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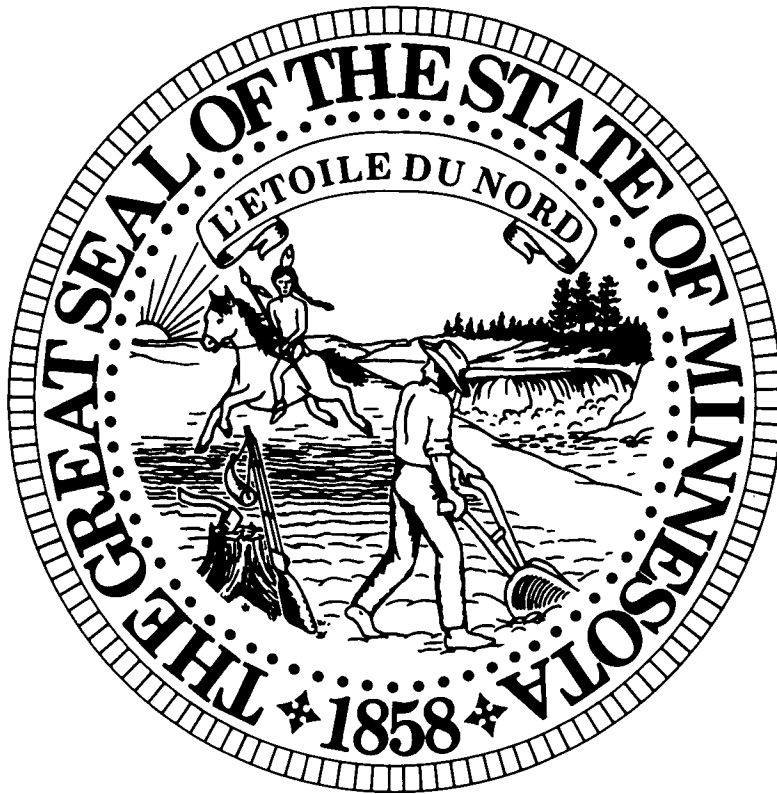
# The Minnesota State Register

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Department of Administration—Print Communications Division



Rules edition  
Published every Monday  
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Monday 7 June 1993

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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 and revenue notices, professional, technical and consulting contracts, non-state bids and public contracts, contract awards, grants, and a monthly calendar of cases to be heard by the state supreme court.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals, including printing bids.

### Printing Schedule and Submission Deadlines

| Vol. 17<br>Issue<br>Number | *Submission deadline for<br>Adopted and Proposed Rules,<br>Commissioners' Orders** | *Submission deadline for<br>Executive Orders, Contracts,<br>and Official Notices** | Issue<br>Date  |
|----------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|----------------|
| 49                         | Monday 24 May                                                                      | Tuesday 1 June                                                                     | Monday 7 June  |
| 50                         | Tuesday 1 June                                                                     | Monday 7 June                                                                      | Monday 14 June |
| 51                         | Monday 7 June                                                                      | Monday 14 June                                                                     | Monday 21 June |
| 52                         | Monday 14 June                                                                     | Monday 21 June                                                                     | Monday 28 June |

\*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, 117 University Ave., St. Paul, Minnesota 55155, (612) 297-7963, TDD (Minnesota Relay Service), Metro Area (612) 297-5353, Greater MN 1-800-627-3529.

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 Tuesday, Wednesday and Friday. 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 *State Register Contracts Supplement* contains additional state contracts and advertised bids.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 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 four editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, includes four editions, 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 *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. 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.

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**Dana B. Badgerow, Commissioner  
Department of Administration**

**Kathi Lynch, Director**

**Print Communications Division**

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## FOR LEGISLATIVE NEWS

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Room 175 State Office Building, St. Paul, MN 55155  
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## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 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 1-800-657-3757.

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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.

## Housing Finance Agency

### Proposed Permanent Rules Relating to Housing Loans and Grants

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Housing Finance Agency intends to adopt the above 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* 462A.06, subd. 4 and 11.

All persons have 30 days 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 ending July 8, 1993. 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:

Renee J. Dickinson, Legal Division  
Minnesota Housing Finance Agency  
400 Sibley St., Suite 300  
St. Paul, MN 55101-1998  
Telephone: 612/296-9794

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 copy of the proposed rule is attached to this notice.

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 Renee Dickinson upon request.

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 Renee Dickinson.

Dated: 3 June 1993

James J. Solem  
Commissioner

#### Rules as Proposed

##### 4900.0010 DEFINITIONS.

[For text of subs 1 to 22, see M.R.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

[For text of items A to C, see M.R.]

D. With respect to home improvement grants and rehabilitation loans pursuant to parts 4900.0610 to 4900.0700 and accessibility loans pursuant to parts 4900.0750 to 4900.0780 to be made by the agency, those persons and families whose assets do not exceed \$25,000, and

(1) with respect to home improvement grants and rehabilitation loans defined in part 4900.0610 as deferred loans, those persons and families whose adjusted income does not exceed ~~\$8,500~~ \$10,000; or

(2) with respect to rehabilitation loans defined in part 4900.0610 as revolving loans and accessibility loans defined in part 4900.0770 as deferred loans, those persons and families:

(a) in the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, ~~and Sherburne~~, Washington, ~~and Wright~~ whose adjusted income does not exceed ~~\$15,000~~ \$18,000; and

(b) in all other counties whose adjusted income does not exceed ~~\$12,000~~ \$15,000.

[For text of items E to H, see M.R.]

## Housing Finance Agency

### Proposed Permanent Rules Relating to Accessibility Deferred Loan Program

#### Notice of Intent to Adopt a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Housing Finance Agency intends to adopt the above 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* 462A.06, subd. 4 and 11.

All persons have 30 days 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 ending July 8, 1993. 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:

Renee J. Dickinson, Legal Division  
Minnesota Housing Finance Agency  
400 Sibley St., Suite 300  
St. Paul, MN 55101-1998  
Telephone: 612/296-9794

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 copy of the proposed rule is attached to this notice.

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 Renee Dickinson upon request.

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 Renee Dickinson.

Dated: 3 June 1993

James J. Solem  
Commissioner

**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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### Rules as Proposed

#### 4900.0760 ELIGIBILITY.

[For text of subpart 1, see M.R.]

Subp. 2. **Purpose of loan.** The loan recipient shall (1) be a handicapped person, or have or intend to have in residence in the property to be improved at least one household member who is a handicapped person, (2) occupy or intend to occupy the dwelling unit to be improved as his or her primary residence, and (3) qualify as a person or family of low or moderate income as defined in part 4900.0010, subpart 23, item ~~B D~~, subitem (2).

[For text of subs 3 and 4, see M.R.]

## Pollution Control Agency

### Proposed Permanent Rules Relating to Air Emission Permits

#### Proposed Amendments to Permanent Rules Governing Air Quality Permits, Air Emission Fees, Air Quality General Definitions and Air Quality Emission Inventory Requirements; Proposed Permanent Rules Creating a New Chapter Titled Air Emission Permits; and Repealing Existing Air Emission Facility Permit Rules

##### DUAL NOTICE:

**Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, Notice of Hearing if 25 or More Requests for Hearing are Received, and Notice of Intent to Cancel Hearing if Fewer than 25 Persons Request a Hearing**

**Introduction:** The Minnesota Pollution Control Agency (MPCA) intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the proposed rule by July 7, 1993, a public hearing will be held in Bemidji on July 20, and St. Paul on July 22, 1993. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact Norma Florell at the address listed below after July 7, 1993, and before July 21, 1993.

**MPCA Contact Person:** Comments or questions on the proposed rules and written requests for a public hearing on the rules must be submitted to:

Norma Florell  
Minnesota Pollution Control Agency  
Air Quality Division/PDS  
520 Lafayette Road  
St. Paul, Minnesota 55155  
Telephone: (612) 296-7712  
FAX: (612) 297-7709

**Subject to Rule and Statutory Authority:** The MPCA was directed by Title V of the Clean Air Act Amendments of 1990 (creating 42 U.S.C. §§ 7661-7661F) and 40 CFR part 70 to develop an operating permit program to implement the requirements of the Clean Air Act. The proposed Air Emission Permits rule will require Minnesota to take on new regulatory tasks: permitting additional categories of sources, regulating and inventorying many additional pollutants, responding more quickly to permit applications and making additional reports to the Environmental Protection Agency (EPA). In addition, this new rule will help ease the permit backlog by streamlining the process for making permit amendments. The proposed Air Emissions Permits rule will also reduce the number of state sources required to obtain permits by increasing permitting thresholds of some criteria pollutants. The staff is proposing to amend portions of the MPCA Permits Rule, *Minnesota Rules* 7001.0020 to 7001.3050, Air Emission Fees Rules, *Minnesota Rules*, 7002.0005 and 7002.0015, Air Quality General Definitions, *Minnesota Rule* 7005.0100, and Air Quality Emission Inventory Requirements, *Minnesota Rule* 7005.1875; to adopt a permanent Air Emission Permits Rule, *Minnesota Rule* 7007.0050 to 7007.1850; and to repeal *Minnesota Rule* 7001.0020 I and *Minnesota Rules* 7001.1200 to 7001.1220. Many of these modifications are necessary to be compatible with the language in the proposed Air Emission Permit Rules. The statutory authority to adopt the rule and issue permits is found in *Minnesota Statutes* § 116.07, subds. 4 and 4a. A copy of the proposed new and amended rules is published below. One free copy of the proposed new and amended rules is available upon request from Norma Florell at the address and telephone number stated above.

**Comments:** You have until 4:30 p.m. on July 7, 1993, to submit written comments in support of or in opposition to the proposed new or amended rules or any part or subpart of the rules. Your comments must be in writing and received by Norma Florell by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for the comment, and any proposed change.

**Request for a Hearing:** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by Norma Florell by 4:30 p.m. on July 7, 1993. Your written request for a public hearing must include your name, address and telephone number. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing.

**Modifications:** The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as printed in the *State Register* and must be supported by data and views submitted to the MPCA or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing:** The hearings scheduled for Bemidji on July 20, and St. Paul on July 22, 1993, will be canceled if the MPCA does not receive requests from 25 or more persons that a hearing be held on the rule. To find out whether the hearing will be held, you should contact Norma Florell after July 7, 1993, and before July 21, 1993.

**Notice of Hearing:** If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedure in *Minnesota Statutes* §§ 14.14 to 14.20. The hearings will be held on the following dates in the following locations:

| <u>Date</u>   | <u>Time</u> | <u>Location</u>                                                |
|---------------|-------------|----------------------------------------------------------------|
| July 20, 1993 | 9:00 a.m.   | Holiday Inn—Bemidji<br>Highway 2 West<br>Bemidji, Minnesota    |
| July 22, 1993 | 9:00 a.m.   | MPCA Boardroom<br>520 Lafayette Road N.<br>St. Paul, Minnesota |

The hearings will continue at the designated locations until all interested persons have been heard. The hearings will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearings is Richard C. Luis.

Judge Luis can be reached at:

Minnesota Office of Administrative Hearings  
Suite 1700  
100 Washington Square Bldg.  
Minneapolis, Minnesota 55401-2138  
Phone: (612) 349-2542

**Hearing Procedure:** If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. The five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the MPCA may respond in writing within five working days after the submission period ends to any new information submitted. No additional evidence may be submitted during the five-day period. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. This rule hearing procedure is governed by *Minnesota Statutes* §§ 14.14 to 14.20 and *Minnesota Rules* 1400.0200 to 1400.1200. Questions about procedure may be directed to the administrative law judge.

**Statement of Need and Reasonableness:** Notice is hereby given that a statement of need and reasonableness is now available for review at the MPCA and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence and arguments which the MPCA anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the MPCA or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

**Small Business Considerations:** The proposed rule will affect small business as defined in *Minnesota Statutes* § 14.115 (1992).

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## Proposed Rules

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In considering revisions to the rule, the MPCA has attempted to reduce the administrative burden in obtaining and operating under an air emission permit wherever possible, and particularly for small sources. Small sources are considered to be those that do not emit enough air pollution to be subject to the requirement to get a permit under the Clean Air Act and EPA implementing regulations. The MPCA believes that small businesses are more likely to fall into the small source category than into the federally-regulated category.

The MPCA has attempted to reduce the administrative burden on small sources in several ways. First, permitting thresholds in this rule are raised from a flat 25 tons per year in the existing rule to 100 tons per year for volatile organic compounds, nitrogen oxides and carbon monoxide emitters, and 50 tons per year for sulfur dioxide emitters. Raising permitting thresholds will reduce the number of small sources that would otherwise be required to obtain permits and allow the MPCA to concentrate efforts on the large emitters. Staff estimates that approximately 150 small sources will no longer be required to obtain permits. The small sources that fall below these higher thresholds will only need permits under this rule in the future if any of the following apply: (1) because of a federal requirement, (2) because they need quantifiable limits in order to avoid being subject to federal requirements, (3) because they have the potential to violate ambient air quality standards, (4) because they are subject to a specific federal performance standard, or (5) because the MPCA has adopted a specific requirement for a certain source type. The MPCA has determined that these are the key reasons that a source should have a permit and that the requirement to obtain a permit could not or should not be relaxed beyond this point.

The second way that the MPCA has considered the needs of small business is by including less stringent reporting and compliance schedule submission requirements for sources that obtain "state only" permits (see parts 7007.0500, subp. 2, items J, K, L, and M, and 7007.0800, subps. 4 and 6). The MPCA evaluated each of the required elements of a part 70 permit and permit application as to whether they were appropriate for smaller state only sources. The less stringent requirements for progress reports and compliance certifications in the permit, and the reduced submissions required in the permit application were deemed appropriate for smaller sources with lower emissions and generally fewer resources.

The third way that the MPCA has considered the needs of small businesses is through the inclusion of provisions that allow all permittees more flexibility in their operations once the permit has been obtained. The current rule requires that virtually all changes at a facility trigger the need for a permit amendment. The MPCA recognizes that sources, particularly small sources, need the flexibility to make changes at their facilities rapidly if the changes involve little or no increase in emissions. In part 7007.0800 (Permit Content) of the proposed rule, the MPCA has included provisions that allow to request that alternate operating scenarios, alternate locations and emission trading provisions be included in the permit. Parts 7007.1250 and 7007.1300 allow a permittee to make changes at a permitted facility without obtaining a permit amendment if the changes do not violate a permit term and are either a listed insignificant activity or result in either a decrease in emissions or an increase in emissions below the thresholds established in the table in part 7007.1250. Part 7007.1350 allows permittees to contravene certain nonessential permit terms with appropriate notice to the MPCA. Part 7007.1450 allows permittees to make "minor" and "moderate" amendments to their permits using a streamlined amendment process, allowing quicker modifications to the facility.

In addition to these rulemaking considerations, the MPCA has considered the needs of small business through the establishment of a Small Business Assistance Program and additional outreach activities as required by the Clean Air Act, Section 507, and *Minnesota Statutes* §§ 116.95 to 116.99. The MPCA is in the process of establishing an assistance program specifically targeted to the needs of small business. While not required to do so by law, the MPCA intends to extend the service of the program to all small businesses that need permits and to those small businesses that do not need permits but are affected by the air toxics provisions of Title III of the Clean Air Act Amendments. In addition to the Small Business Assistance Program, the MPCA intends to develop a permitting manual and to provide educational seminars intended to instruct potential permittees in the requirements of the rule and how to obtain a permit if one is needed. The MPCA intends to charge small businesses little or nothing for these services.

This rule does not establish or change the underlying standards that apply to a given source, except certain compliance-related requirements as required by federal law.

**Expenditure of Public Money by Local Bodies:** The MPCA has determined that the proposed rules will impact local public bodies. These impacts are discussed in the Statement of Need and Reasonableness, Part VIII. See the fiscal note attached to this notice which contains the MPCA's estimate of the total cost to all local public bodies in the state to implement the rule for the two years immediately following adoption of the rule.

**Impact on Agricultural Land:** The MPCA is required by *Minnesota Statutes* § 14.11, subd. 2 (1992) to consider the impacts of the proposed rules on agricultural lands. The MPCA believes that the proposed rules will not have any impact on agricultural lands because the rules do not affect agricultural operations.

**Lobbyist Registration:** *Minnesota Statutes*, Chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at:

Ethical Practices Board  
First Floor South  
Centennial Office Building

648 Cedar Street  
St. Paul, Minnesota 55155  
Telephone: (612) 296-5148

**Adoption Procedure if No Hearing:** If no hearing is required, after the end of the comment period the MPCA may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you want to be so notified, or want to receive a copy of the adopted rule, submit your request to Norma Florell at the addresses listed in this notice.

**Adoption Procedure After the Hearing:** If a hearing is held, the administrative law judge will issue a report on the proposed rule after the close of the hearing record.

Notice: Any person may request notification of the date on which the administrative law judge's report will be available, after which date the MPCA 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. You may request notification of the date on which the rules were adopted and filed with the secretary of 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 Norma Florell at the address listed in this notice any time prior to the filing of the rule with the Secretary of State.

Charles W. Williams  
Commissioner

## **Pollution Control Agency's Estimate of Cost to Local Public Bodies to Implement Proposed Rules**

### **I. Background**

The proposed rules will impact public bodies. There are currently approximately 75 municipally owned power utilities and waste treatment plants in the state that should or do have air emission permits. The Minnesota Pollution Control Agency estimates that a portion of these facilities will need permits under the proposed rule and some of these will require part 70 permits.

There are currently about 300 educational facilities in the state that are subject to current permitting requirements. It is estimated that a portion of these facilities will need permits under the revised rule. It is anticipated however that most of these facilities will be covered under general permits and therefore their permitting costs should be minimal.

The proposed rule does not change the underlying regulations to which a source is subject and hence the expenses of compliance with performance standards are not considered here. In addition, these are only estimates, and the cost that any particular source will bear will vary widely depending on the standards to which the source is subject and other variables.

For the purposes of this estimates, "local public bodies" is defined by *Minnesota Statutes* § 14.11 (1992) as "officers and governing bodies of the political subdivisions of the state and other officers and bodies of less than state wide jurisdiction which have the authority to levy taxes."

### **II. Summary of Costs**

|                                                |                            |
|------------------------------------------------|----------------------------|
| Year One (estimated range)                     | \$180,000-\$435,000        |
| Year Two (estimated range)                     | <u>\$180,000-\$435,000</u> |
| Total in First Two Years:<br>(estimated range) | \$360,000-\$870,000        |

Charles W. Williams  
Commissioner

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# Proposed Rules

## Rules as Proposed

### 7001.0020 SCOPE.

Except as otherwise specifically provided, parts 7001.0010 to 7001.0210 apply to the following:

[For text of items A to H, see M.R.]

~~I. An agency permit required for the construction, modification, reconstruction, or operation of an air emission facility or stationary source except those activities permitted under parts 7005.0705 to 7005.0815. Parts 7001.0100, subparts 4 and 5 and 7001.0110 do not apply to permits for construction, modification, or reconstruction of a stationary source with a potential controlled net increase of a single criteria pollutant of less than 100 tons per year or to permits for operation of a facility or stationary source with an actual emission rate of a single criteria pollutant of less than 500 tons per year. Part 7001.0100, subpart 5, item C, does not apply to permits for construction, modification, or reconstruction of a stationary source with a potential controlled net increase of a single criteria pollutant of 100 tons per year to 250 tons per year or to permits for operation of a facility or stationary source with an actual emission rate of a single criteria pollutant of 500 tons per year to 5,000 tons per year. Part 7001.0040, subpart 1, applies to permits for air emission facilities or stationary sources, except that for a permit not subject to a Minnesota or federal public notice requirement, the time period referenced in that subpart shall be 90 days.~~

~~J. An agency permit required for the construction of a facility, building, structure, or installation that attracts or may attract mobile source activity that results in emissions of an air pollutant for which there is a state standard. Parts 7001.0100, subparts 4 and 5, and 7001.0110 do not apply to permits for parking facilities described in part 7001.1270, subpart 2, with a new or increased parking capacity of 5,000 vehicles or less. Part 7001.0150, subparts 1 and 2, does not apply to these permits.~~

~~K. J. The processing of certifications under section 401 of the Clean Water Act, *United States Code*, title 33, section 1341, to the extent provided by parts 7001.1400 to 7001.1470.~~

### 7001.0050 WRITTEN APPLICATION.

A person who requests the issuance, modification, revocation and reissuance, or reissuance of a permit shall complete, sign, and submit to the commissioner a written application. The person shall submit the written application in a form prescribed by the commissioner. The application shall contain the items listed in items A to I unless the commissioner has issued a written exemption from one or more of the data requirements. After receiving a written request for an exemption from a data requirement, the commissioner shall issue the exemption if the commissioner finds that the data is unnecessary to determine whether the permit should be issued or denied. The application must contain:

[For text of items A to H, see M.R.]

I. other information relevant to the application as required by parts 7001.0550 to 7001.0640, 7001.1050, ~~7001.1215~~, 7001.1290, 7001.3175 to 7001.3475, or 7040.0500 and 7040.0600.

### 7001.0140 FINAL DETERMINATION.

[For text of subpart 1, see M.R.]

Subp. 2. **Agency findings.** The following findings by the agency constitute justification for the agency to refuse to issue a new or modified permit, to refuse permit reissuance, or to revoke a permit without reissuance:

[For text of items A to E, see M.R.]

F. that with respect to the facility or activity to be permitted, the proposed permittee has not complied with any requirement under parts 7002.0210 to 7002.0310, 7002.0410 to 7002.0490, or chapter 7002 or 7046 to pay permit fees or emission fees; or

[For text of item G, see M.R.]

[For text of subp 3, see M.R.]

### 7001.0180 JUSTIFICATION TO COMMENCE REVOCATION WITHOUT REISSUANCE OF PERMIT.

The following constitute justification for the commissioner to commence proceedings to revoke a permit without reissuance:

[For text of items A to C, see M.R.]

D. the permittee has failed to comply with any requirement under parts 7002.0210 to 7002.0310, 7002.0410 to 7002.0490, or chapter 7002 or 7046 to pay permit fees or emission fees; or

[For text of item E, see M.R.]

### 7001.0550 CONTENTS OF PART A OF APPLICATION.

Part A of the application must contain the following information:

[For text of items A to D, see M.R.]



E. a list of the waste designated under parts ~~7045.0100~~ 7045.0102 to 7045.0143 as hazardous to be treated, stored, or disposed of by the applicant and an estimate of the quantity of each hazardous waste to be treated, stored, or disposed of annually by the applicant;

[For text of items F to I, see M.R.]

J. a statement as to which, if any, of the following permits the applicant has applied for or received that pertains to the facility or a portion of the facility that is the subject of the application:

[For text of subitems (1) and (2), see M.R.]

(3) an air emission ~~facility~~ permit required by ~~part 7001.1210~~ chapter 7007; or

[For text of subitem (4), see M.R.]

#### **7001.3050 PERMIT REQUIREMENTS.**

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Permits-by-rule.** The owner or operator of the following facilities is deemed to have obtained a solid waste management facility permit without making application for it, unless the commissioner finds that the facility is not in compliance with the listed part:

[For text of items A to D, see M.R.]

