 1990.

Late proposals will not be accepted. Submit three (3) copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

G. Project Completion Date

The project will be completed by June 30, 1991; or within eight (8) months from the date of project authorization.

H. Proposal Contents

Each proposal needs to contain the following:

1. Outline the responder's background and experience with particular emphasis on local and state government work. Identify personnel who will conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the project director.
2. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.
3. Identify and describe the services to be provided by the responder.
4. Identify the level of the Health Department's participation in the project as well as any other services to be provided by the Department.

I. Worker's Compensation

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

J. Evaluation

All proposals received by the deadline will be evaluated by representatives of the Department of Health. In some instances an interview will be part of the evaluation process. Factors upon which proposals will be judged include, but are not limited to the following:

1. Expressed understanding of the project objectives.
2. Project work plan.
3. Project cost detail.

Professional, Technical & Consulting Contracts

4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

Evaluation and selection will be completed by December 7, 1990. Results will be sent immediately by mail to all responders.

Department of Human Services

Family Support Programs

Refugee and Immigrant Assistance Division

Request for Proposal for Self-Sufficiency Services for Soviet Refugees

NOTICE IS HEREBY GIVEN that the Refugee and Immigrant Assistance Division, Family Support Programs, Minnesota Department of Human Services, is seeking proposals for self sufficiency services to Soviet refugees in Ramsey County for the period July 1, 1990—June 30, 1991. The estimated amount available is \$50,000.

To be considered for funding, all proposals must be received by the Refugee and Immigrant Assistance Division by 4:20 p.m., CDT, November 30, 1990. We reserve the right not to act on this RFP.

We anticipate issuing a six month contract that may be renewed for a year subject to the availability of funds.

Please direct all questions and request for copies for the full Request for Proposal to Gus Avenido, 612-296-1884.

Department of Jobs and Training

Request for Proposals for Operation of Dislocated Worker Program

In accordance with *Laws of 1990*, Chapter 568, the Minnesota Department of Jobs and Training, State Job Training Office, is requesting proposals from qualified bidders for start up or to operate dislocated worker programs in the State of Minnesota. Approximately \$6,500,000 will be available for dislocated worker programs to operate during Federal Program Year 1990 (July 1, 1990 to June 30, 1991).

Request for Proposal Application is available upon request. Inquiries and request should be directed to:

Edward Retka
State Job Training Office
690 American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101
Phone (612) 296-7918

Proposals will be accepted on a continuous basis through June 30, 1991.

Department of Jobs and Training

Request for Proposals for Prefeasibility Studies

In accordance with *Laws of 1990*, Chapter 568, the Minnesota Department of Jobs and Training, State Job Training Office, will consider proposals from qualified bidders, to provide an initial assessment of the feasibility of alternative to plant closings and substantial layoffs. Grants for up to \$10,000 to eligible organizations will be available.

Request for Proposal Application is available upon request. Inquiries and request should be directed to:

Edward Retka
State Job Training Office
690 American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101
Phone (612) 296-7918

Proposals will be accepted on a continuous basis through June 30, 1991.

State University

Bemidji

Request for Proposal for Development and Conducting of Focus Groups for the Identification of the Perceptions of the University's Quarterly Publication and to Gather Information on Alumni's Support of Bemidji State University

Background

Bemidji State University, a state university established in 1919, produces a quarterly publication, *HORIZONS*, which is sent to alumni and friends of the University.

In 1983, the BSU Alumni Association Board of Directors initiated the B-1000 Club to encourage alumni contributions of \$100 or more to the annual fund. The goal is to enroll 1000 alumni that will give \$100 or more annually. The financial support provided by alumni to assist Bemidji State University scholarship programs, student recruitment efforts and alumni programs has been increasing and has become a significant portion of the annual private support received by Bemidji State.

I. Scope of Project

Bemidji State University desires to engage an experienced consultant to conduct two focus groups consisting of BSU alumni in the Minneapolis/St. Paul area, consisting of 12-15 participants in each group.

II. Objectives

- To identify what readers like and dislike about the BSU quarterly publication, *HORIZONS*.
- To identify items, topics and areas for future inclusion in *HORIZONS*.
- To determine why alumni become members of the B-1000 Club and, more generally, why alumni financially support the University and the Alumni Association.
- To identify ways to expand alumni financial support and personal involvement.