E. energy recovery facilities governed by parts ~~7001.0010 to 7001.0210, 7001.1200 to 7001.1350, and 7005.0010 to 7005.3060~~ chapters 7007, 7009, and 7011, except that facilities processing refuse-derived fuel on-site prior to incineration and energy recovery at the site, must be permitted in accordance with parts 7001.0010 to 7001.0210 and 7001.3000 to 7001.3550;

[For text of items F to H, see M.R.]

[For text of subp 4, see M.R.]

#### **7002.0005 SCOPE.**

Parts 7002.0005 to 7002.0085 apply to all persons required to obtain an air emission permit or an indirect source permit from the Minnesota Pollution Control Agency under chapter 7007 and parts ~~7001.1200 to 7001.1350~~ or under Title V of the federal Clean Air Act Amendments of 1990, Public Law Number 101-549, Statutes at Large, volume 104, pages 2399 et seq. 7023.9000 to 7023.9050.

#### **7002.0015 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 7002.0005 to 7002.0085, the terms defined in this part have the meanings given them. The definitions in parts ~~7001.0010, 7001.1260, and 7005.0010 to 7005.3060~~ the state air pollution control rules as defined in part 7005.0100 apply unless the terms are defined in this part.

Subp. 2. **Affected facility.** "Affected facility" means any facility for which the owner or operator of the facility must obtain an air emission permit under parts ~~7001.1200 to 7001.1220~~ or under Title V of the federal Clean Air Act Amendments of 1990, Public Law Number 101-549, Statutes at Large, volume 104, pages 2399 et seq. chapter 7007.

[For text of subps 3 and 4, see M.R.]

#### **7005.0100 DEFINITIONS.**

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

Subp. 3a. **Begin actual construction.** "Begin actual construction" means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities, other than preparatory activities, which mark the initiation of the change.

[For text of subps 4 to 4b, see M.R.]

Subp. 5. **Construction.** "Construction" means ~~any physical change or change in the method of operation, including fabrication, erection, or installation, demolition, or modification of an emission facility, emissions unit, or stationary source, that would result in a change in actual emissions.~~ These activities include site clearance, grading, dredging, landfilling, installation of building supports

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## Proposed Rules

~~and foundation, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities other than preparation activities that mark the initiation of the change.~~

[For text of subp 6, see M.R.]

Subp. 8. **Control equipment.** "Control equipment" means an "air contaminant treatment facility" or a "treatment facility" as those terms are defined in *Minnesota Statutes*, section 116.06, subdivision 6 3.

[For text of subps 8a to 24, see M.R.]

Subp. 24a. **Modification.** "Modification" means a physical change or a change in the operation of an emissions unit, emission facility, or stationary source that is not allowed under a permit, stipulation agreement, or an applicable air pollution control rule, and that results in an increase in the emission of an air pollutant has the meaning given it in part 7007.0100, subpart 14.

[For text of subps 25 to 31a, see M.R.]

Subp. 35. **Person.** "Person" means person as defined in *Minnesota Statutes*, section 116.06, subdivision 8 17.

Subp. 35a. **Potential emissions, potential to emit.** "Potential emissions" or "potential to emit" means the maximum capacity while operating at the maximum hours of operation of an emissions unit, emission facility, or stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restriction on hours of operation or on the type or amount of material combusted, stored, or processed, must be treated as part of its design if the limitation or the effect it would have on emissions is: federally enforceable.

~~A. federally enforceable with respect to permits for construction, modification, or reconstruction; or~~

~~B. enforceable by the state with respect to permits not included in item A.~~

Secondary emissions must not be counted in determining the potential to emit of an emissions unit, emission facility, or stationary source. Fugitive emissions shall be counted when determining potential to emit unless an applicable state rule or federal regulation states otherwise.

[For text of subps 35b to 42a, see M.R.]

Subp. 42b. **State air pollution control rules.** "State air pollution control rules" means ~~parts 7005.0010 to 7005.3060~~ chapters 7002, 7005, 7007, 7009, 7011, 7017, 7019, 7021, 7023, 7025, 7028, and 7030.

[For text of subps 42c to 45, see M.R.]

### ~~7005.1875~~ 7019.3000 EMISSION INVENTORY.

Subpart 1. **Owners or operators.** All owners or operators of affected facilities, as defined in part 7002.0015, subpart 2, and all owners and operators of stationary sources with potential emissions of more than 25 tons per year of a regulated pollutant, as defined in part 7002.0015, subpart 4, shall submit an annual emission inventory report to the agency, in a format specified by the commissioner, relating to carbon monoxide and all regulated pollutants as defined in part 7002.0015, subpart 4. The report shall be submitted on or before April 1 of the year following the year being reported. A person who signs the report shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision by qualified personnel. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that the data provided in this document will be used by the MPCA to calculate a fee, which the facility will be required to pay under *Minnesota Rules*, part 7002.0025, based on the tons of pollution emitted by the facility."

[For text of subp 2, see M.R.]

## Rules as Proposed (all new material)

### AIR EMISSION PERMITS

#### 7007.0050 SCOPE.

Parts 7007.0100 to 7007.1850 apply to the issuance of permits to construct, modify, reconstruct, or operate emissions units, emission facilities, or stationary sources that emit any air pollutant, and to the revocation, reissuance, or amendment of those permits. Parts 7007.0100 to 7007.1850 apply to permits issued to stationary sources requiring permits under federal law at *Code of Federal Regulations*, title 40, part 70, as amended (Operating Permit Program), or under part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements in nonattainment Areas) of the act, and to stationary sources requiring permits solely under state law. Sources proposing construction or modifications subject to parts C and D of the act are subject to the permitting requirements of part 7007.3000 (incorporating by reference the provisions of *Code of Federal Regulations*, title 40, section 52.21) or parts 7007.4000 to 7007.4040 in addition to parts 7007.0100 to 7007.1850.

**7007.0100 DEFINITIONS.**

Subpart 1. **Scope.** The definitions in parts 7000.0100 and 7005.0100 apply to the terms used in parts 7007.0050 to 7007.1800 unless the terms are defined in this part.

Subp. 2. **Act.** "Act" means the Clean Air Act, as amended, *United States Code*, title 42, section 7401, et seq., as amended.

Subp. 3. **Administrator.** "Administrator" means the administrator of the United States Environmental Protection Agency (EPA) or the administrator's designee.

Subp. 4. **Affected source.** "Affected source" means a source that includes one or more affected units.

Subp. 5. **Affected state.** "Affected state" means any state:

- A. whose air quality may be affected and that is contiguous to Minnesota; or
- B. that is within 50 miles of the permitted source.

Subp. 6. **Affected unit.** "Affected unit" means an emissions unit that is subject to any acid rain emissions reduction requirement or acid rain emissions limitation under title IV of the act (Acid Deposition Control) and rules promulgated thereunder.

Subp. 7. **Applicable requirement.** "Applicable requirement" means all the following as they apply to emissions units in a stationary source (including requirements that have been promulgated or approved by the EPA or the agency through rulemaking at the time of issuance but have future effective compliance dates):

A. any standard, or other requirement provided for in Minnesota's implementation plan approved or promulgated by the EPA under title I of the act (Program and Activities), including any revisions to that plan promulgated in *Code of Federal Regulations*, title 40, part 52, as amended (Approval and Promulgation of Implementation Plans), except rules related to odor in parts 7011.0300 to 7011.0330;

B. any preconstruction review requirement of regulations promulgated under title I of the act, including part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas), and the emission facility offset rule in parts 7007.4000 to 7007.4030, and any term or condition of any preconstruction permit issued pursuant to those regulations or parts 7007.4000 to 7007.4030;

C. any standard or other requirement under section 111 (Standard of Performance for New Stationary Sources of the Act, including section 111(d)) (Standards of Performance for Existing Sources; Remaining Useful Life of a Source);

D. any standard or other requirement for hazardous air pollutants, or other requirement under section 112 of the act (Hazardous Air Pollutants), including any requirement concerning accident prevention under section 112(r)(7) of the act;

E. any standard or other requirement of the acid rain program under title IV of the act, or the regulations promulgated under it;

F. any requirements established pursuant to section 504(b) (Permit Requirements and Conditions; Monitoring and Analysis) or section 114(a)(3) (Record keeping, Inspections, Monitoring, and Entry; Authority of Administrator or Authorized Representative) of the act;

G. any standard or other requirement governing solid waste incineration, under section 129 (Solid Waste Combustion) of the act;

H. any standard or other requirement for consumer and commercial products, under section 183(e) (Federal Ozone Measures; Control of Emissions from Certain Sources) of the act;

I. any standard or other requirement for tank vessels under section 183(f) (Federal Ozone Measures; Tank Vessel Standards) of the act;

J. any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the act (Stratospheric Ozone Protection), unless the administrator has determined that such requirements need not be contained in a part 70 permit;

K. any national ambient air quality standard adopted under section 109 of the act (National Primary and Secondary Air Quality Standards) or increment or visibility requirement under part C of title I of the act (Prevention of Significant Deterioration of Air Quality), but only as it would apply to temporary sources permitted pursuant to section 504(e) of the act (Permit Requirements and Conditions; Temporary Sources);

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## Proposed Rules

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L. any national ambient air quality standard adopted under section 109 of the act or increment or visibility requirement under part C of title I of the act not addressed in item K;

M. any state ambient air quality standard under chapter 7009;

N. any requirement to pay an emissions fee under part 7002.0025;

O. any standard or other requirement of the air pollution episodes rule in parts 7009.1000 to 7009.1110;

P. any standard or other requirement pursuant to the Standards of Performance for Stationary Sources under chapter 7011, except rules related to odor in parts 7011.0300 to 7011.0330;

Q. any standard or other requirement regulating a specific hazardous pollutant under chapter 7011;

R. any reporting, monitoring, and testing requirement for stationary sources under chapter 7017;

S. any requirement under the emissions inventory provisions of chapter 7019;

T. any standard or other requirement of the acid deposition control rule under chapter 7021; and

U. any standard or other requirement related to noise pollution under chapter 7030.

Subp. 8. **Designated representative.** "Designated representative" means a responsible natural person authorized by the owners and operators of an affected source and of all affected units at the source, as evidenced by a certificate of representation submitted in accordance with *Code of Federal Regulations*, part 72, subpart B, as amended (Acid Rain Program Permits Regulation), to represent and legally bind each owner and operator, as a matter of federal law, in matters pertaining to the acid rain program under title IV of the act.

Subp. 9. **Draft permit.** "Draft permit" means the version of the permit which the agency offers for public participation under part 7007.0850.

Subp. 10. **Environmental Protection Agency or EPA.** "Environmental Protection Agency" or "EPA" means the United States Environmental Protection Agency.

Subp. 11. **Final permit.** "Final permit" means the version of permit issued by the agency pursuant to the procedures in parts 7007.0100 to 7007.1850.

Subp. 12. **General permit.** "General permit" means a permit issued pursuant to the requirements of part 7007.1100.

Subp. 13. **Major source.** "Major source" means a stationary source as defined in part 7007.0200, subpart 2.

Subp. 14. **Modification.** "Modification" means:

A. any change that constitutes a title I modification, as defined in subpart 26; or

B. any physical change or change in the method of operation of an emissions unit, emission facility, or stationary source that results in an increase in the emission of a regulated air pollutant. Emissions are considered to increase if there is an increase in the rate of emissions of any regulated air pollutant, or new emissions of a regulated air pollutant not previously emitted, from any unit at the source. To determine if there is an increase in the rate of emissions, the agency shall compare the pounds per hour of emissions at maximum capacity before and after the physical or operational change, using the method of calculation described in part 7007.1200. Subitems (1) to (5) are not, by themselves, considered modifications under this definition:

(1) a physical change or a change in the method of operation that is explicitly allowed under a permit, or allowed under a court order, consent decree, stipulation agreement, schedule of compliance, or order issued by the agency if the document states that no permit amendment is required;

(2) routine maintenance, repair, and replacement;

(3) an increase in production rate of an existing emissions unit if that increase is not in violation of a permit condition, applicable requirement, court order, consent decree, stipulation agreement, schedule of compliance, or order issued by the agency;

(4) an increase in the hours of operation that does not increase the rate of emissions and is not in violation of a permit condition, applicable requirement, court order, consent decree, stipulation agreement, schedule of compliance, or order issued by the agency; and

(5) use of an alternative fuel if the source is ordered to switch fuels by the state or federal government.

Subp. 15. **Part 70 permit.** "Part 70 permit" means a permit issued under part 7007.0200 and *Code of Federal Regulations*, title 40, part 70, as amended (Operating Permit Program).

Subp. 16. **Part 70 permit program.** "Part 70 permit program" means a program for issuance, amendment, and reissuance of part 70 permits in Minnesota approved by the administrator.

Subp. 17. **Permit.** "Permit" means any permit issued under parts 7007.0100 to 7007.1850, including part 70 permits, state permits,

and general permits.

Subp. 18. **Proposed permit.** "Proposed permit" means the version of the permit that the agency proposes to issue and forwards to the administrator for review in compliance with part 7007.0950.

Subp. 19. **Regulated air pollutant.** "Regulated air pollutant" means the following:

- A. nitrogen oxides (NO<sub>x</sub>) or any volatile organic compound;
- B. any pollutant for which a state or national ambient air quality standard has been promulgated;
- C. any pollutant that is subject to any new source performance standard promulgated under section 111 of the act;
- D. any class I or II substance listed pursuant to section 602 of the act (Stratospheric Ozone Protection; Listing of class I and class II Substances); or
- E. any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the act (Hazardous Air Pollutants), including sections 112(g) (Modifications), (j) (Equivalent Emission Limitation by Permit), and (r) (Prevention of Accidental Releases), including the following:

(1) any pollutant subject to requirements under section 112(j) of the act. If the administrator fails to promulgate a standard by the date established pursuant to section 112(e) of the act (Schedule for Standards and Review), any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the act; and

(2) any pollutant for which the requirements of section 112(g)(2) of the act have been met, but only with respect to the individual source subject to the section 112(g)(2) requirement.

Subp. 20. **Reissuance.** "Reissuance" means the process by which a permit is reissued at the end of its term.

Subp. 21. **Responsible official.** "Responsible official" means one of the following:

A. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(1) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25,000,000 (in second quarter 1980 dollars); or

(2) the delegation of authority to such representatives is approved in advance by the agency.

B. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

C. For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (for example, a regional administrator of EPA).

D. For affected sources:

(1) The designated representative is the responsible official insofar as actions, standards, requirements, or prohibitions under title IV of the act or the regulations promulgated under it are concerned.

(2) The designated representative may also be the responsible official for any other purposes under parts 7007.0100 to 7007.1850.

Subp. 22. **State.** "State" means the state of Minnesota.

Subp. 23. **State permit.** "State permit" means a permit issued under part 7007.0250.

Subp. 24. **Stationary source.** "Stationary source" has the meaning given it in part 7005.0100, subpart 42c.

Subp. 25. **Title I condition.** "Title I condition" means one of the following types of permit conditions based on requirements of title I of the act:

A. any condition based on a requirement of a new source review program under part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act and implementing state rules or federal regulations;

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B. any condition based on a source-specific determination of ambient impacts imposed for the purpose of achieving or maintaining attainment with a national ambient air quality standard and which was part of a state implementation plan approved by the EPA or submitted to the EPA and pending approval under section 110 of the act; and

C. any condition for which there is no corresponding underlying applicable requirement and that the stationary source has assumed to avoid being subject to a new source review program under part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act or implementing state rules or federal regulations.

Subp. 26. **Title I modification.** "Title I modification" means any change that constitutes a modification under any provision of title I of the act, including:

A. A new source review modification: major modification as defined in *Code of Federal Regulations*, title 40, section 52.21(b)(2) or 51.165(a)(1)(v), as amended, or any other rules adopted by the administrator under part C or D of the act.

B. A new source performance standards modification: any modification as defined in *Code of Federal Regulations*, title 40, section 60.14, as amended, or any other rules adopted by the administrator under section 111 of the act.

C. A hazardous air pollutant modification: any modification as defined in *Code of Federal Regulations*, title 40, section 61.15, as amended, or any other rules adopted by the administrator under section 112 of the act.

Subp. 27. **Transition period or transition.** "Transition period" or "transition" means the time period from the effective date of parts 7007.0100 to 7007.1850 until three years after EPA grants full program approval as determined in *Code of Federal Regulations*, title 40, section 70.4(e).

### 7007.0150 PERMIT REQUIRED.

Subpart 1. **Prohibition.** No person may construct, modify, reconstruct, or operate an emissions unit, emission facility, or stationary source except in compliance with an air emission permit from the agency. Exceptions to the requirement to obtain a permit are located in part 7007.0300. Exceptions to the requirement to obtain a permit amendment are located in parts 7007.1250 and 7007.1350. No person required to obtain a permit under this subpart may begin actual construction on a new source, reconstruction, or modification prior to obtaining the permit or amendment, except as allowed in parts 7007.0750, subparts 6 and 7, and 7007.1450, subpart 7.

Subp. 2. **Permit required.** Part 7007.0200 describes which emission facilities, emissions units, and stationary sources in Minnesota are required to obtain a part 70 permit. Part 7007.0250 describes which emission facilities, emission units, and stationary sources in Minnesota are required to obtain a state permit. Part 7007.0300 describes emission units and stationary sources in Minnesota that are not required to obtain a permit. Part 70 and state permits required in parts 7007.0200 and 7007.0250 may alternately be obtained in the form of a general permit, if available, under part 7007.1100.

Subp. 3. **Environmental policy act.** The requirements of parts 7007.0100 to 7007.1850 are in addition to the applicable requirements of *Minnesota Statutes*, chapter 116D, which may apply before a permit can be issued.

Subp. 4. **Calculation of potential to emit.** For purposes of parts 7007.0200 and 7007.0250, the owner or operator of a stationary source shall calculate the stationary source's potential to emit using the definition in part 7005.0100, subpart 35a.

Emissions caused by activities described in subpart 2 of the insignificant activities list in part 7007.1300 shall not be considered in the calculation of potential emissions. Emissions caused by activities described in subpart 3 of the insignificant activities list in part 7007.1300 shall be considered in the calculation of potential emissions if required by the agency under part 7007.0500, subpart 2, item C, subitem (2).

Calculations of emissions under this subpart are only intended to determine if a permit is required. When calculating emissions to determine if a permit amendment is required, the calculation method stated in part 7007.1200 shall be used.

### 7007.0200 SOURCES REQUIRED OR ALLOWED TO OBTAIN A PART 70 PERMIT.

Subpart 1. **Part 70 permit required.** The emission facilities, emission units, and stationary sources described in subparts 2 to 5 must obtain a part 70 permit from the agency. All provisions of parts 7007.0100 to 7007.1850 apply to part 70 permits unless the provision states that it applies only to state permits or general permits.

Subp. 2. **Major sources.** Any "major source," which means any stationary source that is described in item A, B, or C, must obtain a permit under this part.

A. A major source under section 112 of the act (Hazardous Air Pollutants), which is defined as:

(1) For pollutants other than radionuclides, any stationary source that emits or has the potential to emit, in the aggregate, ten tons per year or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the act, 25 tons per year or more of any combination of such hazardous air pollutants, or such lesser quantity as the administrator may establish by rule.

(2) Notwithstanding subitem (1), emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources.

(3) For radionuclides, major source shall have the meaning specified by the administrator by rule.

B. A major stationary source of air pollutants, as defined in section 302 of the act (General Provisions; Definitions), that directly emits or has the potential to emit, 100 tons per year or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the act, unless the stationary source belongs to one of the following categories of stationary sources:

- (1) coal cleaning plants (with thermal dryers);
- (2) kraft pulp mills;
- (3) Portland cement plants;
- (4) primary zinc smelters;
- (5) iron and steel mills;
- (6) primary aluminum ore reduction plants;
- (7) primary copper smelters;
- (8) municipal incinerators capable of charging more than 250 tons of refuse per day;
- (9) hydrofluoric, sulfuric, or nitric acid plants;
- (10) petroleum refineries;
- (11) lime plants;
- (12) phosphate rock processing plants;
- (13) coke oven batteries;
- (14) sulfur recovery plants;
- (15) carbon black plants (furnace process);
- (16) primary lead smelters;
- (17) fuel conversion plants;
- (18) sintering plants;
- (19) secondary metal production plants;
- (20) chemical process plants;
- (21) fossil-fuel boilers (or combination thereof) totaling more than 250,000,000 British thermal units per hour heat input;
- (22) petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- (23) taconite ore processing plants;
- (24) glass fiber processing plants;
- (25) charcoal production plants;
- (26) fossil-fuel-fired steam electric plants of more than 250,000,000 British thermal units per hour heat input; or
- (27) all other stationary source categories regulated by a standard promulgated under section 111 or 112 of the act, but only with respect to those air pollutants that have been regulated for that category.

(C) A major stationary source as defined in part D of title I of the act (Plan Requirements for Nonattainment Areas) including:

(1) for ozone nonattainment areas, stationary sources with the potential to emit 100 tons or more per year of volatile organic compounds or oxides of nitrogen in areas classified as marginal or moderate, 50 tons or more per year in areas classified as serious, 25 tons or more per year in areas classified as severe, and ten tons or more per year in areas classified as extreme; except that the references in this unit to 100, 50, 25, and ten tons per year of nitrogen oxides shall not apply with respect to any stationary source for which the administrator has made a finding, under section 182(f)(1) or (2) of the act, that requirements under section 182(f) of the act do not apply;

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(2) for ozone transport regions established pursuant to section 184 of the act, stationary sources with the potential to emit 50 tons or more per year of volatile organic compounds (VOCs);

(3) for carbon monoxide nonattainment areas that are classified as serious and in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the administrator, stationary sources with the potential to emit 50 tons or more per year of carbon monoxide; and

(4) for particulate matter (PM-10) nonattainment areas classified as serious, stationary sources with the potential to emit 70 tons or more per year of PM-10.

Subp. 3. **Affected sources.** An affected source, as defined in part 7007.0100, subpart 4, must obtain a permit under this part.

Subp. 4. **Solid waste incinerators.** A solid waste incineration unit required to obtain a permit under section 129(e) of the act (Solid Waste Combustion, Permits) must obtain a permit under this part.

Subp. 5. **Other part 70 sources.** Another stationary source which the administrator requires by rule to obtain a permit in compliance with *Code of Federal Regulations*, title 40, part 70, as amended (Operating Permit Program) must obtain a permit under this part. Stationary sources which the EPA administrator may require by rule to obtain a part 70 permit include those described in *Code of Federal Regulations*, title 40, section 70.3(b)(1), as amended.

Subp. 6. **Sources allowed to obtain a part 70 permit.** A stationary source not already required to obtain a part 70 permit under subparts 1 to 5 which is subject to a standard, limitation, or other requirement under section 111 or 112 of the act, including area sources, may choose to obtain a part 70 permit under subpart 2.