III. Project Tasks

- Meet with key university staff to develop content for focus group interviews.
- Conduct two focus group interviews in Minneapolis/St. Paul, lasting approximately two hours, to include 12-15 individuals.
- Develop conclusions, recommendations, and written reports based on the information gathered from the focus group interviews.

IV. Submission of Proposals

All proposals must be sent to and received by:

David M. Tiffany
Vice President for Development
Bemidji State University
1500 Birchmont Drive NE., #57
Bemidji, MN 56601-2699

Not later than November 15, 1990

Late proposals will not be accepted. Each respondent shall submit three proposals which are to be sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside. Each copy of the proposal must be signed by an authorized member of the firm. The University must approve any changes in the contractor's personnel and price. Prices and terms of the proposal as stated must be valid for the length of the project.

V. Project Costs

Bemidji State University has estimated that the cost of the tasks identified for this project should not exceed \$4,000.00.

VI. Project Completion Date

The project will be completed within 120 days from the date of project authorization.

VII. Proposal Contents

The following will be considered minimum contents of the proposal:

- A. A restatement of the objectives to show or demonstrate the respondent's view of the nature of the project.
- B. Identification and description of the deliverables to be provided by the respondent.

Professional, Technical & Consulting Contracts

C. An outline of the respondent's background and experience, including background and experience of individual personnel proposed for this project, along with a list of five previous customers of similar services.

D. A detailed work plan which will identify the major tasks and completion dates for each segment of the project that can be used as a scheduling and managing tool as well as the basis for invoicing.

E. Identification of the level of BSU's participation in the project as well as any other services expected to be provided by BSU.

VIII. Evaluation

All proposals received by the deadline will be evaluated. An interview may be part of the evaluation process if university representatives feel it is necessary. The award of this contract will not be based solely on price. Factors upon which proposals will be judged include, but are not limited to, the following:

A. Expressed understanding of project objectives.

B. The reasonableness and scope of the project work plan.

C. Project cost detail.

D. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the firm.

E. If references are called by the University, the relative satisfaction of previous clients.

Office of Waste Management

Notice of Request for Proposals to Develop Curricula for Solid and Hazardous Waste Management Education for Grades K-6

The Minnesota Office of Waste Management (OWM) is a state agency with responsibilities in the area of waste management education. The OWM operates a Waste Education Program ("Program"). The mission of the Program is to lessen state dependence on landfills by encouraging, through education, better waste management practices, including waste reduction, reuse, recycling and resource recovery. Through the Program, the OWM is developing waste management education curricula for grades K through 12.

In September 1989 the "Waste Reduction and Recycling Law" was passed; it gives the OWM the role and responsibility to develop and disseminate waste management education curricula for grades K-12.

The OWM seeks proposals to obtain the services of a consultant to develop curricula for solid and hazardous waste management education for grades K, 1, 2, 4, 5, and 6 based on the Learner Outcome Framework for Minnesota K-6 Solid and Hazardous Waste Curriculum.

Scope of Work

Through this RFP, the OWM is soliciting proposals to design, develop and complete for publication by September 30, 1991, solid and hazardous waste management education curricula units for each of the following grades: K, 1, 2, 4, 5, and 6. Specific experience in developing Minnesota curricula is desired, as well as understanding of and experience with waste management and other environment issues.

The OWM expects to enter into a contract by January 28, 1991, which will extend no later than September 30, 1991.

Response Information and Deadline

Copies of the Request for Proposals are available by contacting:

Ruth Marston
Minnesota Office of Waste Management
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5738

Proposals must be submitted to the OWM no later than 5:00 p.m., Monday, December 3, 1990.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Office of Waste Management

Notice of Request for Proposals for Grants and Loans for Recycling Market Development Activities

The Minnesota Office of Waste Management (OWM) is a state agency established by the Minnesota Legislature to provide financial and technical assistance to industry and local governments to encourage the proper management of hazardous and solid waste. In the area of solid waste, the OWM's objective is to minimize land disposal of solid waste through the promotion of waste reduction, recycling, and resource recovery. The OWM's Grants and Market Development Unit provides financial and technical assistance to both public and private organizations that develop and implement projects to accomplish this objective.

This notice is issued by the Director of the OWM (Director) under authority provided in *Minnesota Rules* parts 9210.0600 to 9210.0645. Under this authority, the OWM established the Recycling Market Development Grant and Loan Program, made up of three financial assistance programs: 1) County Grant Program, 2) Directed Research and Feasibility Study Grant Program, and 3) Capital Loan Program. Under these programs, the OWM intends to provide grants and loans for recycling market development activities that have broad application in the state, and that have potential for significant expansion of manufacturing capacity for recyclable materials and that increase demand for products made of recycled materials.

The purpose of this notice is to solicit proposals for projects that meet the objectives under the Capital Loan Program. The Capital Loan Program is intended to provide financial assistance to private businesses to expend manufacturing capacity for recyclable materials. Projects may receive loans for up to 50 percent of eligible capital costs. Eligible loan applicants are private organizations. Eligible projects are projects in Minnesota that create or expand manufacturing capacity to use recyclable materials as a feedstock in a manufacturing process or to transform recyclable materials into other usable products.

Projects are being solicited through *two* Requests For Proposals (RFPs). The first RFP is intended to expand the sortation/reclamation capacity for recyclable plastic resins. The second RFP is intended to expand manufacturing capacity for recyclable materials in the following order of priority: 1) paper, 2) plastic, 3) problem materials, 4) compost (yard waste and municipal solid waste compost), 5) glass. The maximum loan available for each RFP is \$500,000.

Copies of the Request for Proposals, including the rules applicable to the program, are available by contacting:

Timothy Nolan
Minnesota Office of Waste Management
1350 Energy Lane
St. Paul, MN 55108
(612) 649-5766 or 1-800-652-9747 (toll-free in Minnesota)

Proposals meeting the requirements of the RFPs must be received by the OWM at the above address by 5:00 p.m., CST, Friday, January 25, 1991.

Announcements

Environmental Quality Board (EQB): Comments are due Nov. 28 on the EAWs (environmental assessment worksheets) for the following projects at their listed regional governing unit: **Jesco-Phalen Plat 1**, City of St. Paul, (612) 228-3392 • EIS (environmental impact statements) will be prepared for the following projects with public hearings scheduled to receive comments on the scope of the EIS: **Marshan Sand Coulee Gravel Mine (Holst Gravel Mine)**, public meeting Tues. 13 Nov. 7 p.m. in the Dakota County Board room, County Gov't Complex, 1590 W. Hwy. 55, Hastings, contact John Forrest for written comments (612) 431-1158; **Mayo Medical Waste Incinerator**, public meeting Thurs. 15 Nov. 7:30-9:30 p.m., State Room, 2116 Campus Drive, Rochester, contact Eric Kilberg about written comments (612) 296-8643 • A Minn. Dept. of Transportation Alternative Review will be given to **Trunk Highway 23-Sauk Rapids**, a public hearing Thurs. 15 Nov. 7:30 p.m., open house at 5:30 p.m. in the St. Cloud City Hall, contact Anthony Kenpenich, MnDOT, 3825 N. 12th St., St. Cloud, MN 56302. • Petitions for environmental review have been received on the following projects at their listed regional governing units: **Torborg Apartments-Blaine**, City of Blaine; **Austin Utilities LPG Storage**, Minn. Pollution Control Agency.

Announcements

Software for the Home Catalog: The Minnesota Educational Computing Corporation has recently released its new *Software for the Home* catalog featuring award-winning software for at-home use, including "Numbers Munchers" and "Word Munchers," "The Oregon Trail," "USA GeoGraph" and "World GeoGraph," "Introduction to Apple Works GS" and "Exploring Microsoft Works," and "Fraction Munchers," "Calendar Crafter," and "Spellevator." MECC is the internationally recognized leader in the educational computing field. For a free copy of MECC's catalog, write or call MECC Customer Services at (612) 481-3527, or call MECC toll-free at 1-800-228-3504, ext. 527. In Canada, call 1-800-663-9772. Or write MECC at 3490 Lexington Avenue North, St. Paul, MN 55126-8097.

Governor's Appointments: Governor Rudy Perpich announced the appointment of **Scott Martin**, Plymouth, and **Thomas Peterson**, Minneapolis, to the *OMNI Corporation Board of Directors*. The OMNI Corp. is a state wide development company that works with other economic development programs administered by the Department of Trade and Economic Development to stimulate the state's economic activity.