### 7007.0250 SOURCES REQUIRED TO OBTAIN A STATE PERMIT.

Subpart 1. **State permit required.** The stationary sources described in this part must obtain a state permit from the agency under this part. All provisions of parts 7007.0100 to 7007.1850 apply to state permits unless the provision states that it applies only to part 70 permits or to general permits.

Subp. 2. **NSPS/NESHAP state permits.** A stationary source must obtain a permit under this part if:

A. the stationary source contains an affected facility, as that term is defined in *Code of Federal Regulations*, title 40, section 60.2, as amended, that is subject to a standard under *Code of Federal Regulations*, title 40, part 60, as amended (Standards of Performance for New Stationary Sources); or

B. the stationary source is subject to a standard under *Code of Federal Regulations*, title 40, part 61, as amended (National Emission Standards for Hazardous Air Pollutants).

Subp. 3. **SIP required state permit.** A stationary source must obtain a permit under this subpart if the agency notifies the source that such a permit is needed as part of a state implementation plan to be submitted to the EPA to demonstrate attainment with a national ambient air quality standard.

Subp. 4. **PTE threshold required state permit.** A stationary source must obtain a permit under this part if it has the potential to emit any pollutant listed below at a rate equal to or greater than the following amounts, in tons per year:

| Pollutant       | Threshold           |
|-----------------|---------------------|
| Lead            | 0.5 tons per year   |
| SO <sub>2</sub> | 50.0 tons per year  |
| PM-10           | 25.0 tons per year  |
| VOCs            | 100.0 tons per year |

Subp. 5. **Part 70 permits.** Part 7007.0250 does not apply to a stationary source that is required to or chooses to obtain a part 70 permit under part 7007.0200. However, a stationary source that would otherwise be required to obtain a part 70 permit under part 7007.0200 may avoid that requirement by obtaining a state permit under this part which limits its emissions to levels below those that would trigger the requirement to obtain a part 70 permit.

### 7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

Subpart 1. **No permit required.** The following stationary sources are not required to obtain a permit under parts 7007.0100 to 7007.1850:

A. any stationary source that is not described in part 7007.0200, subparts 2 to 5, or 7007.0250;

B. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that would be required to obtain a permit solely because it is subject to *Code of Federal Regulations*, title 40, part 60, subpart AAA, Standards of Performance for New Residential Wood Heaters; and

C. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that would be required to obtain a permit solely



because it is subject to *Code of Federal Regulations*, title 40, part 61, subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, section 61.145, Standard for Demolition and Renovation.

Subp. 2. **Emission inventory requirement.** Exemption from the requirement to obtain a permit under parts 7007.0100 to 7007.1850 does not constitute an exemption from the requirement to submit an emissions inventory under part 7019.0105.

#### **7007.0350 EXISTING SOURCE APPLICATION DEADLINES AND SOURCE OPERATION DURING TRANSITION.**

Subpart 1. **Transition applications under this part; deadline based on SIC code.** Initial permit applications under parts 7007.0100 to 7007.1850 for an emission unit, emission facility, or stationary source in operation on the effective date of parts 7007.0100 to 7007.1850 shall be considered timely if they meet the requirements of this part.

A. An owner or operator of an existing stationary source with a Standard Industrial Classification (SIC) Code number from 0000 to 2999 or 4953, excluding sources with the SIC Codes 2041, 2048, 2951, and 2952, that is required to obtain a permit by part 7007.0200 or 7007.0250 shall submit a permit application by July 15, 1994.

B. An owner or operator of an existing stationary source with a Standard Industrial Classification (SIC) Code number from 3000 to 5099, excluding SIC code 4953, that is required to obtain a permit by part 7007.0200 or 7007.0250 shall submit a permit application by February 15, 1995.

C. An owner or operator of an existing stationary source with a Standard Industrial Classification (SIC) Code number with the SIC codes 2041, 2048, 2951, and 2952, or from 5100 to 9999, and that is required to obtain a permit by part 7007.0200 or 7007.0250 shall submit a permit application by September 15, 1995.

D. If more than one SIC code describes activities at the stationary source, the SIC code that represents the primary type of activity of the stationary source shall be used. If no single SIC code represents the primary type of activity of the stationary source, the lowest SIC code that describes activities at the stationary source shall be used.

E. If a single owner or operator is responsible for filing applications for three or more stationary sources under this subpart, the owner or operator may request the agency to allow it to submit one or more of its applications according to a subsequent deadline of this subpart. Such a request shall be made by the owner or operator in writing no later than 60 days before the application deadline which the applicant is seeking to postpone. The agency shall approve in writing such requests if they more evenly distribute the owner's or operator's stationary sources among the application deadlines in item A, B, or C.

F. The owner or operator of a stationary source must comply with the applicable deadline in this part, even though the stationary source may be operating under a permit issued by the agency under parts 7001.1200 to 7001.1220 (the permit rules in effect before the effective date of parts 7007.0100 to 7007.1850), and the permit is not due to expire until after the applicable deadline in this part. If a stationary source is operating under a permit issued by the agency under parts 7001.1200 to 7001.1220, and the permit expires after the effective date of parts 7007.0100 to 7007.1850 but before the applicable deadline, the owner or operator need not reapply before expiration of the permit, but shall comply with the applicable deadline in this part.

G. Except as provided in subitems (1) and (2), the agency waives its authority to take enforcement action against the owner or operator of a stationary source for failure to obtain a permit authorizing operation under parts 7001.1200 to 7001.1220, if the owner or operator files a timely and complete permit application under this part. This waiver does not apply to:

(1) an owner's or operator's failure to obtain a permit required under the federal preconstruction review programs of part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act, or regulations promulgated under them; or

(2) an owner's or operator's failure to obtain an amendment under parts 7001.1200 to 7001.1220 for modifications to a stationary source for which a permit had been obtained under those parts.

#### **Subp. 2. Compliance with permit or applicable requirements during transition.**

A. If a stationary source is operating under an air emission permit issued by the agency under parts 7001.1200 to 7001.1220 which has not expired as of the effective date of parts 7007.0100 to 7007.1850, and if the permittee has submitted a timely application for reissuance under subpart 1, that permit shall be considered not to expire until a new permit is issued under parts 7007.0100 to 7007.1850. The preceding sentence also applies to stationary sources which have been operating under an air emission permit which was continued under part 7001.0160. The permittee shall continue to operate the stationary source in compliance with the terms of the existing permit and all applicable requirements.

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B. If an owner or operator of a stationary source has filed an application for a permit but not yet received it, the stationary source shall be operated in compliance with all applicable requirements until the permit is issued.

### Subp. 3. **Application shield.**

A. If an owner or operator of an emissions unit, emission facility, or stationary source in operation on the effective date of parts 7007.0100 to 7007.1850 submits an application that is timely under this part and complete under part 7007.0600, the continued operation of the stationary source pending agency review of the permit application is not a violation of part 7007.0150, subpart 1.

B. If after the completeness determination made pursuant to part 7007.0700, the applicant fails to submit, by the deadline specified in writing by the agency, any additional information identified as being needed to process the application, the protection provided in item A does not apply.

Subp. 4. **Preservation of enforcement authority.** The agency reserves its authority to take enforcement action against any source that violated the permitting requirements of parts 7001.1200 to 7001.1220 prior to their repeal or that violates any permit issued under those parts, except as provided under subpart 1, item G. Nothing in parts 7007.0100 to 7007.1850 shall be read to limit the administrator's authority to enforce parts 7001.1200 to 7001.1220 prior to their repeal or permits issued under those parts.

Subp. 5. **Acid rain sources.** Stationary sources subject to the requirement to obtain Phase II acid rain permits under title IV of the act shall submit permit applications or amendments to permit applications to the agency by January 1, 1996, for sulfur dioxide, and January 1, 1998, for nitrogen dioxide.

## **7007.0400 PERMIT REISSUANCE APPLICATIONS AFTER TRANSITION; NEW SOURCE AND PERMIT AMENDMENT APPLICATIONS.**

Subpart 1. **Requirement for application.** Applications for reissued permits after the transition period, and for permits for new stationary sources or amendments, shall be considered timely if they meet the requirements of this part.

Subp. 2. **Permit reissuance after transition period.** Stationary sources operating under permits issued by the agency under parts 7007.0100 to 7007.1850 shall apply for permit reissuance at least 180 days before the expiration of the existing permit, unless the permit specifies that the application must be submitted sooner. The agency shall require in a permit that a reissuance application be submitted sooner if the agency determines that an earlier application is needed to minimize the possibility of expiration prior to reissuance. The agency may make this determination if it anticipates a relatively lengthy permit review process due to the complexity of the stationary source or anticipated involvement of the public. In no event shall the permit require application for reissuance sooner than nine months prior to the expiration of the permit.

Subp. 3. **New permits and amendments to existing permits.** Owners or operators seeking to obtain a new permit for a new stationary source or a permit amendment to an existing permit may submit the application at any time. It is recommended that the permit application for a new stationary source or an amendment be submitted at least 180 days before the planned date of commencement of construction of the new stationary source or commencement of the modification of the existing stationary source, although the agency may take up to 18 months to take final action on the permit or major amendment under part 7007.0750, subpart 2. If the reason for the application for an amendment is the adoption of a new or amended federal applicable requirement, and the remaining life of the permit is three years or longer, the permittee shall file an application for an amendment within nine months of promulgation of the applicable requirement. The preceding sentence does not apply if the effective date of the requirement is later than the date on which the permit is due to expire.

## **7007.0450 PERMIT REISSUANCE APPLICATIONS AND CONTINUATION OF EXPIRING PERMITS.**

Subpart 1. **Reissuance applications.** Permits being reissued are subject to the same procedural requirements that apply to initial permit application and issuance.

Subp. 2. **Inclusion of certain terms in a reissued permit.** The agency shall include in a reissued permit any title I condition of a previous permit.

Subp. 3. **Continuation of an expiring permit.** If the owner or operator of a stationary source has submitted a timely and complete application for reissuance of a permit, the permit shall not expire until the permit has been reissued or the reissuance has been denied, unless the agency determines that any of the following are true:

A. the permittee is not in substantial compliance with the terms and conditions of the expired permit or with a stipulation agreement or compliance schedule designed to bring the permittee in compliance with the permit;

B. the agency, as a result of an action or failure to act of the permittee, has been unable to take final action on the application on or before the expiration date of the permit; or

C. the permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.

**7007.0500 CONTENT OF PERMIT APPLICATION.****Subpart 1. Standard application form and required information.**

A. The applicant shall submit an application on a standard application form provided by the agency. The agency may create different forms for different types of stationary sources. Regardless of whether the particular information is required by a form, an applicant must include all information needed to determine the applicability of, or to impose, any applicable requirement, or to evaluate the emission fee amount required by chapter 7002.

B. For complicated stationary sources, the agency recommends but does not require that the applicant arrange for a preapplication meeting with the agency's air quality division. Small business stationary sources, as defined in *Minnesota Statutes*, section 116.96, subdivision 6, may seek assistance in preparing permit applications under the small business air quality compliance assistance act in *Minnesota Statutes*, sections 116.95 to 116.99.

C. In addition to the requirements of this part, applicants for permits subject to a new source review program under part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act shall also comply with the application requirements of part 7007.3000 or parts 7007.4000 to 7007.4030.

D. An applicant is not required to show that its emissions do not cause a violation of ambient air quality standards, unless the agency notifies the applicant that such information is required.

E. This part describes the standard information that will be required in a permit application. It does not limit the agency's statutory authority for requiring information in addition to that which is specifically listed.

**Subp. 2. Information included.** Applicants shall submit the following information as required by the standard application form:

A. Information identifying the stationary source and its owners and operators, including company name and address (and plant name and address if different from the company name), owner's name and agent, and contact telephone numbers including names of plant site manager or contact, and the person preparing the application if different.

B. A description of the stationary source's processes and products (by Standard Industrial Classification Code or SIC Code) including any associated with each alternate scenario identified by the stationary source.

**C. The following emissions-related information:**

(1) A permit application shall provide the information required by this part for every emissions unit within the stationary source, except as provided in subitem (2). Notwithstanding the first sentence, if a stationary source is not a major source and the sole reason it is required to have a permit is because it is subject to federal standards described under part 7007.0250, subpart 2, then the application need only provide information for the emissions units regulated by those federal standards. All permit applications shall include information about fugitive emissions in the same manner as stack emissions, regardless of whether the stationary source category in question is included in the list of stationary sources contained in the definition of major source in part 7007.0200, subpart 2.

(2) The application need not include the information required by this part for any activity listed on the insignificant activities list in part 7007.1300, except as provided in this subitem. The application shall include a list identifying any activity at the stationary source described in subpart 3 of the insignificant activities list. If requested by the agency, the permittee shall provide a calculation of emissions from any activity described in subpart 3 of the insignificant activities list. The agency shall request such a calculation if it finds that the emissions from those activities, in addition to other emissions from the stationary source, could make the stationary source subject to different applicable requirements or different requirements under parts 7007.0100 to 7007.1850.

(3) A permit application shall identify and describe all emission points in sufficient detail to determine the applicability of all applicable requirements. This shall include the location of emissions units, flow rates, stack parameters (including height, diameter, and plume temperature) for all regulated air pollutants.

(4) A permit application shall identify rates of regulated air pollutants emitted in tons per year and also in such terms as are necessary to establish compliance consistent with the applicable standard reference test method. The application shall provide this information for potential emissions, as defined in part 7005.0100, subpart 35a. The application shall also include the emissions limits that will be imposed on the stationary source by applicable requirements.

(5) The permittee shall provide information, including how the calculation was made, on actual emission rates of regulated air pollutants emitted in tons per year. The permittee is exempt from this requirement if, in the preceding year, the permittee has submitted an emissions inventory as required by part 7019.0105.

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(6) A permit application shall include the following information to the extent it is emissions-related: fuels, fuel use, raw materials, production rates, and operating schedules.

(7) A permit application shall identify and describe all air pollution control equipment and compliance monitoring devices or activities. A permit application shall also contain the design operating efficiency of the air pollution control equipment. The permit application shall identify all air pollution control equipment located at the stationary source which the stationary source elects not to operate.

(8) A permit application shall describe any work practice or physical limitation on stationary source operation that affects emissions of regulated air pollutants.

(9) A permit application shall include additional information if required by any applicable requirements (such as information related to stack height limitations developed pursuant to section 123 of the act).

(10) A permit application must explain the means by which the emissions information in subitems (1) to (9) is gathered, and provide the calculations on which they are based.

D. The following information regarding applicable requirements and test methods:

(1) A permit application must include a complete listing of the citations and titles of all applicable requirements to which the permittee is subject. Citations must be to the latest codification of the regulatory requirements at the time of application.

(2) If the stationary source is required to test its emissions to determine compliance, a permit application must include either: a citation to a rule or regulation establishing the test method for measuring emissions or, if such a rule or regulation does not exist, a permit application must describe the method that the applicant believes is the appropriate method to measure emissions.

E. Other specific information that may be necessary to implement and enforce other applicable requirements or requirements of parts 7007.0100 to 7007.1850, or to determine the applicability of such requirements. The agency may request the applicant to provide such information in a supplemental submittal.

F. For part 70 permit applications only, an explanation of any proposed exemptions from otherwise applicable requirements.

G. The applicant may propose permit terms and conditions which would allow the permittee to trade emissions increases and decreases within the permitted facility. This trading option is available solely for purposes of complying with a federally enforceable emissions cap that is established in the permit independent of otherwise applicable requirements, under conditions in part 7007.0800, subpart 10. The application shall include proposed replicable procedures and permit terms that ensure the emissions are quantifiable and enforceable.

H. The applicant may request the agency to allow in the permit alternative operating scenarios. If such a request is made, the application shall provide all the information required by this part for each proposed scenario. This option is only available under the conditions in part 7007.0800, subpart 11.

I. The applicant may request the agency to allow in the permit for the stationary source to operate at more than one location during the term of the permit. This option is available only under the conditions in part 7007.0800, subpart 12.

J. For state permit applications only, a description of the compliance status of the stationary source with respect to all applicable requirements and the requirements of parts 7007.0100 to 7007.1850, and a description of the methods used to determine compliance, including a description of monitoring, record keeping, and test methods.

K. For part 70 permit applications only, a compliance plan that contains the following:

(1) A description of the compliance status of the stationary source at the time of application submittal with respect to all applicable requirements and the requirements of parts 7007.0100 to 7007.1850, and a description of the methods used to determine compliance, including a description of monitoring, record keeping, test methods, and operation and maintenance procedures for air pollution control equipment. The applicant shall identify in the description of compliance status any past modifications at the stationary source for which preconstruction review was required under parts C and D of the act but was not done.

(2) For applicable requirements with which the stationary source is in compliance, a statement that the stationary source will continue to comply with such requirements.

(3) For applicable requirements that are known to become effective during the permit term, a statement that the stationary source will meet such requirements on a timely basis.

(4) For applicable requirements for which the stationary source is not in compliance at the time of application submittal, a proposed schedule of compliance. Such a schedule shall include a date specific schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance in the shortest reasonable period of time. The proposed schedule of compliance shall begin at the time of permit application, but the applicant may project its compliance status at the time the permit is expected to be issued. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree, stipulation agreement, or administrative order to which the stationary source is subject. The compliance schedule shall be

supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

L. For part 70 permit applications only, a proposed schedule for submitting progress reports under part 7007.0800, subpart 6, item B. The proposed schedule shall provide for reporting at least every six months for any stationary source required to have a compliance schedule under this subpart, or any stationary source required by an applicable requirement to monitor every six months or more often.

M. For part 70 permit applications only, a proposed schedule for submission of compliance certifications during the permit term, to be submitted no less frequently than annually. The schedule shall provide for more frequent compliance certifications if required by an applicable requirement.

N. If subject to the following laws, a statement of whether the stationary source has:

(1) prepared a pollution prevention plan and submitted a pollution prevention progress report to the commissioner as required by the Minnesota Toxic Pollution Prevention Act, *Minnesota Statutes*, sections 115D.07 and 115D.08; and

(2) submitted a toxic chemical release form as required by *United States Code*, title 42, section 11023.

Subp. 3. **Application certification.** A responsible official, as defined in part 7007.0100, subpart 21, shall sign and certify any application, report, or compliance certification submitted pursuant to parts 7007.0100 to 7007.1850 with regard to truth, accuracy, and completeness. This certification and any other certification required by parts 7007.0100 to 7007.1850 shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. This subpart shall be complied with by both the owner and the operator of the stationary source if they are not the same.

Subp. 4. **Title IV source application.** Affected sources shall use nationally standardized forms for acid rain portions of permit applications and compliance plans, as required by *Code of Federal Regulations*, title 40, part 72, as amended. The compliance plan content requirements of subpart 2 shall apply to the acid rain portion of the affected source's permit application, except as specifically superseded by *Code of Federal Regulations*, title 40, part 72, as amended.

Subp. 5. **Environmental review.** If a stationary source is required to complete an environmental impact statement or an environmental assessment worksheet under *Minnesota Statutes*, chapter 116D, or implementing regulations, or under *United States Code*, title 42, sections 4331 et seq., as amended, the statement or worksheet shall be included in the permit application. A stationary source may request the agency to begin processing a permit application prior to receiving these documents, but the application will not be considered complete for purposes of part 7007.0700 until the statement or worksheet is submitted.

#### **7007.0550 CONFIDENTIAL INFORMATION.**

A person may request the agency to treat information submitted under parts 7007.0100 to 7007.1850 as confidential by following the procedures established by part 7000.1000. Where the agency is required to submit information to the EPA, the confidentiality of that information will be governed by *Code of Federal Regulations*, title 40, part 2, as amended.

#### **7007.0600 COMPLETE APPLICATION AND SUPPLEMENTAL INFORMATION REQUIREMENTS.**

Subpart 1. **Complete application.** To be deemed complete, an application must provide all information required by part 7007.0500, except that an application for a permit amendment under parts 7007.1450 and 7007.1500 need supply information only if it is related to the proposed amendment. Information required under part 7007.0500 must be sufficient to evaluate the subject stationary source and its application and to determine all applicable requirements. The application shall also contain a certification from a responsible official consistent with part 7007.0500, subpart 3.

Subp. 2. **Duty to supplement or correct application.** Any applicant who fails to submit any relevant facts or who has submitted incorrect information in an application for a permit or permit amendment shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant must provide additional information as necessary to address any requirements that become applicable to the stationary source after the date it filed a complete application but prior to release of a draft permit.

#### **7007.0650 WHO RECEIVES AN APPLICATION.**

Subpart 1. **Applications submittal.** Permit applicants shall submit two printed copies of the complete application and all supplemental information requested by the agency to the information coordinator, Air Quality Division, Minnesota Pollution Control Agency. Upon request of the agency, the applicant shall submit additional copies of the application directly to the administrator, affected states, and other governmental entities with the legal right to review the application, or submit additional copies to the agency to be forwarded to these parties.

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Subp. 2. **Computerized application submittal.** Applicants may in addition submit applications in computer-readable format specified by the agency, which may be through submission of a floppy disk or through electronic data submittal. If the information is submitted in computer-readable format, the agency may allow the applicant to submit fewer printed copies than required in subpart 1, however at least one copy of the application certification required by part 7007.0500, subpart 3, shall always be required to be provided on paper.

### **7007.0700 COMPLETENESS REVIEW.**

A. Within one week of receipt of an application other than a minor amendment application, the agency shall notify the applicant in writing that it has received the application.

B. Within 60 days of receipt of an application other than a minor amendment application, the agency shall notify the applicant in writing of whether the application is complete. If the agency fails to make the completeness determination required above within the 60-day period, the application shall be deemed complete. A completeness determination under this subpart triggers timelines for permit issuance under 7007.0750, but does not limit the agency's ability to request additional information.

C. If an application or a written request for an administrative amendment is incomplete, the agency shall identify the incomplete portions of the application or request and outline the actions needed to complete the application or request.

D. If, during processing of a permit application that has been deemed complete, or of a written request for an administrative amendment, the agency determines that additional information is necessary to evaluate or take final action on that application or request, it may request such information in writing, and, after consultation with the applicant, set a deadline for a response. In the request for additional information, the agency shall briefly explain why the additional information is needed. If an applicant fails to respond to requests for additional information within the time period requested, the application or request shall be deemed incomplete. Applicants who have already made a change or commenced a modification at a permitted facility under part 7007.1450, shall provide the additional information within the time period specified by the agency.

E. Items A and B do not apply to written requests for administrative amendments.

### **7007.0750 APPLICATION PRIORITY AND ISSUANCE TIMELINES.**

Subpart 1. **Prioritization of applications.** In deciding which permit applications to act on, the agency shall give priority to applications for construction or modification of a stationary source.

#### **Subp. 2. Application processing and issuance deadlines.**

A. Within 12 months of receiving a complete application for a permit to construct a new stationary source or for a major permit amendment to construct a modification, the agency shall have completed the public notice process and comment period required by part 7007.0850, unless the agency has denied the application. The agency shall take final action on the application within 60 days of the end of the public comment period if:

- (1) no meetings or hearings are requested under part 7007.0850, subpart 3, during the public comment period;
- (2) there is no substantial adverse public comment on the application; and
- (3) there is no substantial adverse EPA comment on the application.

If any of the circumstances in subitems (1) to (3) occur, the agency shall take final action on the application within 18 months of receiving the complete application.

B. Within six months of receiving a complete application for a moderate amendment to construct a modification for which the agency has decided to provide public notice under part 7007.0850, subpart 2, the agency shall have completed the public notice process and comment period, unless the agency has denied the application. The agency shall take final action on the permit within 60 days of the end of the public comment period if:

- (1) no meetings or hearings are requested under part 7007.0850, subpart 3, during the public comment period;
- (2) there is no substantial adverse public comment on the application; and
- (3) there is no substantial adverse EPA comment on the application.

If any of the circumstances in subitems (1) to (3) occur, the agency shall take final action within nine months of receiving the complete application.

C. The agency shall take final action on applications for permits or permit amendments not governed by items A and B within the period specified in this item. The agency shall take final action on an application for a permit, permit reissuance, or major permit amendment within 18 months of receiving a complete application. The agency shall take final action on an application for a minor or moderate permit amendment within six months of receiving a complete application, but not before the end of the administrator's 45-day review period in the case of part 70 permits. The agency shall take final action on a written request for an administrative amendment within 60 days of receiving the complete request.

D. If the applicant is required to submit additional information under part 7007.0700, subpart 2, item D, and if the applicant takes more than 30 days to provide the information, the agency may extend a deadline under item A, B, or C by the amount of time it takes to provide the information. The agency may also extend the deadlines under items A, B, and C upon written request of the applicant.

E. The deadlines in this subpart do not apply to the extent they deviate from the requirements of federal regulations at *Code of Federal Regulations*, title 40, section 72.73, as amended (Acid Rain Permits Regulation).

**Subp. 3. Final action.** For purposes of this part, final agency action on a request or an application includes issuing the permit or amendment, denying the request or application, or issuing a revised permit or amendment. If the agency denies the request or application it shall explain why. If the agency revises a proposed permit or amendment which has been subject to EPA review, it shall resubmit the amendment to the administrator. Failure to issue a permit or amendment in any form by the deadlines applicable under this part shall be considered a denial of the request or application.

**Subp. 4. Transition period.** The timelines in subpart 2 do not apply to applications received prior to the date three years after EPA grants full program approval.

**Subp. 5. Modification of installation and operation permits.** The agency may issue permits authorizing a modification to a stationary source (an installation and operation permit) prior to issuance of an operating permit covering the entire stationary source (a total facility permit) if the agency finds:

A. the stationary source has filed a timely application for a total facility permit;

B. the delay resulting from issuing the installation and operation permit and the total facility permit at the same time would cause undue economic hardship on the stationary source; and

C. the agency has sufficient information about the entire stationary source to be able to comply with the requirements of part 7007.1000.

The requirements of parts 7007.0100 to 7007.1850 that apply to modifications to a stationary source with a total facility permit shall also apply to modifications authorized under this part.

**Subp. 6. Construction of units subject to new source performance standards.**

A. It is not a violation of parts 7007.0100 to 7007.1850 to construct an affected facility, as that term is defined in *Code of Federal Regulations*, title 40, section 60.2, as amended (Standards of Performance for New Stationary Sources; Definitions), upon receiving from the agency written approval to construct the affected facility. For purposes of this subpart, construction of an affected facility includes modification or reconstruction, as described in *Code of Federal Regulations*, title 40, sections 60.14 and 60.15, as amended, making existing emissions units into affected facilities. No person may begin to operate the affected facility until receipt of a permit issued by the agency under parts 7007.0100 to 7007.1850.

B. The agency shall issue written approval to construct, or explain in writing why the approval will not be granted, within 60 days of receiving a complete permit application seeking authorization to construct and operate the affected facility. The application must be accompanied by a written request for approval to construct under this subpart, and a statement certified by a responsible official certifying that requirements of part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act do not apply to the proposed construction. The agency's failure to respond within the 60-day period shall not be deemed approval to construct. The approval to construct shall only apply to the affected facility.

C. This subpart does not apply if the construction, reconstruction, or modification would be subject to the new source review requirements of part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act.

D. This subpart does not relieve the applicant of the obligation to comply with the requirements of *Minnesota Statutes*, chapter 116D, prior to construction, if applicable.

**Subp. 7. Two-stage issuance of permits subject to federal new source review.**

A. If a permit or permit amendment is subject to the requirements of a new source review program under part C (Prevention of Significant Deterioration of Air Quality) or part D (Plan Requirements for Nonattainment Areas) of the act, the agency shall send the permit to the permittee after all requirements of the new source review program have been satisfied. The agency shall at the same time notify the permittee in writing that those permit conditions required by the new source review program and designated as such

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by the agency in the permit or amendment, and only those conditions, shall be considered issued.

B. The agency shall issue the remaining permit conditions (those not issued under item A) after the EPA's 45-day review period described in part 7007.0950, and in compliance with all other applicable provisions of parts 7007.0100 to 7007.1850. If there is no change to the remaining permit conditions, the agency shall issue the remaining permit conditions by means of notifying the permittee in writing that the remaining permit conditions of the permit previously sent under item A shall be considered issued.

C. The permittee may begin actual construction and operation of a stationary source or modification upon issuance of the conditions under item A to the extent authorized by those conditions.

### 7007.0800 PERMIT CONTENT.

Subpart 1. **Scope.** The agency shall include the permit conditions specified in this part in all permits, except where the requirement states that it applies only to part 70 permits or only to state permits. The permit shall specify and reference the origin of and the authority for each term or condition, and shall identify any difference in form from the requirement giving rise to the condition. Nothing in this part shall be read to limit the agency's authority to put additional or more stringent terms in a permit, to conduct inspections, or to request information.

Subp. 2. **Emission limitations and standards.** The permit shall include emissions limitations, operational requirements, and other provisions needed to ensure compliance with all applicable requirements at the time of permit issuance. The permit shall also include any condition the agency determines to be necessary to protect human health and the environment. The permit shall state that, where another applicable requirement of the act is more stringent than any applicable requirement of regulations promulgated under title IV of the act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the administrator.

Subp. 3. **Emissions units covered by permit.** The permit shall cover any emissions unit within the stationary source for which there is an applicable requirement, and any unit which the agency believes should be covered in order to protect human health and the environment. However, if a stationary source is not a major source and the sole reason it is required to have a permit is because it is subject to federal standards described under part 7007.0250, subpart 2, then the permit shall only cover emissions units regulated by those federal standards. The permit shall include applicable requirements for fugitive emissions in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source in part 7007.0200, subpart 2.

Subp. 4. **Monitoring.** The agency shall include the following monitoring requirements in all permits:

A. The permit shall require the permittee to comply with all emissions monitoring and analysis procedures or test methods required under the applicable requirements, including any procedures and methods promulgated pursuant to section 114(a)(3) or 504(b) of the act.

B. For part 70 permits, where the applicable requirements do not require periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring), the permit shall require the permittee to conduct periodic monitoring sufficient to determine whether the stationary source is in compliance with applicable requirements. The monitoring requirements shall be designed to yield reliable data from the relevant time period that are representative of the stationary source's operation, and shall require the permittee to use terms, test methods, units, averaging periods, and other statistical conventions that are consistent with the emissions limitations and standards contained in the permit, and with other applicable requirements. Record keeping provisions may be sufficient to meet the requirements of this item.

C. For state permits, where the applicable requirements do not require periodic testing or instrumental or noninstrumental monitoring, which may consist of record keeping designed to serve as monitoring, the permit shall include monitoring requirements sufficient to determine whether a stationary source is in compliance with applicable requirements if the agency finds that such monitoring is warranted based on the likelihood of noncompliance, the environmental impact of noncompliance, or the likelihood that noncompliance could be detected using means other than monitoring.

D. As necessary, the permit shall require the permittee to install, use, and maintain monitoring equipment or use monitoring methods.

Subp. 5. **Record keeping.** The permit shall incorporate all applicable requirements related to record keeping and require the permittee to maintain adequate records, including at least the following:

A. A requirement that the permittee maintain records adequate to document compliance at the stationary source, including at a minimum:

- (1) the date, place, as defined in the permit, and time of sampling or measurements;
- (2) the date or dates analyses were performed;
- (3) the company or entity that performed the analyses;
- (4) the analytical techniques or methods used;



(5) the results of such analyses; and

(6) the operating conditions existing at the time of sampling or measurement.

B. A requirement that the permittee maintain records describing any modification made at the stationary source under parts 7007.1250 and 7007.1350, as required by those provisions, but not otherwise regulated under the permit, and the emissions resulting from those changes.

C. A requirement that the permittee retain records of all monitoring data and support information for a period of five years, or longer as specified by the commissioner, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Records shall be kept at the stationary source unless the permit allows otherwise.

Subp. 6. **Reporting.** The permit shall require the permittee to submit to the agency the reports described in this subpart. The permit shall require that all reports be certified by a responsible official consistent with part 7007.0500, subpart 3.

A. The permit shall require the permittee, in the event of any deviation from permit conditions which could endanger human health or the environment, to orally notify the commissioner within 24 hours of discovering the deviation. Within five days of the discovery of such a deviation, the permittee shall submit to the commissioner a written description of the deviation; the cause of the deviation; the exact dates of the period of the deviation; if the deviation has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the deviation. The permit shall require the permittee, in the event of any other type of deviation from permit conditions, including those attributable to upset conditions as defined in the permit, to report the deviation with two working days and provide the information required in this item. Unless stated otherwise in the permit, a report filed under this provision does not satisfy the requirement to notify the agency of shutdowns and breakdowns under part 7005.1880.

B. All part 70 permits shall require the permittee to submit progress reports at least every six months for any stationary source required to have a compliance schedule under part 7007.0500, subpart 2, item K, or any stationary source that is required to monitor under subpart 4 more frequently than every six months. The reports shall be more frequent than every six months if required by an applicable requirement. Other permits will require progress reports if the agency determines that they are necessary to ensure compliance with applicable requirements. All instances of deviations from permit conditions must be clearly identified in such reports. Such progress reports shall contain the following:

(1) Reports of any monitoring required under subpart 4. All instances of deviations from permit conditions must be clearly identified in such reports.

(2) In the case of stationary sources required to submit compliance schedules under part 7007.0500, subpart 2, item K, the deadlines for achieving the activities, milestones, or compliance required in the compliance schedule and dates when such activities, milestones, or compliance were actually achieved. If any deadlines in the schedule of compliance were not or will not be met, the report shall note that, explain why, and include any preventive or corrective measures that have been or will be adopted as a result.

C. The permit shall require periodic compliance certification in which the permittee certifies whether or not it is in compliance with applicable requirements and permit terms, including emission limitations, standards, or work practices. The permits shall:

(1) specify how often the permittee must submit the compliance certification; for part 70 permits, the frequency shall be at least annually or more often as specified in the applicable requirements;

(2) require that the compliance certification include the following:

(a) the identification of each applicable requirement and permit term that is the basis of the certification;

(b) the compliance status throughout the reporting period, noting whether compliance was continuous or intermittent;

(c) the method or methods used for determining the compliance status of the stationary source, noting whether the method conforms with permit conditions; and

(d) such other facts as the agency may require;

(3) in the case of part 70 permits, require that all compliance certifications be submitted to the administrator as well as to the agency, unless the administrator agrees that such submittals are not necessary;

(4) require that all compliance certifications be made by a responsible official consistent with part 7007.0500, subpart 3;

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and

(5) require such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the act.

Subp. 7. **Prohibition on exceedance of allowances.** For affected sources, the agency shall include a permit condition prohibiting emissions exceeding any allowances that the stationary source lawfully holds under title IV of the act or the regulations promulgated thereunder, except as follows:

A. No permit amendment shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit amendment under any other applicable requirement.

B. No limit shall be placed on the number of allowances held by the stationary source. The stationary source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.

C. Any such allowance shall be accounted for according to the procedures established in *Code of Federal Regulations*, title 40, part 73, as amended.

Subp. 8. **Fee requirement.** The permit shall require payment of annual fees by owners or operators of a stationary source required to pay annual fees due under part 7002.0025.

Subp. 9. **Additional compliance requirements.** All permits shall contain the following elements with respect to compliance:

A. inspection and entry requirements that require that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow the agency, or an authorized representative or agent of the agency, to perform the following:

(1) enter upon the permittee's premises where the stationary source is located or activity is conducted, or where records must be kept under the conditions of the permit;

(2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(3) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit. For purposes of this subpart, reasonable times include any time that the stationary source is operating; and

(4) sample or monitor any substances or parameters at any location:

(a) at reasonable times, for the purposes of assuring compliance with the permit or applicable requirements; or

(b) as otherwise authorized by the act or state law;

B. a schedule of compliance if one is required under part 7007.0500, subpart 2, item K, meeting the description of that part; and

C. provisions establishing the permit shield described in part 7007.1800.

Nothing in this subpart shall be read to limit the agency's authority under *Minnesota Statutes*, section 116.091, and section 114 of the act (Record keeping, Inspections, Monitoring, and Entry) or other law.

Subp. 10. **Emissions trading.**

A. If requested by a permit applicant, the agency shall include provisions allowing the permittee to trade emissions increases and decreases that occur within the permitted facility. No title I modification may be made using this provision, and the trade may not result in the exceedance of any emission limit in the permit. The agency shall make such trading available to the permittee only if it determines that all of the following are true:

(1) the limits above which the permittee wishes to increase emissions were established solely to keep the stationary source as a whole from being subject to an applicable requirement described in part 7007.0100, subpart 7, items A to K, and are independent of otherwise applicable requirements;

(2) the stationary source's total emissions can be limited equally well, and compliance with applicable requirements may still be assured, by allowing the proposed trading scenario; and

(3) the permit establishes replicable procedures to ensure the emission trades are quantifiable and enforceable.

B. The permit shall require the permittee to provide the agency in writing at least seven working days before making the emissions trade the written notification described in this item. The notice shall state when the trade will be made and describe the change in emissions that will result. The notice shall also describe how these increases and decreases in emissions will comply with the terms and conditions of the permit. The permittee and the agency shall each append the notice to its copy of the stationary source's permit.

Subp. 11. **Alternative scenarios.** Terms and conditions allowing for reasonably anticipated alternative operating scenarios identified by the stationary source in its application. Such terms and conditions shall:

A. require the stationary source, contemporaneously with making a change from one operating scenario to another, to record in a log at the permitted facility a record of the scenario under which it is operating; and

B. ensure that the operation under each such alternative scenario complies with all applicable requirements and the requirements of parts 7007.0100 to 7007.1850.

Subp. 12. **Operation in more than one location.** If requested by the applicant, the permit may allow a stationary source to be operated in more than one location during the course of the permit. No affected source shall be allowed this option. If more than one location is authorized, the permit shall include the following:

A. identification of all geographic areas where the stationary source is authorized to operate during the course of the permit;

B. conditions that will assure compliance with all applicable requirements at all authorized locations;

C. requirements that the owner or operator notify the agency at least 20 days in advance of each change in location, providing the exact location where the source will operate; and

D. conditions that assure compliance with all other provisions of parts 7007.0100 to 7007.1850.

Subp. 13. **Permit duration.** Each permit shall specify the duration of the permit, or state that the permit is nonexpiring.

Subp. 14. **Operation of control equipment.** Each permit shall specify operating and maintenance requirements for each piece of control equipment located at the stationary source.

Subp. 15. **Terms to include in reissuance.** The permit shall indicate the terms that must be included in any reissuance of the permit under part 7007.0450, subpart 3.

Subp. 16. **General conditions.** Permits issued by the agency under parts 7007.0100 to 7007.1850 shall include the following general conditions, either expressly or by reference to this subpart.

A. Unchallenged provisions of this permit remain valid despite any successful challenges to specific portions of the permit.

B. The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the state law and, if the provision is federally enforceable, of the act. Such violation is grounds for enforcement action by the agency or the EPA; or for permit termination, revocation and reissuance, or amendment; or for denial of a permit reissuance application.

C. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. This permit may be reopened and amended or revoked for cause as provided in parts 7007.1600 to 7007.1700. The filing of a request by the permittee for a permit amendment, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition, except as specifically provided in part 7007.1450, subpart 7.

E. This permit does not convey any property rights of any sort, or any exclusive privilege.

F. The permittee shall furnish to the agency, within a reasonable time, any information that the agency may request in writing to determine whether cause exists for reopening and amending or revoking the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the agency copies of records required to be kept by the permittee.

G. The agency's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit or as specifically provided in the permit shield provision and part 7007.1800.

H. The agency's issuance of a permit does not prevent the future adoption by the agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.

I. The agency's issuance of a permit does not obligate the agency to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes.

J. The permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

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K. The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the agency or to the commissioner by the permit. The permittee shall immediately upon discovery report to the commissioner an error or omission in these records, reports, plans, or other documents. The permittee may not falsify, tamper with, render inaccurate, or fail to install any monitoring device or method required to be maintained or followed by the permit.

L. The permittee shall, when requested by the commissioner, submit within a reasonable time any information and reports that are relevant to pollution or the activities authorized under this permit.

M. If the permittee discovers, through any means, including notification by the agency, that noncompliance with a condition of the permit has occurred, the permittee shall immediately take all reasonable steps to minimize the adverse impact on human health or the environment resulting from the noncompliance.

N. The permit is not transferable to any person except as provided in part 7007.1400, subpart 1, item E.

O. The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and agency assume no responsibility for damages to persons, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, *Minnesota Statutes*, section 3.736.

### 7007.0850 PERMIT APPLICATION NOTICE AND COMMENT.

Subpart 1. **Technical support document.** For part 70 permits, the agency shall develop a statement that sets forth the legal and factual basis for the draft permit conditions, including references to the applicable statutory or regulatory provisions. The agency shall send this statement to the EPA and to any other person who requests it.

#### Subp. 2. **Public notice and comment.**

A. The agency shall comply with the following procedures before issuing, reissuing, or making a major amendment to any part 70 permit.

(1) The agency shall give notice:

- (a) by publication in a newspaper of general circulation in the area where the stationary source is located;
- (b) in a list provided to the public upon request by the agency;
- (c) to persons on a mailing list developed by the agency, including those who request in writing to be on the list; and
- (d) by other means if necessary to assure adequate notice to the affected public.

(2) The notice shall identify the name and location of the facility to be permitted; the name and address of the permittee; the name and address of the agency; the activity or activities involved in the permit action; the emissions change involved in any permit amendment; the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials, and all other materials available to the agency that are relevant to the permit decision; a brief description of the comment procedures required by this part; and the time and place of any meeting or hearing that may be held, including a statement of procedures to request a meeting or hearing under subpart 3, unless a meeting or hearing has already been scheduled.

(3) The agency shall provide at least 30 days for public comment and shall give notice of any public informational meeting or contested case hearing at least 30 days in advance of the meeting or hearing. The provisions of part 7001.0110 applies to public comments received under this part.

(4) The agency shall keep a record of the commenters and also of the issues raised during the public participation process, so that the administrator can determine whether a citizen petition may be granted. The records shall be available to the public.

B. Before issuing or reissuing a state permit, the agency shall comply with the procedures in item A, subitems (1) to (3). However, instead of providing notice in a newspaper of general circulation as required by item A, subitem (1), unit (a), the agency may provide the notice in the *State Register* or other EPA approved general circulation notice procedure. The requirements of this item also apply to any major amendment to a state permit described in part 7007.1500, subpart 1, items C and D, if authorized or required by the administrator.

C. If the agency determines that a proposed major amendment to a state permit not described in item B involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency shall comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. However, the agency may provide the notice required by this item in either a newspaper of general circulation or the *State Register*.

D. (1) If the agency determines that a proposed minor or moderate amendment to a permit involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency shall comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. However, the agency may provide the notice required by this item in either a newspaper of general circulation or the *State Register*.

(2) A proposed minor permit amendment may be made subject to the public notice and comment procedures only if the agency notifies the permittee of its determination within 15 working days of receiving the minor amendment application. If the permittee has properly proceeded with a modification under part 7007.1450, subpart 7, before receiving the agency's determination, the permittee will not be subject to enforcement action for proceeding, but will be required to cease construction and operation of the modification within a reasonable period. The agency will consult with the permittee on when it is reasonable to cease construction and operation. A proposed moderate permit amendment may be made subject to the public notice and comment procedures any time prior to the agency's issuance of a letter of approval authorizing construction under part 7007.1450, subpart 7.

E. The agency shall upon request provide a list which summarizes current activities involving permit applications, minor, moderate, and major amendment applications, and requests for administrative amendments. The agency may use an electronic bulletin board in lieu of a written list.

Subp. 3. **Requests for meetings and hearings.** During the public comment period, a person may request, in regard to any draft permit or amendment subject to public notice under subpart 2, items A to D: a public informational meeting pursuant to part 7001.0120, a contested case hearing pursuant to part 7001.0130, subpart 2, or placement of the permit on the agenda of an agency board meeting pursuant to part 7000.0500, subpart 6. The agency's decision to grant or deny the request for a public informational meeting or a contested case hearing shall be based on the standards in parts 7001.0120 and 7001.0130, and any meeting or hearing held shall be in accordance with those parts.

Subp. 4. **Additional procedures for permits containing title I conditions.** In addition to the requirements of this part, the agency shall also comply with all other federal requirements for public participation applicable to permits and permit amendments which include title I conditions.

#### **7007.0900 REVIEW OF PART 70 PERMITS BY AFFECTED STATES.**

The agency shall give notice of each draft part 70 permit, or major amendment to a part 70 permit, to any affected state on or before the time that the agency provides this notice to the public as required by part 7007.0850. The agency shall notify the administrator and any affected state in writing of any refusal by the agency to accept all recommendations for the proposed permit that the affected state submitted during the public comment period. The notice shall include the agency's reasons for not accepting any such recommendation.

#### **7007.0950 EPA REVIEW AND OBJECTION.**

Subpart 1. **Review by EPA.** The agency shall provide to the administrator a copy of each proposed permit and each final permit, unless the administrator agrees to accept a summary of the permit issuance information. The proposed permit shall be provided to the administrator after the draft permit has been subject to public comment.

Subp. 2. **EPA objection.** The agency shall not issue a permit if the administrator objects to its issuance in writing within 45 days of receipt of the proposed permit and any necessary supporting information.

Subp. 3. **Public petitions to administrator regarding part 70 permits.** If the administrator does not object in writing to a part 70 permit or a major amendment to a part 70 permit under subpart 2, any person may petition the administrator within 60 days after the expiration of the administrator's 45-day review period to make such objection. Any such petition shall be based only on objections to the part 70 permit or the amendment that were raised with reasonable specificity during the public comment period provided in part 7007.0850, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless grounds for such objection arose after such period. If the administrator objects to the part 70 permit or the amendment as a result of a petition filed under this subpart prior to agency issuance, the agency shall not issue the permit or the amendment until the administrator's objection has been resolved. If the permit or the amendment was issued prior to the administrator's objection but after the end of the EPA's 45-day review period, the agency shall reopen or revoke the permit or the amendment under part 7007.1600 or 7007.1700 to satisfy the EPA's objection. Until amended or revoked, the permit shall remain in effect. In any case, the stationary source will not be in violation of the requirement to have submitted a timely and complete application. The administrator may also amend, terminate, or revoke a part 70 permit under the administrator's authority under *Code of Federal Regulations*, title 40, section 70.8(d), as amended.