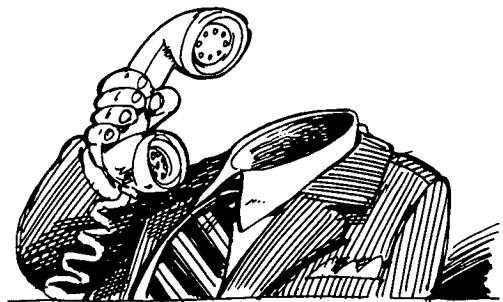
State Parks Reservation System Winter Hours: New winter hours have been established for making camping or lodging reservations at Minnesota State Parks. Until Jan. 1, 1991, customers can make reservations from 8 a.m. to 5 p.m. Monday through Friday. After the New Year, calls will be accepted from Monday through Saturday, 8 a.m. to 6 p.m. (central standard time). The reservation number is 1-800-765-2267 (CAMP). Since May 1, more than 40,000 reservations have been made by park visitors for camping and lodging. Over 6,000 more reservations were made this year than during the entire season last year because of a new centralized reservation system. Some customers breezed through, becoming the owners of summer campsite reservations. Some others were frustrated by busy phone lines or new operators. "We want park visitors to have a good experience using this reservation program, so we are sending out a survey to a random sample of users," said Dan Brevia, park operations coordinator for the state parks. All comments and suggestions to enhance the program will be considered. A \$5 non-refundable fee is charged for each camping reservation. Lodging reservations require a \$25 deposit for the first night of lodging. Reservation fees and deposits may be paid by MasterCard, Visa, or check. Personal checks must be received by Mistix (the reservation company) within seven days of making the reservation.

Proposed Changes to Rural Area Policies: The Metropolitan Council should maintain its current density standard of no more than one housing unit per 10 acres in rural areas not designated for commercial agriculture, a Council draft report says. But rural cities and townships should have more flexibility to cluster homes on large parcels in order to protect agriculture, preserve natural areas and meet the density standard, the report says. All rural area development should be required to meet more extensive standards for on-site sewage disposal systems before the Council will approve local comprehensive plan amendments, the report says. In November the Council will conduct three public meetings to hear comments on the proposed policy changes. The meetings are set as follows: Thursday, Nov. 8, 2 p.m., Metropolitan Council offices, 230 E. Fifth St., downtown St. Paul; Wednesday, Nov. 14, 7 p.m., Scott County Courthouse, 428 S. Holmes St., Shakopee; and Thursday, Nov. 15, 7 p.m., Bunker Hills Activity Center, 550 Bunker Lake Blvd., Anoka. For more information, call Council planners Carl Ohrn at 291-6507, or Robert Overby at 291-6381. To register to speak, call Bernadine Scott at 291-6500. The draft report, *Rural Area Policy Changes*, is available free of charge by calling the Metropolitan Council Data Center at 291-8140. Copies will also be available at the public meetings.

Ever called this guy?

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1990 Minnesota Session Laws. Two volume set includes laws passed during the 1990 session and the 1989 Special Session. Stock #18-6, \$40.00 + \$2.40 tax.

Community Waste Education Manual. Practical guide helps communities develop waste education campaigns with organizing volunteers, planning a budget, working with media and more. Includes camera-ready art and copy for media and publication needs. Stock #5-7, \$22.95 + \$1.38 tax.

School District Profile 1988-89. Comparative enrollment, staffing and financial data on Minnesota's school districts, evaluation of the statistical content with commentary on trends and patterns. Stock #5-3, \$5.00 + 30¢ tax.

The School Book 1990-91. Comprehensive guide to elementary schools in the Twin Cities: school addresses/phone, staffing information, and MTC bus connections at schools. Lists class size, student/teacher ratio, grading and curriculum. 554 pages. Stock #40-9, \$12.95 + 78¢ tax.

Chemical Dependency Programs Directory 1989. Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

Process Parenting—Breaking the Addictive Cycle. A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists. Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

OTHER PUBLICATIONS

Our Minnesota. More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 plus tax.

Historic Sites and Place Names of Minnesota's North Shore. John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. \$3.50 plus tax.

Landscaping for Wildlife. Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$8.95 plus tax. See "Special Set Offer" below.

Woodworking for Wildlife. Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important tips on placement of nests in proper habitat areas. 47 pages with diagrams. Stock #9-14, \$3.95 plus tax. See "Special Set Offer" below.

"Special Set Offer." Save 15% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$10.95 plus tax.

Minnesota Manufacturer's Directory, 1990. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchasing managers, and four manufactured products. Stock #40-2. \$78.50 + \$4.71 sales tax.

SUBSCRIPTIONS:

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$140; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00.

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