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Subp. 4. **Additional procedures for permits containing title I conditions.** In addition to the requirements in subparts 1 to 3, the agency shall also comply with all other federal requirements for EPA review applicable to permits and permit amendments which include title I conditions.

### 7007.1000 PERMIT ISSUANCE AND DENIAL.

Subpart 1. **Preconditions for issuance.** The agency shall issue a permit or permit amendment, or reissue a permit only if it determines that all of the following conditions have been met:

A. The agency has received a complete application for a permit, permit amendment, or permit reissuance, except that a complete application need not be received before issuance of a general permit under part 7007.1100, subpart 4.

B. The agency has complied with the public participation procedures for permit issuance, if required by part 7007.0850.

C. The agency has complied with the procedures for notifying and responding to affected states, if required by part 7007.0900.

D. If the administrator's review is required by part 7007.0950, the administrator has received a copy of the permit and any notices required and has not objected to issuance of the permit within the time period specified, or the administrator has objected but the objection has been resolved to the administrator's satisfaction.

E. The conditions of the permit provide for compliance with all applicable requirements and the requirements of parts 7007.0100 to 7007.1850, or include a schedule to achieve such compliance.

F. The permit does not reflect a variance from any federally enforceable applicable requirement or requirement of parts 7007.0100 to 7007.1850.

G. The applicant will, with respect to the stationary source and activity to be permitted, comply with all conditions of the permit.

H. All applicable provisions of *Minnesota Statutes*, chapter 116D, and the rules adopted under *Minnesota Statutes*, chapter 116D, have been fulfilled.

Subp. 2. **Grounds for denial.** The following constitute grounds for the agency to refuse to issue a new or modified permit, or to refuse permit reissuance:

A. The agency is unable to make any of the determinations required under subpart 1.

B. There exists at the stationary source to be permitted unresolved noncompliance with applicable state or federal pollution control statutes or rules administered by the agency, or conditions of a previous or existing air emission permit, and the applicant will not undertake a schedule of compliance to resolve the noncompliance.

C. An applicant has failed to disclose fully all facts relevant to the stationary source or activity to be permitted, or the applicant has knowingly submitted false or misleading information to the agency.

D. The permitted facility or activity would endanger human health or the environment and the danger cannot be removed by an amendment to the permit.

E. With respect to the stationary source or activity to be permitted, the applicant has not complied with the requirement to pay fees under chapter 7002.

F. With respect to the stationary source or activity to be permitted, the applicant has failed to pay a penalty owed pursuant to court order, consent decree, stipulation agreement, schedule of compliance, or an order issued under *Minnesota Statutes*, section 116.072.

G. The applicant has failed to prepare a pollution prevention plan or submit a pollution prevention progress report to the commissioner as required by *Minnesota Statutes*, sections 115D.07 and 115D.08.

Subp. 3. **No default issuance.** Failure of the agency to act on a permit application shall not be deemed issuance by default.

### 7007.1050 DURATION OF PERMITS.

Subpart 1. **Part 70 permits.** A part 70 permit shall expire five years after issuance, except for title I conditions as provided in subpart 4. The agency may issue part 70 permits for stationary sources, other than affected sources, that expire in less than five years but not less than three years if necessary to evenly distribute the rate of reissuance applications in subsequent years and if the permittee consents.

Subp. 2. **State permits.** A state permit shall not automatically expire unless the agency makes the permit an expiring one under subpart 5.

Subp. 3. **General permits.** A general permit that applies to any stationary sources that would otherwise be required to have a part 70 permit shall expire five years after the date it is issued under part 7007.1100, subpart 4. A general permit that only applies to stationary sources that would otherwise be required to have a state permit shall not automatically expire unless the agency makes the

permit an expiring one under subpart 5.

Subp. 4. **Title I conditions.** Title I conditions, and the permittee's obligation to comply with them, shall not expire, regardless of the expiration of the other conditions of the permit.

Subp. 5. **Expiring state and general permits.** The agency may elect to make state permits and general permits (except general permits that apply to stationary sources otherwise required to have a part 70 permit) expire five years after issuance if the agency determines that an expiring permit would significantly improve the likelihood of continuing compliance with applicable requirements and the terms of the permit. Grounds for such a determination include, but are not limited to, the following:

- A. the stationary source has a history of noncompliance with applicable requirements or with an air emissions permit;
- B. the applicable requirements to which the stationary source is currently subject are expected to change substantially within the next five years; or
- C. the stationary source is likely to make substantial changes within the next five years making it subject to additional applicable requirements.

This subpart does not apply to any title I condition.

Subp. 6. **Effect of permit expiration.** Permit expiration terminates the stationary source's right to operate, even if the permit contains title I conditions which do not expire.

#### **7007.1100 GENERAL PERMITS.**

Subpart 1. **Criteria.** If the agency determines that numerous similar stationary sources are subject to the same or substantially similar regulatory requirements, the agency may issue a permit required under parts 7007.0200 and 7007.0250 in the form of a general permit applying to multiple sources following the procedures in subparts 2 to 7. The agency may also issue general permits under this part which apply only to specific portions of stationary sources, including air pollution control equipment, if the specific portions are subject to the same or substantially similar regulatory requirements. The agency shall not issue general permits for affected sources under the acid rain program unless general permits are authorized by regulations promulgated under title IV of the act (Acid Deposition Control).

Subp. 2. **Public participation.** The agency shall follow the same public participation procedures in part 7007.0850, subparts 2 and 3, for individual permits except as stated otherwise in this subpart. The notice of the agency's intent to publish a general permit need not be published in newspapers of general circulation but shall be published in the *State Register*. The notice need not include any facility specific information. The notice issued by the agency shall identify criteria for stationary sources that qualify for the general permit and identify the geographic area in which it applies. The agency need not comply with part 7007.0850, subpart 2, item A, subitem (4), unless the stationary source category includes stationary sources subject to the requirement to obtain part 70 permits.

Subp. 3. **EPA and affected state review.** If the stationary source category to which the general permit applies includes stationary sources that would otherwise require individual part 70 permits, the agency shall comply with all provisions for EPA and affected state review and objection in parts 7007.0900 and 7007.0950. The agency shall comply with provisions for EPA review and objection under part 7007.0950 in the case of all other general permits.

Subp. 4. **Issuance in general.** Following the close of the comment period and any public meeting or contested case hearing ordered, the agency may issue the general permit. If the general permit applies to any stationary sources that would otherwise be required to have a part 70 permit, the general permit shall include all requirements of parts 7007.0100 to 7007.1850 applicable to part 70 permits. All general permits shall include the requirements applicable to state permits. However, nothing in this subpart shall be construed to require the agency to include in the general permit stationary source specific information incompatible with the concept of a general permit.

Subp. 5. **Application.** Stationary sources that would qualify for a general permit must apply to the agency for coverage under the terms of the general permit or must apply for an individual permit consistent with part 7007.0500. If a stationary source elects to apply for coverage under the general permit, the stationary source must submit an application meeting the requirements of parts 7007.0100 to 7007.1850, unless the agency states in the public notice of the general permit that certain conditions do not apply. The application must include all information necessary to determine qualification for, and to assure compliance with, the general permit.

Subp. 6. **Issuance of general permit to a stationary source.** The agency may issue a general permit to a stationary source without repeating the notice and comment procedures required under part 7007.0850, subpart 2. However, the agency shall make available to the public upon request a list of facilities for which a general permit application has been received.

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Subp. 7. **Permit shield.** Notwithstanding the permit shield provisions of part 7007.1750, a stationary source that obtains a general permit shall be subject to enforcement action for operation without a permit if the stationary source is later determined not to qualify for the conditions and terms of the general permit.

### **7007.1150 WHEN A PERMIT AMENDMENT IS REQUIRED.**

#### **Subpart 1. Scope; requirement to get a permit amendment.**

A. Parts 7007.1150 to 7007.1500 describe changes at a permitted stationary source that require a permit amendment or notice to the agency. Item C requires notice to the agency before pollution control equipment or replacement units with lower emissions are installed at a permitted stationary source. Parts 7007.1250 and 7007.1350 describe the two categories of modifications that may be made without obtaining a permit amendment, and the procedures that apply. Part 7007.1400 establishes the process for getting an administrative amendment to a permit. Part 7007.1450 establishes the process for getting a minor permit amendment, needed to make certain modifications resulting in emission increases below listed thresholds, and for getting moderate permit amendments, needed to make certain modifications resulting in emission increases above the minor threshold levels. Part 7007.1500 establishes the process for getting major permit amendments, needed to make modifications that are not allowed under the other parts. Any modification that constitutes a title I modification, as defined in part 7007.0100, subpart 26, may only be made under part 7007.1500. Part 7007.1200 describes how emission changes should be calculated under parts 7007.1250 to 7007.1500.

B. No modification, as defined in part 7007.0100, subpart 14, may be made to a stationary source that is required to have a permit under parts 7007.0100 to 7007.1850 unless the modification is allowed under part 7007.1250 or 7007.1350, or an amendment is obtained under part 7007.1450 or 7007.1500. Administrative changes to a permit issued under parts 7007.0100 to 7007.1850 shall be made under part 7007.1400. If a change at a facility does not constitute a modification, no permit amendment is required.

C. Any person who, at a permitted stationary source: (i) installs air pollution control equipment, or (ii) replaces a unit identified in the permit with one that does not increase emissions of any regulated air pollutant, shall provide written notice to the agency. The notice must be received by the agency seven working days prior to the installation or replacement. The permittee and the agency shall attach the notice to the stationary source's permit. If the agency finds that the installation or replacement triggers new monitoring, record keeping, or reporting requirements under applicable requirements or parts 7007.0100 to 7007.1850, the agency shall initiate an amendment under part 7007.1400 or 7007.1500 to include the new requirements. If the installation or replacement constitutes a modification, this item does not apply, and the permittee shall follow the applicable procedures of part 7007.1250, 7007.1350, 7007.1450, or 7007.1500. If notice is provided as required by this item, the installation and operation of the additional equipment shall not be considered a violation of the permit.

D. Nothing in part 7007.1250 shall be read to allow a modification to a stationary source that would violate an applicable requirement or, except as provided in part 7007.1350 or 7007.1450, subpart 8, to allow any activity that would violate any permit condition. The agency shall not issue any permit amendments which would result in the violation of an applicable requirement.

E. If a modification or other change at a stationary source would make the source subject for the first time to the requirement to obtain a state permit or a part 70 permit, the owner or operator shall obtain the appropriate permit before beginning actual construction of the modification or other change, notwithstanding parts 7007.1250 to 7007.1500. Nothing in this item shall be read to limit the agency's ability to issue permits authorizing installation and operation of a modification under part 7007.0750, subpart 5, or to limit a permittee's ability to obtain a major permit amendment restricting emissions to levels that would prevent the source from becoming subject to the requirement to obtain a part 70 permit.

### **7007.1200 CALCULATING EMISSION CHANGES FOR PERMIT AMENDMENTS.**

Subpart 1. **How to calculate emission changes.** When this method is required to be used, emission changes will be calculated by comparing the hourly emission rate of the stationary source, at maximum physical capacity, before and after the proposed physical or operational change. The emission rate shall be expressed as pounds per hour of any regulated air pollutant. When calculating emissions before and after the physical and operational change, physical and operational limitations on emissions will be considered only if they are or will be automatically required by applicable requirements or existing permit terms, or if they are integral to the process. The agency shall use the following to determine emission rate:

A. In cases where use of emission factors or related calculation methods clearly demonstrates whether or not the change will increase the emission level, the following emission factors or methods shall be used:

(1) EPA emission factors as defined in part 7005.0100, subpart 10d, or other emission factors determined by the agency to be superior to EPA emission factors; or

(2) if no EPA emission factors are specified, factors or related emissions calculation methods published by EPA or provided by the agency upon request of the permittee which relate to the specific source type. The permittee shall identify the source of the emission factor or calculation method in the application.

B. Material balances, continuous monitor data, or manual emissions tests may be used in cases where use of emission factors or related calculation methods under item A does not clearly demonstrate, to the agency's satisfaction, whether or not the change will



increase the emission level, or where a permittee demonstrates to the agency's satisfaction that there are reasonable grounds to dispute the result obtained under item A. These methods may be used only to establish premodification emission rates from which postmodification emission rates may be calculated. Tests shall be conducted under such conditions as the agency shall specify. At least three valid test runs must be conducted. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

C. The calculation method described in this part may not be relied on to determine whether a modification constitutes a title I modification. To determine if a modification constitutes a title I modification, the applicable federal calculation method must be used. A change that would not be considered to increase emissions using the calculation method in this part may nonetheless be considered a title I modification, particularly under the method of calculation required by part C (Prevention of Significant Deterioration of Air Quality) and part D (Plan Requirements in Nonattainment Areas) of the act.

**7007.1250 INSIGNIFICANT MODIFICATIONS.**

Subpart 1. **When an insignificant modification can be made.** The permittee may make a modification described in either item A or B at a permitted stationary source without getting a permit amendment, unless the modification is prohibited by subpart 2.

A. Construction or operation of any emissions unit, or undertaking any activity, on the insignificant activities list in part 7007.1300.

B. Any modification that will:

- (1) result in an increase of an air pollutant which is not listed in table 1; or
- (2) result in an increase of an air pollutant which is listed below, but in an amount less than the corresponding threshold:

| <b>Pollutant</b> | <b>Threshold</b>     |
|------------------|----------------------|
| NO <sub>x</sub>  | 2.28 pounds per hour |
| SO <sub>2</sub>  | 2.28 pounds per hour |
| VOCs             | 2.28 pounds per hour |
| PM-10            | .855 pounds per hour |
| CO               | 5.70 pounds per hour |
| Lead             | .025 pounds per hour |

For purposes of this subpart, whether or not the modification will cause an increase in emissions shall be calculated as described in part 7007.1200. Modifications which would otherwise be insignificant under this part may be title I modifications, for which a major amendment is required, using the methods of calculation required under title I of the act. Permittees are reminded to review the definition of title I modifications and the requirements of title I of the act.

Subp. 2. **Insignificant modification exclusions.** A modification may not be made under this part if the modification:

- A. is a title I modification;
- B. would result in the violation of a permit emissions limit or any other permit term;
- C. is required to be authorized by a permit amendment under title IV of the act or *Code of Federal Regulations*, title 40, part 72, as amended; or
- D. is part of a larger project, as described in subpart 5, which taken as a whole, would not be authorized under this part.

Subp. 3. **Record keeping requirements.** Except as described in subpart 4, modifications authorized under this part may be made without providing notice to the agency. However, the permittee shall keep a contemporaneous record of the modification. For changes authorized under subpart 1, item B, the permittee shall also keep calculations of the emissions increase as required by part 7007.1200, and a statement of the purpose for making the modification.

Subp. 4. **Agency notification required.** If a modification authorized under subpart 1, item B, together with other modifications made under subpart 1, item B, during the course of the permit term (or within a five-year period for a nonexpiring permit), have resulted in total increases of a pollutant in excess of four times the amount listed in subpart 1, item B, subitem (2), for that pollutant, the permittee shall notify the agency by seven working days after beginning actual construction of the last modification. The notice shall provide the information required to be kept in subpart 3 for each modification made under subpart 1, item B, during the period

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in question. The notice shall also include a certification by a responsible official, consistent with part 7007.0500, subpart 3, that the modifications listed were not part of a larger project, as described in subpart 5, which taken as a whole, would not be authorized under subpart 1, item B. After any such notice has been sent, the permittee shall continue to keep track of modifications made under subpart 1, item B, and the permittee shall notify the agency again if emissions increases from these additional modifications total more than four times the amount listed in subpart 1, item B, subitem (2).

**Subp. 5. Determination of a single project.** If two or more modifications made at a stationary source are part of a single project, the emissions increases from these modifications shall be considered in the aggregate for purposes of this part. Generally, modifications will be considered part of a single project when the usefulness of one modification depends substantially on the completion of the other modification or modifications. In determining whether modifications are part of a single project, the agency will consider the amount of time that elapses between modifications, whether they were planned at the same time, and whether the modifications share a common purpose.

**Subp. 6. Enforcement action.** If a permittee makes a modification the permittee believes to fall under this part and the agency subsequently determines that the modification does not fall under this part, the agency may take enforcement action against the permittee.

### 7007.1300 INSIGNIFICANT ACTIVITIES LIST.

**Subpart 1. Insignificant activities.** The actions listed in this part, and operation of the emissions units listed in this part, are insignificant activities for purposes of parts 7007.0100 to 7007.1850. Listing in this part has no effect on any other law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to which the activity may be subject.

**Subp. 2. Insignificant activities not required to be listed.** The activities described in this subpart are not required to be listed in a permit application under part 7007.0500, subpart 2, item C, subitem (2).

**A. Fuel use:**

- (1) production of hot water for on-site personal use not related to any industrial process; and
- (2) fuel use related to food preparation by a restaurant or cafeteria.

**B. Plant upkeep:**

- (1) routine housekeeping or plant upkeep activities such as painting buildings, retarring roofs, or paving parking lots; and
- (2) clerical activities such as operating copy machines and document printers, except operation of such units on a commercial

basis.

**C. Fabrication operations:**

- (1) equipment used for the inspection of metal products;
- (2) equipment used exclusively for forging, pressing, drawing, spinning, or extruding cold metals;
- (3) equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in paste

form; and

- (4) mixers, blenders, roll mills, or calendars for rubber or plastics for which no materials in powder are added and in which no organic solvents, diluents, or thinners are used.

**D. Finishing operations:**

- (1) closed tumblers used for cleaning or deburring metal products without abrasive blasting; and
- (2) equipment for washing or drying fabricated glass or metal products, if no VOCs are used in the process, and no gas, oil, or solid fuel is burned.

**E. Storage tanks:** pressurized storage tanks for anhydrous ammonia, liquid petroleum gas (LPG), liquid natural gas (LNG), or natural gas.

**F. Wastewater treatment:** stacks or vents to prevent escape of sewer gases through plumbing traps, not including those at wastewater treatment plants.

**G. Cleaning operations:** alkaline/phosphate cleaners and associated cleaners and associated burners.

**H. Residential activities:** typical emissions from residential structures, not including:

- (1) fuel-burning equipment with a capacity of 500,000 Btu/hour or greater;
- (2) emergency backup generators; and
- (3) incinerators.

I. Recreational activities: use of the following for recreational purposes:

- (1) fireplaces;
- (2) barbecue pits and cookers; and
- (3) kerosene fuel use.

J. Health care activities: activities and equipment directly associated with the diagnosis, care, and treatment of patients in medical or veterinary facilities or offices, not including support activities such as power plants, heating plants, emergency generators, incinerators, or other units affected by applicable requirements as defined in part 7007.0100, subpart 7.

K. Miscellaneous:

- (1) safety devices, such as fire extinguishers, if associated with a permitted emission source, but not including sources of continuous emissions;
- (2) flares to indicate danger to the public; and
- (3) fugitive dust emissions from operation of a passenger automobile, station wagon, pickup truck, or van, as defined in *Minnesota Statutes*, section 168.011, at a stationary source.

Subp. 3. **Insignificant activities required to be listed.** The activities described in this subpart must be listed in a permit application, and calculation of emissions from these activities shall be provided if required by the agency, under part 7007.0500, subpart 2, item C, subitem (2).

A. Fuel use: space heaters fueled by natural gas or propane.

B. Furnaces, boilers, and incinerators:

- (1) infrared electric ovens; and
- (2) fuel burning equipment of less than 500,000 Btu/hour capacity except where total capacity of equipment exceeds 2,000,000 Btu/hour when operated by one stationary source.

C. Fabrication operations: equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot metals.

D. Finishing operations: open tumblers with a batch capacity of 1,000 pounds or less.

E. Storage tanks: fuel oil storage tanks with a capacity of less than 2,000 gallons.

F. Cleaning operations: commercial laundries, not including dry cleaners.

G. Emissions from a laboratory, as defined in this item. "Laboratory" means a place or activity devoted to experimental study or teaching in any science, or to the testing and analysis of drugs, chemicals, chemical compounds or other substances, or similar activities, provided that the activities described in this sentence are conducted on a laboratory scale. Activities are conducted on a laboratory scale if the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by one person. If a facility manufactures or produces products for profit in any quantity, it may not be considered to be a laboratory under this item. Support activities necessary to the operation of the laboratory are considered to be part of the laboratory. Support activities do not include the provision of power to the laboratory from sources that provide power to multiple projects or from sources which would otherwise require permitting, such as boilers that provide power to an entire facility.

H. Miscellaneous:

- (1) degreasing operations that do not exceed 145 gallons per 12 months;
- (2) equipment used exclusively for packaging lubricants or greases;
- (3) equipment used for hydraulic or hydrostatic testing;
- (4) brazing, soldering or welding equipment;
- (5) blueprint copiers and photographic processes;
- (6) equipment used exclusively for melting or application of wax; and
- (7) nonasbestos equipment used exclusively for bonding lining to brake shoes.

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### 7007.1350 CHANGES WHICH CONTRAVENE CERTAIN PERMIT TERMS.

Subpart 1. **Applicability.** A permittee may make changes allowed under parts 7007.0100 to 7007.1850 at a permitted facility without obtaining a permit amendment, even though the change contravenes a permit term, if the change:

A. does not violate a permit term related to monitoring (including test methods), record keeping, reporting, or compliance certification requirements;

B. does not result in emissions in excess of those explicitly allowed under the permit for any emissions unit or for the stationary source as a whole (whether expressed as a rate of emissions or in terms of total emissions);

C. does not violate any permit term limiting hours of operation, work practices, fuel usage, raw material usage, production levels, or throughput if the term has been established to limit emissions or ensure compliance with emissions limitations;

D. does not violate any other permit term where the agency has specifically stated in the permit that the term is not subject to change under this part;

E. is not a title I modification; and

F. is not required to be authorized by a permit amendment under title IV of the act (Acid Deposition Control) or *Code of Federal Regulations*, title 40, part 72, as amended.

Subp. 2. **Modification procedure.** Modifications authorized under this part may not be made until seven working days after the air quality division of the agency receives written notice of the modification. The notice shall include a certification by a responsible official describing the modification to be made, identifying the term of the permit which is being contravened, stating that the modification is authorized under this part, and briefly describing how it qualifies under this part. The permittee and the agency shall attach the notice to the stationary source's permit. If the agency finds that the proposed modification is not authorized under this part, the agency shall notify the permittee of that finding and, if the proposed change could be made using other modification procedures, direct the permittee to those procedures.

Subp. 3. **Enforcement action.** If the permittee implements a modification that the permittee believes qualifies under this part and the agency subsequently determines that the modification does not qualify under this part, the agency may take an enforcement action against the permittee.

### 7007.1400 ADMINISTRATIVE PERMIT AMENDMENTS.

Subpart 1. **Administrative amendments allowed.** The agency may make the permit amendments described in this subpart through the administrative permit amendment process described in this part. An owner or operator of a stationary source shall request an administrative amendment if changes are to be made under item B or E:

A. an amendment to correct a typographical error;

B. an amendment to change the name, mailing address, or telephone number of any person identified in the permit, or that reflects a similar minor administrative change at the permitted facility. A change in the stationary source's location of operation is not covered by this item;

C. an amendment requiring the permittee to comply with additional, more frequent, or expanded monitoring, record keeping, or reporting requirements;

D. an amendment to eliminate monitoring, record keeping, or reporting requirements if they are rendered meaningless because the only emissions to which the requirements apply will no longer occur.

E. an amendment reflecting a change in ownership or operational control of a stationary source where the agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the agency;

F. an amendment to incorporate into a permit the requirements from preconstruction review permits issued by the agency;

G. an amendment to clarify a permit term; and

H. an amendment to extend a deadline in a permit by no more than 120 days, provided that the agency may only extend a deadline established by an applicable requirement described in part 7007.0100, subpart 7, items A to K, if the agency has been delegated authority to make such extensions by the administrator.

Subp. 2. **Initiating an administrative amendment.** A permittee shall request in writing that the agency make an administrative permit amendment. A formal application complying with the terms of parts 7007.0100 to 7007.1850 is not required. The permittee shall specify the section of the permit that is to be amended, and the reason for the amendment. The agency may also make an administrative amendment upon its own initiative. If an administrative amendment initiated by the agency would impose additional or different requirements on the permittee, the permittee shall be notified of the proposed amendment 30 days prior to its taking effect,

unless the permittee consents to less notice. If the permittee objects to the amendment, the amendment shall not be made under this part, but the agency may reopen the permit under parts 7007.1500 and 7007.1600.

Subp. 3. **Timeline for final action.** The agency shall take no more than 60 days from receipt of a request for an administrative permit amendment to take final action on such request. Amendments made by the agency under this part shall be made without public notice or an opportunity for public and affected states comment and hearing.

Subp. 4. **Part 70 administrative amendment submitted to EPA.** If the administrative permit amendment is to a part 70 permit, the agency shall submit a copy of the amended permit or permit amendment to the administrator, as required by the administrator.

Subp. 5. **Provisions to which permit shield applies.** The only administrative amendments to which the permit shield established by part 7007.1800 shall apply are those described in subpart 1, item F.

Subp. 6. **Acid rain provision.** Amendments to the acid rain portion of a permit to an affected source shall be governed by *Code of Federal Regulations*, title 40, part 72, as amended.

Subp. 7. **When permittee may make change.** Notwithstanding part 7007.0150, subpart 1, the permittee may make the change proposed in the administrative amendment request immediately after the request is received by the air quality division of the agency, if the change is described in subpart 1. However, if the change is of ownership or operational control, the new owner's or operator's right to operate the permitted stationary source under the previous sentence is contingent upon the new owner's or operator's compliance with the terms of the stationary source's permit.

**7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.**

Subpart 1. **Minor and moderate amendment exclusions.** The agency may amend a permit using the minor and moderate permit amendment processes described in this part if the amendments are described in subparts 2 and 3, and if the amendments do not:

A. amend existing permit terms related to monitoring (including test methods), record keeping, reporting, or compliance certification requirements other than adding new requirements, eliminating the requirements if they are rendered meaningless because the only emissions to which the requirements apply will no longer occur, or changing from one validated reference test method for a pollutant and source category to another;

B. seek to establish or amend a permit condition that is required to be based on a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or on a visibility or increment analysis;

C. seek to establish or amend a permit condition for which there is no corresponding underlying applicable requirement and that the stationary source has assumed to avoid an applicable requirement described in part 7007.0100, subpart 7, items A to K, to which the stationary source would otherwise be subject. Such terms and conditions include:

(1) a federally enforceable emissions cap assumed to avoid classification as a title I modification; and

(2) an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the act (Hazardous Air Pollutants; Schedule for Compliance; Early Reduction);

D. seek to allow a title I modification; and

E. violate a requirement of any agency rule that such change be made under the major permit amendment procedures.

Subp. 2. **Minor amendment applicability.** Except as provided in subpart 1, the agency may amend a permit to allow a modification under the minor permit amendment process of this part, if the modification will not cause an increase in emissions of an air pollutant listed below in an amount greater than the threshold:

| Pollutant       | Threshold             |
|-----------------|-----------------------|
| NO <sub>x</sub> | 9.13 pounds per hour  |
| SO <sub>2</sub> | 9.13 pounds per hour  |
| VOCs            | 9.13 pounds per hour  |
| PM-10           | 3.42 pounds per hour  |
| CO              | 22.80 pounds per hour |
| Lead            | .11 pounds per hour   |

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For purposes of the previous sentence, whether or not the modification will cause an increase in emissions shall be calculated as described in part 7007.1200. Modifications which would otherwise qualify for a minor or moderate amendment under this part may be title I modifications, for which a major amendment is required, using the methods of calculation required under title I of the act. Permittees are reminded to review the definition of title I modifications and requirements of title I of the act.

Subp. 3. **Moderate amendment applicability.** Any amendment which meets the criteria of subpart 1, but which does not qualify as a minor permit amendment under subpart 2 and which is not a major permit amendment under part 7007.1500, may be made following the procedures applicable to moderate permit amendments under this part.

Subp. 4. **Minor or moderate application requirements.** An application requesting the use of minor or moderate permit amendment procedures shall meet the requirements of part 7007.0600, subpart 1, and shall also include the following:

A. a description of the modification, the emissions resulting from the modification, and any new applicable requirements that will apply if the modification occurs;

B. if the amendment is to a part 70 permit, the stationary source's suggested draft permit or draft amendment;

C. certification by a responsible official that the proposed amendment meets the criteria for use of minor or moderate permit modification procedures, including, in the case of minor permit amendments, a certification that any increase in emissions will be below the thresholds listed in subpart 2, and a request that such procedures be used;

D. certification by a responsible official that the change which the proposed amendment would allow is not part of a larger project which, taken as a whole, would not qualify for treatment as a minor or moderate permit amendment; and

E. in the case of amendments to part 70 permits, completed forms for the permitting authority to use to notify the administrator and affected states as required under subpart 5.

Subp. 5. **EPA notification.** In the case of applications for minor or moderate permit amendments to part 70 permits, the agency shall notify the administrator and affected states of the requested permit amendment within five working days of receipt of a complete permit amendment application to a part 70 permit. The agency promptly shall send any notice regarding agency refusal to accept affected states recommendations required under part 7007.0900, to the administrator and the affected states.

Subp. 6. **EPA review.** The agency will not issue a minor or moderate amendment to a part 70 permit until after the EPA has had 45 days to review the amendment or until the EPA has notified the agency that the EPA will not object to issuance of the permit amendment, whichever is first. The agency may process the application during this time period. The agency shall take final action on an application for a minor or moderate permit amendment within the deadlines set forth in part 7007.0750, subpart 2.

Subp. 7. **When permittee may make the proposed modification.**

A. The permittee may make the modification proposed in a minor permit amendment application seven working days after the application is received by the air quality division of the agency.

B. The permittee may begin actual construction on a modification proposed in a moderate permit amendment application upon receipt of a letter of approval from the agency authorizing such construction. However, the permittee may not commence operation of the modification until the amended permit has been issued.

Subp. 8. **Permittee's risk in commencing construction.** If the stationary source makes the modification allowed by subpart 7, item A, or commences construction upon receipt of a letter of approval as allowed by subpart 7, item B, and until the agency acts on the minor or moderate permit amendment application, the stationary source must comply with both the applicable requirements governing the modification and the proposed permit terms and conditions. During this time period, the stationary source need not comply with the existing permit terms and conditions it seeks to modify. However, if the stationary source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it. The permittee assumes the risk of losing any investment it makes toward implementing a modification prior to receiving a permit amendment authorizing the modification. The agency will not consider the possibility of the permittee suffering financial loss due to such investment when deciding whether to approve, deny, or approve in modified form a minor or moderate permit amendment.

Subp. 9. **Permit shield does not apply.** The permit shield under part 7007.1800 shall not apply to minor or moderate permit amendments.

### 7007.1500 MAJOR PERMIT AMENDMENTS.

Subpart 1. **Major permit amendment required.** A "major permit amendment" is required for any modification at a permitted stationary source that is not allowed under parts 7007.1250 and 7007.1350 and for which an amendment cannot be obtained under the administrative permit amendment provisions of part 7007.1400, or the minor or moderate permit amendment provisions of part 7007.1450. The following always require major permit amendments:

A. any amendment to existing monitoring, reporting, or record keeping requirements in the permit other than adding new requirements, eliminating the requirements if they are rendered meaningless because the only emissions to which the requirements apply will no longer occur, or changing from one validated reference test method for a pollutant and source category to another;

B. any amendment to establish or amend a permit condition that is required to be based on a case-by-case determination of an emission limitation or other standard, on a source-specific determination of ambient impacts, or on a visibility or increment analysis;

C. any amendment to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement described in part 7007.0100, subpart 7, items A to K, and that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject. Such terms and conditions include:

(1) a federally enforceable emissions cap assumed to avoid classification as a title I modification; and

(2) an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the act (Hazardous Air Pollutant; Schedule for Compliance; Early Reduction);

D. any amendment authorizing a title I modification; and

E. any amendment required by agency rule to be made under the major permit amendment procedures.

Subp. 2. **Major amendment application requirements.** To apply for a major permit amendment, the permittee shall follow the application procedures in parts 7007.0100 to 7007.1850 which are applicable to a new or renewed permit of the type being amended.

Subp. 3. **Agency processing procedures.** The agency shall process an application for a major permit amendment to a part 70 permit following the same procedures applicable to an application for a new or reissued part 70 permit, including procedures for public participation, administrator review, and affected states review. The agency shall process an application for a major amendment to a state permit following the same procedures applicable to an application for a new or reissued state permit, except that the agency shall not provide for public notice and comment under part 7007.0850 unless the major amendment is described in subpart 1, item C or D, and the administrator requires such notice.

Subp. 4. **Permit shield applies.** The permit shield described in part 7007.1800 shall apply to amendments made through the major permit amendment process.

#### **7007.1600 PERMIT REOPENING AND AMENDMENT BY AGENCY.**

Subpart 1. **Mandatory reopening.** The agency shall reopen and amend a permit when:

A. Additional federal applicable requirements become applicable to a stationary source with a remaining permit term of three or more years or with a permit which is nonexpiring. Such a reopening and amendment shall be completed not later than 18 months after promulgation of the federal applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire.

B. Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

C. The agency or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards, limitations, or other terms or conditions of the permit.

D. The administrator or the agency determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

Subp. 2. **Nonmandatory reopening.** The agency may reopen and amend a permit when:

A. additional state applicable requirements become applicable to a permitted stationary source, and the effective date of the requirement is prior to the date on which the permit is due to expire;

B. alterations or modifications to the permitted facility will result in or have the potential to result in significant alteration of the nature or quantity of regulated air pollutants to be emitted by the permittee;

C. the commissioner of the agency receives information previously unavailable to the agency that shows that the terms and conditions of the permit do not accurately represent the actual circumstances relating to the permitted facility;

D. a court of competent jurisdiction invalidates or modifies a Minnesota or federal statute or rule or federal guideline upon which a condition of the permit is based;

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E. an event occurs that is beyond the control of the permittee that necessitates modification of a compliance schedule in the permit; and

F. the commissioner finds that the permitted facility or activity endangers human health or the environment and that a change in the operation of the permitted facility or in the conduct of the permitted activity would remove the danger to human health or the environment.

Subp. 3. **Reopening procedure.** To reopen and amend a permit, the agency shall follow the procedures that apply to major permit amendments under parts 7007.0100 to 7007.1850, unless the amendment can be made as an administrative amendment under part 7007.1400. Mandatory reopenings under subpart 1 shall be made as expeditiously as practicable. In lieu of an application, the major permit amendment process will commence when the agency gives the permittee written notice of its intent to amend the permit. The agency shall not issue the amendment, or make public notice of the amendment where public notice is required, until at least 30 days after the agency has given the permittee notice of its intent to amend the permit, unless the permittee consents to less notice, or in the case of an emergency. In cases where public participation is required, only those portions of the permit which the agency proposes to amend shall be open for public comment or consideration at a meeting or hearing.

### 7007.1650 REOPENINGS FOR CAUSE BY EPA.

The administrator may reopen part 70 permits as provided in *Code of Federal Regulations*, title 40, section 70.7(g), as amended.

### 7007.1700 PERMIT REVOCATION BY AGENCY.

Subpart 1. **Permit revocation without reissuance.** The agency may revoke permits and not reissue them when:

A. there exists at the permitted facility unresolved noncompliance with applicable requirements or a condition of the permit, and the permittee refuses to undertake an enforceable schedule of compliance to resolve the noncompliance;

B. the permittee fails to disclose fully the facts relevant to issuance of the permit or submits false or misleading information to the agency or the administrator;

C. the agency finds that the permitted facility or activity endangers human health or the environment and that the danger cannot be removed by an amendment to the permit;

D. the permittee has failed to comply with any requirement under chapter 7002 to pay fees; or

E. the permittee has failed to pay a penalty owed pursuant to court order, consent decree, stipulation agreement, schedule of compliance, or order issued under *Minnesota Statutes*, section 116.07.

Subp. 2. **Revocation procedures.** The agency shall give notice to the permittee of its intention to revoke a permit without reissuance. This notice must state that within 30 days of the receipt of the notice the permittee may request a contested case hearing be held on the proposed action, except that the agency may provide less notice in case of an emergency. If the permittee requests a contested case hearing, the agency shall hold the hearing in accordance with the rules of the Office of Administrative Hearings, parts 1400.5100 to 1400.8401.

### 7007.1750 FEDERAL ENFORCEABILITY.

Subpart 1. **Federally enforceable requirements.**

A. All conditions of a permit issued under parts 7007.0100 to 7007.1850 are enforceable by the administrator and citizens under the act, unless designated otherwise in the permit under item B.

B. The agency shall designate a condition of a permit to be not enforceable by the administrator and citizens under the act if the condition is not required by:

(1) an applicable requirement listed in part 7007.0100, subpart 7, items A to K, including requirements provided in Minnesota's implementation plan approved by the administrator under title I of the act; or

(2) parts 7007.0100 to 7007.1850, after approval of Minnesota's part 70 program by the administrator under title V of the act.

### 7007.1800 PERMIT SHIELD.

Subpart 1. **Description of permit shield.**

A. The agency shall include in a permit a provision, known as a permit shield provision, stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance. However, the shield shall only have legal effect if:

(1) the specific provision of the applicable requirement is identified in the permit as the basis of permit conditions; or

(2) the agency in acting on the application for the permit or major amendment, determines in writing that other requirements specifically identified are not applicable to the stationary source, and the permit includes the determination or a concise summary of it.



B. If the permit does not expressly state that a permit shield is provided, it shall be presumed not to provide such a shield.

C. Nothing in this part or in any permit shall alter or affect the following:

(1) the emergency order provisions of section 303 of the act, including the authority of the administrator under that section, and the agency's authority under the emergency powers provision of *Minnesota Statutes*, section 116.11;

(2) the liability of an owner or operator of a stationary source for any violation of applicable requirements prior to or at the time of permit issuance;

(3) the applicable requirements of the acid rain program, consistent with section 408(a) of the act; or

(4) the ability of the agency or EPA to obtain information through inspections, monitoring, and entry of a stationary source pursuant to *Minnesota Statutes*, section 116.091, and section 114 of the act.

D. The permit shield shall not be provided for permit conditions established through a minor or moderate permit amendment, or through an administrative amendment except as stated in part 7007.1400, subpart 1, item F.

#### **7007.1850 EMERGENCY PROVISION.**

##### **Subpart 1. Actions required in emergencies.**

A. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the stationary source, including an act of God, that requires immediate corrective action to restore normal operation, and that causes the stationary source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. Consistent with this definition of emergency, the agency may state in the permit what types of situations will not be considered emergencies if they occur.

B. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of item C are met.

C. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) an emergency occurred and that the permittee can identify the cause or causes of the emergency;

(2) the permitted facility was at the time being properly operated;

(3) the permittee submitted notice of the emergency to the agency within two working days of when the emission limitations were exceeded due to the emergency. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and

(4) during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations, standards, or regulations in the permit.

D. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

E. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

F. This provision does not limit the emergency power of the agency under *Minnesota Statutes*, section 116.11.

**REPEALER.** *Minnesota Rules*, parts 7001.1200; 7001.1205; 7001.1210; 7001.1215; and 7001.1220, are repealed.

## **Board of Technical Colleges**

### **Proposed Permanent Rules Relating to Education; Teacher Licenses; General Education**

#### **Notice of Intent to Adopt a Rule Without a Public Hearing**

**NOTICE IS HEREBY GIVEN** that the State Board of Technical Colleges intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota*

**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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*Statutes*, Section 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a hearing be held on the rule.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

M. Robert Babcock  
State Board of Technical Colleges  
314 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-1867

Georgia Pomroy  
State Board of Technical Colleges  
322 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 297-2204

**Subject of Rule Statutory Authority.** The proposed rule is about General Education. The statutory authority to adopt this rule is *Minnesota Statutes* 136C.04, Subdivision 9. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m., Friday, July 9, 1993, to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for comment, and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m., Friday, July 9, 1993. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their request in writing. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, Sections 14.131. to 14.20.

**Modifications.** The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed rule as attached and printed in the *State Register*. If the proposed rule affects you in any way you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement 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.

**Adoption and Review of Rule.** If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. You may request to be notified of the date of submission to the Attorney General and a copy of the Attorney General's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Helen Henrie, Deputy Chancellor  
State Board of Technical Colleges

### Rules as Proposed (all new material)

#### 3700.1205 GENERAL EDUCATION LICENSE.

Subpart 1. **May teach.** A teacher who has a license in one of the following general educational disciplines may teach in the assigned field of that license:

- A. biology;
- B. chemistry;
- C. composition/English/literature;
- D. ecology/environmental science;
- E. economics;
- F. geography;
- G. geology;
- H. history;
- I. journalism/mass communication;
- J. math;

- K. music;
- L. oral communications/speech;
- M. philosophy/religious studies;
- N. physics;
- O. political science/law;
- P. psychology;
- Q. sociology; and
- R. visual arts.

Subp. 2. **Other requirements.** The applicant must meet the requirements listed in part 3700.0100 and the requirements for a general studies teacher in part 3700.1200, subpart 3.

Subp. 3. **Educational experience requirement.** The applicant must have a minimum of a master's degree with:

- A. a major in the assigned field; or
- B. 23 graduate credits in the assigned field.

Subp. 4. **Provisional status.** An applicant shall qualify for a provisional three-year license if the applicant has:

- A. verification of teaching a minimum of 15 quarter credits in the field requested and the teaching experience occurred within five years of the effective date of this part;
- B. a bachelor's degree or above;
- C. an individual education plan approved by the hiring technical college administration; and
- D. application is made within one year of the effective date of this part.

Subp. 5. **Renewable.** The provisional license described in subpart 4 is renewable on its expiration date if part 3700.1200, subparts 2 and 3, is followed.

## 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.

## Department of Human Services

### Adopted Permanent Rules Relating to Out-of-State Providers

The rules proposed and published at *State Register*, Volume 17, Number 38, pages 2251-2252, March 22, 1993 (17 SR 2251), are adopted as proposed.

**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

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## Secretary of State

### Adopted Permanent Rules Relating to Central Notification System for Farm Products

The rules proposed and published at *State Register*, Volume 17, Number 38, pages 2263-2274, March 22, 1993 (17 SR 2263), are adopted with the following modifications:

#### Rules as Adopted

##### 8265.0100 DEFINITIONS.

Subp. 5. **Crop year.** "Crop year" means:

A. for a crop grown in soil, the calendar year in which it is harvested or to be harvested;

B. for animals, the calendar year in which they are born or acquired; and

C. for poultry or eggs, the calendar year in which they are sold or to be sold.

Subp. 5- 6. **Debtor.** "Debtor" means an individual or other legal entity that has borrowed money from or is otherwise indebted to a secured party or lienholder and has ~~pledged~~ used farm products or whose farm products are subject to a lien created by operation of law, to secure payment of the obligation.

Subp. 6- 7. **Effective financing statement.** "Effective financing statement" means an original document or a reproduction of an original document that meets the requirements of *Minnesota Statutes*, section 336A.03.

Subp. 7- 8. **Lienholder.** "Lienholder" means an individual or other legal entity who has the right to collect money from a debtor and who has a lien by operation of law on farm products to secure repayment of the obligation.

Subp. 8- 9. **Lien notice.** "Lien notice" means an original document or a reproduction of an original document that meets the requirements of *Minnesota Statutes*, section 336A.03, ~~and describes a relationship between the parties that is created by a statutory lien.~~

Subp. 9- 10. **Monthly list.** "Monthly list" means information about debtors, secured parties, lienholders, and farm products that is produced by the secretary of state and distributed once a month in the form of master or partial master lists.

Subp. ~~10-~~ 11. **Secured party.** "Secured party" means an individual or other legal entity that has received a ~~pledge of~~ security interest in farm products to secure repayment of the obligation owed to it.

##### 8265.0200 PRODUCTS COVERED.

Subpart 1. **List of products.** The central notification system must provide information about the following farm products:

~~Y.~~ greenhouse/nursery stock;

~~Z.~~ Y. wool;

~~AA.~~ Z. milk;

~~BB.~~ AA. eggs;

~~CC.~~ BB. cheese;

~~DD.~~ CC. apples;

~~EE.~~ DD. honey/bees wax;

~~FF.~~ EE. cattle/calves;

~~GG.~~ FF. hogs/pigs;

~~HH.~~ GG. sheep/lambs;

~~I.~~ HH. horses;

~~J.~~ II. goats;

~~KK.~~ JJ. chickens;

~~LL.~~ KK. broilers;

~~MM.~~ LL. turkeys;

~~NN.~~ MM. mink; and

~~OO.~~ NN. fish.

**8265.0300 CONTENTS OF AN EFFECTIVE FINANCING STATEMENT OR LIEN NOTICE.**

Subpart 1. **Effective financing statement.** An effective financing statement must contain the following information:

A. a description of the farm products:

(2) if applicable, by including the amount of the farm product in those situations where this information is needed to distinguish that part of the farm product subject to the security interest and that part which is not. The amount may be described by the number of acres, the number of bushels, the number of head, or any other accepted method of counting the specific farm product. A dollar amount may not be used as this description;

B. a description of the location of the property ~~on which~~ where the farm products are located:

(2) if applicable, by listing the township, range, and section information for the property ~~on which~~ where the farm products are located in those situations where this information is needed to distinguish that part of the farm product subject to the security interest and that part which is not.

If the debtor is a Minnesota resident, the "location of the property where the farm products are located" means the county of the debtor's residence. If the debtor is not a Minnesota resident, the "location of the property where the farm products are located" means the Minnesota county where the majority of the product is located;

C. the name and address of the secured party. The name of the secured party must be the full legal name of that person or other legal entity. ~~No abbreviations of words in the name are permitted.~~ Business names must be presented as they have been registered and only those abbreviations appearing in the name as registered are acceptable. If the secured party is an individual, the person's full first name, middle initial, if any, and full last name are the person's full legal name. Nicknames or abbreviations of individual names, except a middle initial, are not acceptable. The single address must be a mailing address and include a city, state, and zip code;

D. the name and address of the debtor. The name of the debtor must be the full legal name of the individual or other legal entity. ~~No abbreviations of words in the name are permitted.~~ Business names must be presented as they have been registered and only those abbreviations appearing in the name as registered are acceptable. If the debtor is an individual, the person's full first name, middle initial, if any, and full last name are the person's full legal name. Nicknames or abbreviations of individual names, except a middle initial, are not acceptable. The single address must be a mailing address and include a city, state, and zip code;

Subp. 2. **Lien notice.** A lien notice must contain the following information:

A. a description of the farm products:

(2) if applicable, by including the amount of the farm product in those situations where this information is needed to distinguish that part of the farm product subject to the security interest and that part which is not. The amount may be described by the number of acres, the number of bushels, the number of head, or any other accepted method of counting the specific farm product. A dollar amount may not be used as this description;

B. a description of the location of the property ~~on which~~ where the farm products are located:

(1) by listing the county using the two-digit county code provided by the secretary of state; and

(2) if applicable, by listing the township, range, and section information for the property ~~on which~~ where the farm products are located in those situations where this information is needed to distinguish that part of the farm product subject to the security interest and that part which is not.

If the debtor is a Minnesota resident, the "location of the property where the farm products are located" means the county of the debtor's residence. If the debtor is not a Minnesota resident, the "location of the property where the farm products are located" means the Minnesota county where the majority of the product is located;

C. the name and address of the ~~person entitled to the farm products statutory lien~~ lienholder. The name of the person must be the full legal name of that individual or other legal entity. ~~No abbreviations of the words in the name are permitted.~~ Business names must be presented as they have been registered and only those abbreviations appearing in the name as registered are acceptable. If the secured party is an individual, the person's full first name, middle initial, if any, and full last name are the person's full legal name. Nicknames or abbreviations of individual names, except a middle initial, are not acceptable. The single address must be a mailing address and include a city, state, and zip code;

**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

D. the name and address of the debtor. The name of the debtor must be the full legal name of the individual or other legal entity. No abbreviations of the words in the name are permitted. Business names must be presented as they have been registered and only those abbreviations appearing in the name as registered are acceptable. If the debtor is an individual, the person's full first name, middle initial, if any, and full last name are the person's full legal name. Nicknames or abbreviations of individual names, except a middle initial, are not acceptable. The single address must be a mailing address and include a city, state, and zip code;

### 8265.0400 FILING PROCEDURES.


Subp. 3. **Restrictions on access.** The filing officer may set reasonable restrictions on public access to the records. For example, a filing officer may allow a member of the public to search the files or may require that a member of the filing officer's staff retrieve the requested information for a member of the public without charge. A reasonable restriction may also be that copies of the requested documents are made without charge and then presented to the requesting party for use in the filing office.

### 8265.0600 FORMS.

Subp. 2. **Experimental forms.** The secretary of state may provide for the use of experimental use of alternate forms on a trial basis. The experimental forms must be considered distributed to the county recorders and are standard forms.

Subp. 3. **Effective financing statement; standard multipart form.**

B. A standard effective financing statement must be in substantially the following form:

|                                |                                                                                                                                                                     |                                         |                                                                                     |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------------------------------|
| For<br>Filing<br>Officer       | <b>STATE OF MINNESOTA</b><br><b>EFFECTIVE FINANCING STATEMENT/STATUTORY LIEN</b><br><b>STATEMENT OF</b><br><b>CONTINUATION AND TERMINATION</b><br><b>CNS-3 FORM</b> |                                         |  |
|                                | This statement is presented for filing pursuant to <i>Minnesota Statutes Chapter 336A.</i><br>(Type in Black Ink)                                                   |                                         |                                                                                     |
|                                | 1. Original Effective Financing Statement No.                                                                                                                       | Original File Date                      |                                                                                     |
| 2. Original Statutory Lien No. | Original File Date                                                                                                                                                  |                                         |                                                                                     |
| 3. Debtor Name and Address     |                                                                                                                                                                     | 4. Secured Party/Lienholder and Address |                                                                                     |

(CHOOSE ONE)

— 5. **EFFECTIVE FINANCING STATEMENT CONTINUATION**

The original effective financing statement bearing the file number shown in Area Number 1 is still effective and is continued for an additional 5 years. The continuation statement must be signed by the debtor and the secured party or the box below must be marked indicating that the secured party has the signatures on file.

**6. EFFECTIVE FINANCING STATEMENT TERMINATION**

The secured party no longer claims a security interest under the effective financing statement bearing the file number shown in Area Number 1. The date on which the security interest was satisfied is \_\_\_\_\_.

**7. STATUTORY LIEN TERMINATION**

The lien holder no longer claims a lien under the lien notice bearing the file number shown in Area Number 2. The date on which the statutory lien was satisfied is \_\_\_\_\_.

RETURN ACKNOWLEDGMENT COPY TO: (name and address)

Please do not type outside the bracketed area.

Signatures are on file with secured party.

\_\_\_\_\_  
Debtor Signature (required for continuation only)

\_\_\_\_\_  
Secured Party/Lien holder Signature

(1) Filing Officer Copy-Alphabetical 12922052 Rev. 04/93

Approved by Secretary of State of Minnesota

**Subp. 4. Effective financing statement; word processor generated form.**

B. A standard effective financing statement/statutory lien notice must be in substantially the following format:

(2) showing the words "for filing officer" and a ~~box~~ an area in the upper left corner of the page with dimensions of 2 inches wide and 3-3/4 inches long placed one-fourth inch from the top of the form and one-fourth inch from the left side of the page;

(3) a statement indicating that the filing is a statutory lien notice, if applicable and any conditions for waiver or release of the lien;

(4) showing the following statements under the heading and to the left right of the ~~box~~ area: "This statement is presented for filing pursuant to *Minnesota Statutes*, section 336A.03";

(11) showing a ~~box~~ an area in the bottom left of the page 3-1/2 inches wide and one inch long so that a name and address can be inserted in this area and used to return the acknowledgment copy of the effective financing statement or lien notice. The ~~box~~ area is placed three-fourths inch from the bottom of the page and five-eighths inch from the left side of the page; and

(12) showing lines for signatures by the debtors and secured party on the bottom right side of the page across from the address ~~box~~ area described in subitem (11) or a statement that the signatures of the parties are on file with the secured party.

**Subp. 5. Continuation and termination statement; multipart form.**

B. A standard effective financing statement/statutory lien notice statement of continuation and termination must be in substantially the following form:

**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.

For  
Filing  
Officer

STATE OF MINNESOTA  
EFFECTIVE FINANCING STATEMENT (EFS)/  
STATUTORY LIEN NOTICE  
CNS-1 FORM



Statutory Lien Conditions for waiver or release: \_\_\_\_\_  
This form is an EFS unless the Statutory Lien box is marked. This statement is presented for filing pursuant to *Minnesota Statutes Chapter 336A*. (Type in Black Ink)

|                                |  |                 |           |
|--------------------------------|--|-----------------|-----------|
| 1. Individual Debtor Last Name |  | First Name      | Middle I. |
| Social Security #              |  | Mailing Address |           |
| City                           |  | State           | Zip Code  |
| 2. Individual Debtor Last Name |  | First Name      | Middle I. |
| Social Security #              |  | Mailing Address |           |
| City                           |  | State           | Zip Code  |
| 3. Business Debtor Name        |  |                 |           |

|          |                |       |          |
|----------|----------------|-------|----------|
| Fed. ID# | Street Address |       |          |
| City     |                | State | Zip Code |

|                                  |       |          |                                                                                                                                                                                                                                                                           |
|----------------------------------|-------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4. Secured Party/Lienholder Name |       |          | 5. <u>THE INFORMATION CONTAINED IN THIS EFFECTIVE FINANCING STATEMENT WILL BE SENT TO FARM PRODUCT BUYERS REGISTERED IN MINNESOTA. SALE OF FARM PRODUCTS TO THOSE BUYERS MAY RESULT IN A CHECK BEING ISSUED PAYABLE JOINTLY TO BOTH THE SELLER AND THE SECURED PARTY.</u> |
| Street Address                   |       |          |                                                                                                                                                                                                                                                                           |
| City                             | State | Zip Code |                                                                                                                                                                                                                                                                           |

| 6. Farm Product Description |              |          |           |             |                      |          |       |
|-----------------------------|--------------|----------|-----------|-------------|----------------------|----------|-------|
|                             | Product Code | Quantity | Crop Year | County Code | Property Description |          |       |
|                             |              |          |           |             | Section(s)           | Township | Range |
| 1.                          | _____        | _____    | _____     | _____       | _____                | _____    | _____ |
| 2.                          | _____        | _____    | _____     | _____       | _____                | _____    | _____ |
| 3.                          | _____        | _____    | _____     | _____       | _____                | _____    | _____ |
| 4.                          | _____        | _____    | _____     | _____       | _____                | _____    | _____ |

7. THIS EFFECTIVE FINANCING STATEMENT (CHOOSE ONE): WILL WILL NOT BE TERMINATED WITHIN 30 DAYS OF THE DATE ON WHICH THE OBLIGATION(S) IT SECURES NO LONGER EXIST.

RETURN ACKNOWLEDGEMENT COPY TO: (name and address)

Please do not type outside the bracketed area.

Signatures are on file with the secured party.

\_\_\_\_\_  
Debtor's Signature

\_\_\_\_\_  
Debtor's Signature

\_\_\_\_\_  
Lienholder/Secured Party Signature



**Subp. 6. Continuation and termination statement; word processor generated form.**

B. A standard effective financing statement/statutory lien notice statement of continuation and termination must be in substantially the following format:

(2) showing a ~~box~~ an area in the upper left corner of the page with dimensions of two inches wide and 3-3/4 inches long placed one-fourth inch from the top of the form and one-fourth inch from the left side of the page. In the upper left hand corner, the words "For Filing Officer" shall appear;

(3) showing the following statements under the heading and to the ~~left~~ right of the ~~box~~ area: "This statement is presented for filing pursuant to *Minnesota Statutes*, chapter 336A";

(8) showing a ~~box~~ an area in the bottom left of the page 3-1/2 inches wide and one inch long so that a name and address can be inserted in this area and used to return the acknowledgment copy of the effective financing statement ~~statement~~ or lien notice. The ~~box~~ area is placed three-fourths inch from the bottom of the page and five-eighths inch from the left side of the page; and

**REVISOR NOTE.** Minnesota Rules, part 8265.0600, subpart 3, item B, has been modified by replacing the form CNS-1, Effective Financing Statement (EFS)/Statutory Lien Notice which was revised June 1992 with a similar form revised as of April 1993.

Minnesota Rules, part 8265.0600, subpart 5, item B, has been modified by replacing the form CNS-3, Effective Financing Statement/Statutory Lien Statement of Continuation and Termination which was revised December 1992 with a similar form revised as of April 1993.

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**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.

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**Department of Agriculture****Agronomy Services Division****Notice of Solicitation of Outside Information or Opinions Regarding Proposed Emergency Rules Governing Nonenforcement by Weed Inspectors**

**NOTICE IS HEREBY GIVEN** that the State Department of Agriculture is seeking information or opinions from sources outside the department in preparing to propose adoption of the rule governing nonenforcement by weed inspectors. The adoption is authorized by *Minnesota Statutes*, section 18.81, which requires the commissioner to adopt rules necessary to carry out enforcement actions against local weed inspectors for nonperformance.

The State Department of Agriculture requests information and opinions concerning the subject matter of the emergency rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Carol Milligan, Agriculture Planning Division, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107. Oral statements will be received during regular business hours over the telephone by Chuck Dale at (612) 296-6123 and in person at the above address.

All statements of information and opinions shall be accepted until June 25, 1993. Any written material received by the department shall become part of the rulemaking record to be submitted to the attorney general in the event that the rule is adopted.

Dated: 21 May 1993

Elton Redalen  
Commissioner

**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.

## Department of Agriculture

### Agronomy Services Division

#### Notice of Cancellation of Minnesota Agricultural Chemical Response Compensation Board

**NOTICE IS HEREBY GIVEN** of cancellation of the Agricultural Chemical Response Compensation Board (ACRRA Board) meeting scheduled for June 16, 1993. The next regularly scheduled ACRRA Board meeting will be Wednesday, July 21, 1993; to be held at the Minnesota Department of Agriculture offices, 90 West Plato Boulevard, St. Paul, Minnesota, Conference Room One, at **9:00 a.m.**

Call the ACRRA Program, 297-3490, should you require additional information.

## Labor and Industry

### Labor Standards Division

#### Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective June 7, 1993 prevailing wage rates are certified for commercial construction projects in: Anoka county: Sandburg Middle & Jackson Middle School Remodeling-Anoka, Northdale Middle School Office Remodeling-Coon Rapids. Blue Earth county: Franklin School Re-piping and Re-insulating-Mankato. Carlton county: Moose Lake State Recreation Area Sanitation Building-Moose Lake. Cass county: Walker Install Emergency Generators-Walker. Cook county: Judge Magney State Park Sanitation Building-Hovland. Dakota county: 1994 Elementary School Construction-Lakeville, McGuire Jr. High School Remodeling-Lakeville, South St. Paul High School & Classroom Additions & Remodeling-South St. Paul, Eagle Ridge Senior Housing Addition-Burnsville. Isanti county: Ridgeview & Oakview Cottages Remodeling-Cambridge. Lake of the Woods county: Zippel Bay State Recreation Area Shower Building-Near Williams. Nicollet county: Treaty Site History Center-St. Peter. Nobles county: Worthington Truck Station-Worthington. Ottertail county: Fergus Falls RTC/Install Emergency Generators & Fergus Falls Regional Treatment Center-Fergus Falls. Pennington county: Thief River Falls Elementary School-Thief River Falls. Ramsey county: MWWTP F & I Asbestos Abatement-St. Paul, MN/DOT Maplewood Central Laboratory-Maplewood, Mounds View Schools Technology Modernization Phase 1, 2, & 3-New Brighton/Shoreview/Mounds View/Arden Hills, New Brighton Community Center-New Brighton. Redwood county: Redwood Falls High School Demolition-Redwood Falls. St. Louis county: Life Science Building Water Pipe Replacement UMD—Duluth, Buhl School District-Mountain Iron. Winona county: Whitewater State Park Interpretive Center-Elba.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.  
Commissioner

## Labor and Industry Department

### Labor Standards Division

#### Notice of Correction to Prevailing Wage Rates

Prevailing wage rate certified April 19, 1993 for labor class code 406 CEMENT MASON in Winona county: Lourdes Hall Asbestos Removal, Kryzsko Commons Food Service Expansion, and Lourdes Hall Apartment Remodeling-Winona State University projects for Commercial construction has been corrected.

Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452.

John B. Lennes, Jr.  
Commissioner

## Minnesota Early Childhood Care and Education Council

### Meeting Notices

**NOTICE IS HEREBY GIVEN** that the Minnesota Early Childhood Care and Education Council (ECCE) has scheduled the

following meetings. Direct inquiries to Executive Director, Minnesota Early Childhood Care and Education Council, Third Floor, Ford Building, 117 University Avenue, St. Paul, MN 55155. PHONE 612/296-1400; TDD MRS: 612/297-5353 (Metro) or 800/627-3529 (Greater MN).

**EXECUTIVE COMMITTEE MEETING**—June 11, 1993, 10 a.m. to 11:30 a.m., Minnesota Early Childhood Care and Education Council, Third Floor, Ford Building, 117 University Avenue, St. Paul, to discuss the Council's future role and relationships and other agenda items to be addressed at the June 14, 1993 Regular Full Council Meeting. Note: This is a tentative meeting.

**REGULAR FULL COUNCIL MEETING**—June 14, 1993, 10 a.m. to Noon, Minnesota State Capitol, Room 107, 75 Constitution Avenue, St. Paul. To discuss the Council's future role and relationships and other agenda items.

Contact the Council to confirm meetings or for additional agenda details.

## **Minnesota Property Insurance Placement Facility**

### **Notice of Meeting of the Board of Directors**

**NOTICE IS HEREBY GIVEN** that a meeting of the Board of Directors of the Minnesota Property Insurance Placement Facility will be held at 9:00 a.m. on Wednesday, June 9, 1993 at its office located at 17 North Washington Avenue, Suite 300, Minneapolis, MN. For additional information please call 338-7584.

## **Department of Natural Resources**

### **Notice of Intent to Hold State Metallic Minerals Lease Sale State Lands to be Offered for Metallic Minerals Exploration**

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's nineteenth sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for October 1993. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules (*Minnesota Rules*, parts 6125.0100-.0700) is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Aitkin, Beltrami, Carlton, Cass, Crow Wing, Itasca, Koochiching, Lake, Lake of the Woods, Marshall, Morrison, Norman, Ottertail, Roseau, St. Louis, and Todd Counties. Most of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone 612-296-4807.

Dated: 4 June 1993

Rodney W. Sando  
Commissioner of Natural Resources

## **Public Employees Retirement Association**

### **Board of Trustees, Notice of Meeting**

The next regular monthly meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, June 10, 1993 at 2:00 p.m. in the PERA offices, 514 St. Peter St., Suite 200-Skyway Level, Saint Paul, Minnesota.

## Office of the Secretary of State

### Notice of Vacancies in Multi-Member Agencies

**NOTICE IS HEREBY GIVEN** to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, 100 Constitution Ave., St. Paul 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. These vacancies will remain open for application through June 29, 1993. Appointing Authorities may also choose to review applications received after that date. Applications are kept on file for a one year period.

The 1992 Annual Compilation and Statistical Report is available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1992 fiscal year. The cost of the 1992 Annual Compilation is \$5.50 per copy plus sales tax. There is a \$2.00 charge for mailing per order; an order may include any number of copies. To order copies of the 1992 Annual Compilation please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.

#### **ARTS LEADERSHIP TASK FORCE**

MN Center for Arts Education, 6125 Olson Memorial Highway, Golden Valley, MN 55422. 612-591-4700.  
*Minnesota Statutes* 15.059 subd. 6, and 15.014.

**APPOINTING AUTHORITY:** Board of the MN Center for Arts Education. **COMPENSATION:** Expenses.

**VACANCY:** Five positions: Please see the description of this new task force.

The task force provides advice to the Executive Director and Resource Program Director on developing policies in arts education. The task force consists of five members including professional educators and artists in leadership roles from a variety of arts areas, including one member from the MN Department of Education, one member from an institution of higher education, one member from an arts education organization, one member from a professional arts organization, and one member at large. Meetings take place six to ten times a year, at the MN Center for Arts Education.

#### **ATHLETIC TRAINER'S ADVISORY COUNCIL**

2700 University Ave. W. Ste. 106, St. Paul, MN 55114-1080. 612-642-0538.  
*Minnesota Statutes* 148.7805, *Laws of 1993*, Chapter 232.

**APPOINTING AUTHORITY:** Board of Medical Practice. **COMPENSATION:** \$55 per diem.

**VACANCY:** Eight positions: Please see the description of this new council.

The council advises the Board of Medical Practice regarding athletic trainer standards, registration issues, and complaint matters. Eight members including two public members; three members who, except for initial appointees, are registered athletic trainers, one being both a registered physical therapist and registered athletic trainer as submitted by the Minnesota American Physical Therapy Association; two members who are medical providers licensed by the state and have experience with athletic training and sports medicine; and one member who is a doctor of chiropractic licensed by the state and has experience with athletic training and sports injuries. Meeting location and schedule to be determined.

#### **COMPENSATION COUNCIL**

Legislative Coordinating Commission, Room 85, State Office Bldg., St. Paul, MN 55155. 612-297-3697.  
*Minnesota Statutes* 15A.082, Subdivision 3.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem.

**VACANCY:** Eight positions: one from each congressional district of whom no more than four may belong to the same political party. These appointments are to be made by September 1, 1993. Terms end on or before May 1, 1995. The Compensation Council is to be formed to carry out duties according to *Minnesota Laws of 1993*, Chapter 192, which takes effect July 1, 1993.

*Laws of 1993*, Chapter 192 states that the Compensation Council shall be appointed by September 1, 1993, to evaluate and make recommendations to the Senate Committee on Governmental Operations and Reform and the House Committee on Governmental Operations and Gambling, on compensation levels and procedures for periodically reviewing and adjusting compensation levels for positions listed in *Minnesota Statutes* 15A.081, subd. 1, 7, 7b and *Minnesota Statutes* 15A.082, subd. 1. The council is created in even numbered years to assist the legislature in establishing the compensation of constitutional officers, legislators, supreme court justices, court of appeals judges, and trial court judges. The governor appoints one member from each congressional district of whom no more than four may belong to the same political party. The chief justice of the supreme court appoints two non-judges and the legislature appoints six members. Appointments must be made by October 1 in the even numbered year. Recommendations by the council must be made to the legislature by May 1 in the odd-numbered years.

**COMPETITIVENESS TASK FORCE**

Address and Phone number to be determined.

*Laws of 1993, Chapter 252.*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** Not determined.

**VACANCY:** Six positions: Please see the description of this new task force.

The task force monitors implementation of the state's economic blueprint as it pertains to long-range competitiveness, makes long-range policy recommendations, holds periodic forums and symposiums, and provides ongoing counsel and advice to the legislature and commissioner of Trade and Economic Development. The task force shall make annual reports to the governor and legislature on or before February 1. The task force consists of fifteen members, including six representatives from private sector businesses appointed by the governor, two from companies with more than 1,000 employees, two from companies with 101 to 1,000 employees, and two from companies with less than 100 employees. Terms of private sector members shall be for a minimum of three years and a maximum of five years. Meeting schedule and locations to be determined.

**COUNCIL ON DISABILITY**

Metro Square Bldg., Suite 145, St. Paul, MN 55101. 612-296-6785.

*Minnesota Statutes 256.481 - 256.482.*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Three vacancies: must reside in Region 11, Metro Area, and be a disabled person, a person with a disabled family member, or someone who works in the disability field.

The council advises the governor, legislature, service-providing agencies, and the public on the needs and potentials of people with physical, mental, or emotional disabilities. The council consists of twenty-one members representing the general public and organizations which provide services for persons with disabilities: at least one member from each development region - a majority of members are persons with disabilities or parents or guardians of persons with disabilities (service consumers). The commissioners of the Departments of Education, Health, Human Services, Jobs and Training, Human Rights, and the directors of Vocational Rehabilitation and State Services for the Blind or their designees are ex-officio members. Bi-monthly meetings; meetings are scheduled January 16, March 19, and May 21, 1992.

**CHILDREN'S TRUST FUND ADVISORY COUNCIL**

444 Lafayette Rd., St. Paul, MN 55155-3839. 612-296-5437.

*Minnesota Statutes 257.803.*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: person knowledgeable about and committed to the prevention of child maltreatment. Preference: a physician practicing in Greater Minnesota in the field of family practice or pediatrics.

The council recommends strategies to promote education, programs and services that support parents and families and thereby prevent child abuse and neglect; and makes recommendations regarding grants to be awarded to fund child maltreatment prevention programs. The governor appoints ten members who have a demonstrated knowledge in the area of child abuse and represent the demographic and geographic composition of the state, local government, parents, racial and ethnic minority communities, religious community, professionals and volunteers. The commissioners of Human Services, Health, Education, Corrections and Public Safety each appoint one member. The legislature appoints two senators and two representatives, each with one member from both caucuses. Attendance is expected at bimonthly three-hour meetings and occasional workgroup meetings. Meetings are held at 444 Lafayette Rd., St. Paul, MN unless notified otherwise.

**DAIRY PRICE DEREGULATION TASK FORCE**

Address and Phone number to be determined.

*Laws of 1993, Chapter 367.*

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** Expenses.

**VACANCY:** Six positions: Please see the description of this new task force.

The task force shall conduct a study of the dairy processing and marketing industry, including the impacts and benefits to processors, wholesalers, retailers, and consumers of dairy marketing partial deregulation; the impacts that would occur under various levels of deregulation at the processor, wholesale and retail segments of the dairy industry; and the feasibility of requiring uniform wholesale prices to all retailers of class I and class II dairy products. The task force shall report to the legislature on its findings and recommendations no later than February 1, 1994. The task force consists of fifteen members, including six members appointed by the governor who must represent consumers and processors, wholesalers, and the retail segment of the dairy industry. Meeting schedule and locations not determined. The task force expires May 1, 1994.

## Official Notices

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### **GOVERNOR'S INTERAGENCY COORDINATING COUNCIL ON EARLY CHILDHOOD INTERVENTION**

826 Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101. 612-296-7032.

*Minnesota Statutes* 120.17 as amended by *Laws of 1992*.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Two new positions: Representatives of public or private providers of services for children with disabilities under age five.

The council advises, assists and recommends policies to the governor and the Minnesota Departments of Health and Human Services to provide interagency collaboration in the development of Minnesota's comprehensive, coordinated, multidisciplinary system of early intervention services for young children under age five with disabilities and their families. The council consists of at least seventeen members but not more than twenty-five, including: at least five parents, including persons of color, of children with disabilities under age twelve, including at least three parents of a child with a disability under age seven; five representatives of public or private providers of services for children with disabilities under age five, including a special education director, county social service director, and a community health service or public health nursing administrator; one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education or other preparation program programs in early childhood intervention, at least one representative of advocacy organizations for children with disabilities under age five, one physician who cares for young children with special health care needs, one representative each from the commissioners of Commerce, Education, Health, Human Services, and Jobs and Training, and a representative from Indian health services, or a tribal council. Meetings held at least six times during the year.

### **GOVERNOR'S RESIDENCE COUNCIL**

G4 Administration Bldg., 50 Sherburne Ave., St. Paul, MN 55155. 612-296-6852.

*Minnesota Statutes* 16B.27.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** None.

**VACANCY:** Four new positions: Public members.

The council develops an overall restoration plan for the governor's residence and surrounding grounds, solicits contributions to maintain and improve the public areas of the building. The council consists of nineteen members including thirteen appointed by the governor, one in the field of higher education; one member each from the American Institute of Architects, the American Society of Interior Designers, and the American Society of Landscape Architects; and a member, if available, of the family which donated the building, and eight public members, with four public members' terms being coterminous with the governor who appoints them. The remaining six members shall consist of the commissioner of Administration, a member of the senate, a member of the house, the governor's spouse or designee, the executive director of the Minnesota State Arts Board, and the director of the Minnesota Historical Society.

### **HEALTH COVERAGE REINSURANCE ASSOCIATION BOARD**

Department of Commerce, 133 E. 7th St., St. Paul, MN 55101. 612-297-4634.

*Laws of 1992*, Chapter 549, Sec. 13-22.

**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** Expenses.

**VACANCY:** Three vacancies: two HMO representatives, one insurance representative.

The association shall provide reinsurance to health carriers providing health coverage to the small employer market. The board consists of thirteen members, including four public members, three members representing accident and health insurers, three members representing HMOs, and three members representing Blue Cross-Blue Shield. Initial members will be appointed by the Commissioner of Commerce and will serve for a two year period effective the date of the first annual meeting, which must be held by December 1, 1992. The board will be elected by association membership after this two year interim, except for public members. Meetings at the Department of Commerce.

### **MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION (MMJUA)**

Dept. of Commerce, 133 E. 7th St., St. Paul, MN 55101. 612-297-4634.

*Minnesota Statutes* 62F.

**APPOINTING AUTHORITY:** Commissioner of Commerce/Governor. **COMPENSATION:** \$150 per diem plus expenses.

**VACANCY:** Three vacancies: health care providers to be appointed by the commissioner of Commerce.

The board provides medical malpractice insurance coverage to any licensed health care provider unable to obtain this insurance through ordinary methods. The board consists of eleven members including three public members appointed by the governor, three health care providers appointed by the commissioner of Commerce, and five members elected by members of the association. Every personal injury liability insurer in the state shall be a member as a condition for obtaining and retaining a license to write insurance in Minnesota.

**METROPOLITAN AIRPORTS COMMISSION**

6040 28th Ave. S., Mpls., MN 55450. 612-726-8100.  
*Minnesota Statutes 473.603.*

APPOINTING AUTHORITY: Governor. COMPENSATION: \$50 per diem.

VACANCY: Eight vacancies: one from each Metropolitan Airports Commission District A through H; District A includes Metropolitan Council Districts 1 and 2, District B includes 3 and 4, District C includes 5 and 6, District D includes 7 and 8, District E includes 9 and 10, District F includes 11 and 12, District G includes 13 and 14, District H includes 15 and 16. These positions have been opened due to redistricting of the Metropolitan Airports Commission. Please refer to the map of the new Metropolitan Council Districts included later.

The commission promotes air transportation locally, nationally, and internationally by developing the Twin Cities as an aviation center. The commission consists of fifteen members including the chair and twelve members appointed by the governor, including eight residing in precincts determined by the governor, and four residing outside the metro area, two from cities, towns or counties containing a key airport, and two from cities, towns or counties containing an intermediate airport. The mayors of Minneapolis and St. Paul, or designees, are ex-officio members. The chair receives \$20,226. per year plus expenses and serves at the pleasure of the governor. Monthly meetings. Members must file with the Ethical Practices Board.

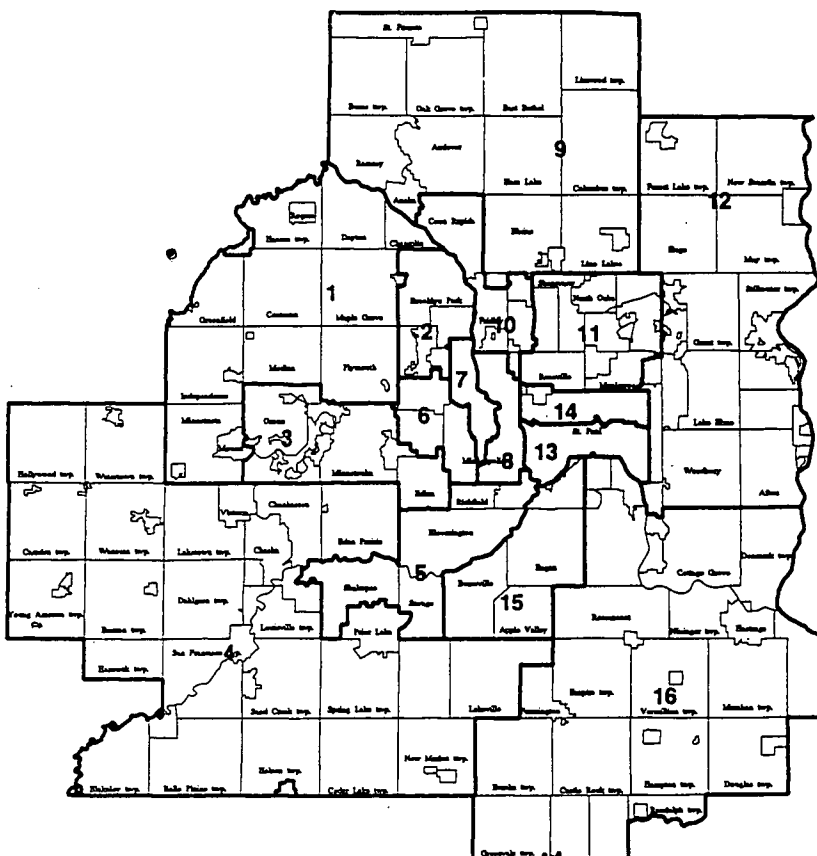
**METROPOLITAN COUNCIL**

Mears Park Centre, 230 E Fifth St., St. Paul, MN 55101. 612-291-6390.  
*Minnesota Statutes 473.123.*

APPOINTING AUTHORITY: Governor. Senate confirmation. COMPENSATION: \$50 per diem plus expenses.

VACANCY: Sixteen vacancies: one from each Metropolitan Council District 1 through 16. These positions have been opened due to redistricting of the Metropolitan Council Districts. Please refer to the map of the new Metropolitan Council Districts included later.

The council coordinates planning and development of the seven county metro area and establishes policies for regional transportation, sewer, airports, parks, human services and housing systems. The council consists of seventeen members including sixteen members selected from districts of equal population, and a chair representing the metro area at large. The chair serves at the pleasure of the governor. Members cannot hold elected public office and must reside in the council district he or she represents. Meetings are usually twice a week, for a commitment of approximately 20 hours a week. Members must file with the Ethical Practices Board.



## Official Notices

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### **MN AMATEUR SPORTS COMMISSION**

1700 105th Ave. N.E., Blaine, MN 55449. 612-785-5630.

*Minnesota Statutes* 240A.02.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Three vacancies: one appointed by the Governor, one appointed by the House Speaker, one appointed by the Senate Majority Leader; the purpose of these positions is to ensure gender balance in commission membership. These positions are for two-year terms. Members may be reappointed.

The commission works and supports the amateur sports associations in the state and promotes amateur sports events. There are twelve voting members of whom four must be experienced in promoting amateur sports. Nine of the voting members shall be appointed by the governor to three year terms. The governor, speaker of the house, and senate majority leader shall each appoint one voting member to a two year term; the purpose of these three appointments is to ensure gender balance in commission membership. Two legislators, one from each house appointed according to its rules, shall be nonvoting members. Monthly meetings. Members must file with the Ethical Practices Board.

### **MN AUTOMOBILE INSURANCE PLAN GOVERNING COMMITTEE**

120 S. 6th St., Suite 1750, Mpls., MN 55402-1842. 612-339-2466.

*Minnesota Statutes* 65B.03.

**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** \$35. per diem for public members.

**VACANCY:** Four vacancies: public members.

The committee shall direct the operation of the Minnesota Automobile Insurance Plan which provides for the placement of insurance for drivers and vehicle owners who are unable to obtain coverage in the open market. The committee consists of nine individuals of whom five shall be elected by insurers and four public members appointed by the commissioner. Quarterly meetings at the Minneapolis office.

### **MN BOARD OF NURSING**

2700 University Ave. W., #108, St. Paul, MN 55114. 612-642-0567.

*Minnesota Statutes* 148.181.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Six positions, including five new positions and one vacancy: must be residents of Minnesota; Three new positions for RNs, must be graduates of approved professional nursing school, licensed and currently registered in Minnesota, with at least five years nursing experience immediately preceding appointment, one RN must have two years executive or teaching experience in a baccalaureate nursing program approved by the Board of Nursing during the five years immediately preceding appointment, one RN must have national certification as a Certified Registered Nurse Anesthetist, Certified Nurse Midwife, nurse practitioner or clinical nurse specialist, one RN must be currently practicing professional nursing in a nursing home; One new position for a LPN, graduate of approved practical nursing school, licensed and currently registered in Minnesota, with at least five years experience as LPN immediately preceding appointment; One new position for a public member who is not and never was an RN or LPN, is not and never was a spouse of an RN or LPN, and does not have and has never had a material financial interest in providing nursing care or an activity directly related to nursing, must be age 60 years or older. One vacant position for a RN currently registered and licensed in Minnesota with at least five years experience in nursing practice, nursing administration of nursing education immediately preceding appointment, and at least two years executive or teaching experience in a Minnesota practical nursing program during the five years preceding appointment.

The board licenses professional and practical nurses, registers public health nurses, disciplines licensees, renews licenses, approves nursing schools, lists professional nursing organizations which certify certain advanced nurse specialists for the purpose of third party reimbursement and identifies nurse practitioners eligible to prescribe drugs and therapeutic devices. The board consists of sixteen members, all of whom must be residents of Minnesota. The membership includes eight RNs, four LPNs, and four public members. RN and LPN members must have graduated from an approved school of nursing, be licensed and currently registered in Minnesota and have at least five years experience in nursing practice, administration or nursing education immediately preceding appointment. One RN must have executive or teaching experience in a baccalaureate degree program, one RN must have executive or teaching experience in an associate degree nursing program, one RN must have executive or teaching experience in a practical nursing program; these programs must be approved by the board and at least two years experience must have occurred during the five years immediately preceding appointment. One RN must have national certification as a registered nurse anesthetist, nurse practitioner, nurse midwife, or clinical nurse specialist, and one RN must be a practicing professional nursing in a nursing home at the time of appointment. Four of the eight RNs must have at least five years of experience in nursing practice or nursing administration immediately preceding appointment. The four LPNs must have had at least five years experience in nursing practice immediately preceding appointment. The four public members must be public members as defined by *Minnesota Statutes* 214.02. A member may be reappointed but may not serve more than two full terms consecutively. The governor shall attempt to make appointments to the board that reflect the



not serve more than two full terms consecutively. The governor shall attempt to make appointments to the board that reflect the geography of the state. Board members who are nurses should reflect the broad mix of practice types and sites of nurses practicing in Minnesota. Meetings at least six times a year (February, April, June, August, October, and December). Members must file with the Ethical Practices Board.

**MN BOARD OF SOCIAL WORK**

2700 University Ave W. #225., St. Paul, MN 55114. 612-643-2580.

*Minnesota Statutes* 148B.19.

APPOINTING AUTHORITY: Governor. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One new position: Licensed social worker employed in a hospital or nursing home licensed under Chapter 144 or 144A.

The board adopts and enforces rules for licensure of social workers and for regulation of their professional conduct. The board consists of eleven members including eight licensed social workers (two licensed independent clinical social workers, two licensed independent social workers, and four licensed social workers); and three public members as defined in *Minnesota Statutes* 214.02. The social workers shall be engaged in the practice of social work in Minnesota in the following employment settings: one in a state agency, one in a county agency, two in private agencies, one in a private clinic, one educator engaged in regular teaching duties at an accredited program of social work, and one engaged in practice of social work in an elementary, middle, or secondary school licensed by the Board of Teaching, and one employed in a hospital or nursing home licensed under Chapter 144 or 144A. In addition, at least three members shall be persons of color, and at least four members shall reside outside the seven-county metropolitan area. Members must file with the Ethical Practices Board.

**MN COUNCIL FOR THE HEARING IMPAIRED**

Deaf Services, Dept. of Human Services, 444 Lafayette Rd., St. Paul, MN 55155-3814. 612-297-7305 TDD & voice.

*Minnesota Statutes* 256C.28.

APPOINTING AUTHORITY: Commissioner of Human Services. COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Representative from the Advisory Committee for the West Central Regional Service Center for Hearing Impaired People.

The council advises the commissioner, governor, and legislature regarding policies, programs, services affecting hearing impaired citizens, and creates public awareness of the needs and potential of hearing impaired people. The council includes fifteen members, seven of whom are appointed at-large, plus one member from each advisory committee under section 256C.24, subd. 3. At least fifty percent of the members must be hearing impaired. Terms are for two years. Members who are full time state employees or full time employees of political subdivisions of the state will not receive the per diem. Meetings are usually held in St. Paul at 444 Lafayette Rd., with occasional meetings in other cities around the state. There are four to five full council meetings each year with numerous sub-committee meetings.

**MN INSURANCE GUARANTY ASSOCIATION**

Dept. of Commerce, 133 E. 7th St., St. Paul, MN 55101. 612-297-4634.

*Minnesota Statutes* 60C.08, Subdivision 1.

APPOINTING AUTHORITY: Commissioner of Commerce. COMPENSATION: Reimbursed for expenses.

VACANCY: One vacancy: Public member.

The association provides for the payment of covered claims to avoid financial loss to policyholders because of the liquidation of an insurer. The association board consists of nine members and two public members. Public members are appointed by the commissioner of the Dept. of Commerce for a period of two years. Meetings as needed.

**MN MUNICIPAL BOARD**

475 McColl Bldg. St. Paul, MN 55101. 612-296-2428.

*Minnesota Statutes* 414.01.

APPOINTING AUTHORITY: Governor. COMPENSATION: \$50 per diem plus expenses for public members.

VACANCY: One vacancy: shall have been a resident of Minnesota for at least five years prior to appointment.

The board acts on all boundary adjustments between a city and the adjacent land, and rules on incorporations of cities. The board consists of three members of whom at least one must be learned in the law, and one must be a resident from outside the metropolitan area. Monthly meetings and numerous hearings. Members must file with the Ethical Practices Board.

**MN PROPERTY INSURANCE PLACEMENT FACILITY**

Dept. of Commerce, 133 E. 7th St., St. Paul, MN 55101. 612-297-4634.

*Minnesota Statutes* 65A.35.

## Official Notices

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**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** \$35 per diem plus expenses.

**VACANCY:** One vacancy: Public member.

The board administers the Fair-Plan Act to make property or liability (including homeowners and commercial multiperil) insurance available statewide. The board consists of nine members including five elected insured members, and four additional members, including at least three public members. Three-four meetings per year.

### **MN WORKERS COMPENSATION ASSIGNED RISK PLAN REVIEW BOARD**

133 E. 7th St., St. Paul, MN 55101. 612-297-4634.

*Minnesota Statutes 79.251.*

**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** None.

**VACANCY:** Two vacancies: representatives of a licensed workers' compensation insurance company.

The board will audit the reserves established for individual cases and the total book of business arising under workers' compensation policies and contracts of coverage issued pursuant to *Minnesota Statutes 79.25* and *79.252*. The board consists of six members including three insured holding workers' compensation policies issued by the assigned risk plan and two representatives of licensed workers' compensation insurance companies. The sixth member is the commissioner of Commerce. Term of office is three years. Meetings held at variable times in St. Paul.

### **MN WORKERS COMPENSATION INSURERS' ASSN (RATING ASSN)**

7760 France Ave. S., Suite 640, Mpls., MN 55435. 612-897-1737.

*Minnesota Statutes 79.61.*

**APPOINTING AUTHORITY:** Commissioner of Commerce. **COMPENSATION:** Reimbursement for expenses.

**VACANCY:** Two vacancies: Employer representatives.

The association oversees the administration of the Minnesota Workers Compensation Insurers' Association (Rating Association). The membership includes twelve members of whom two are employer representatives. Quarterly meetings.

### **PUBLIC UTILITIES COMMISSION**

780 American Center Bldg., 150 E. Kellogg Blvd., St. Paul, MN 55101. 612-296-7124.

*Minnesota Statutes 216, 216A, 216B, 237.*

**APPOINTING AUTHORITY:** Governor. Senate confirmation. **COMPENSATION:** \$54,500 per year.

**VACANCY:** One vacancy: Please refer to the description of this commission for membership qualifications.

The commission regulates the rates and services of electric, natural gas, and telephone companies. It acts through public hearings, contested case hearings, rulemaking hearings as well as informal complaint resolutions. The commission is a five-member body. No more than three members may be from the same political party. At least one member must have been domiciled at the time of appointment outside the seven county metropolitan area. Consideration is given to persons learned in the law or persons who have engaged in engineering, public accounting, or property and utility evaluation, finance, physical or natural sciences, production agriculture, or natural resources, as well as being representative of the general public. Members may not be in the employ of or holding any official relation to or pecuniarily interested in any individual proprietorship, firm, copartnership, corporation or association, the activities of which are wholly or partially subject to regulation by the Public Utilities Commission, nor serve on or under any committee of any political party. Members may not receive any income, other than dividends or other earnings from a mutual fund or trust if these earnings do not constitute a significant portion of the person's income, directly or indirectly from any public utility or other organization subject to regulation by the commission. No person is eligible to be appointed as a member if the person has been employed with an entity, or an affiliated company of an entity, that is subject to rate regulation by the commission within one year from the date when the person's term on the commission will begin. Full-time positions. Members must file with the Ethical Practices Board.

### **RESOURCE PROGRAMS ADVISORY TASK FORCE**

6125 Olson Memorial Hwy., Golden Valley, MN 55422. 612-591-4700.

*Minnesota Statutes 15.059, subd. 6, and 15.014.*

**APPOINTING AUTHORITY:** Board of the MN Center for Arts Education. **COMPENSATION:** Expenses.

**VACANCY:** Twenty positions: Please see the description of this task force.

The task force provides broad-based input to the Resource Programs Director on the development and maintenance of statewide programs and initiatives. The task force consists of twenty members, composed of professional educators, artists and administrators working in K-12 education, who are interested in advancing arts education at school district and local levels through promoting innovative and effective educational practices. Two members will be appointed from each congressional district, and four members will be at large. Collectively, membership is based on the following criteria: geographic representation, K-12 focus, grade level and

arts area representation, gender, ethnic and cultural diversity. Meetings at the MN Center for Arts Education, meetings are held 3-5 times annually, three hours in length.

**RURAL HEALTH ADVISORY COMMITTEE**

717 Delaware St. SE, Mpls., MN 55414. 612-623-5282.

*Laws of 1992*, Chp. 549, Art. 5, Sec. 7.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** One vacancy: Midlevel practitioner.

The committee advises the commissioner of Health and other state agencies on rural health issues. The committee consists of fifteen members, all of whom must reside outside of the seven-county metropolitan area. Membership must include: two members from the Minnesota House of Representatives, one from the minority party and one from the majority party; two members from the Minnesota Senate, one from the minority party and one from the majority party; a volunteer member of an ambulance service based outside the seven-county metropolitan area; a representative of a hospital located outside the seven-county metropolitan area; a representative of a nursing home located outside the seven-county metropolitan area; a medical doctor or doctor of osteopathy licensed under chapter 147; a mid-level practitioner; a registered nurse or licensed practical nurse; a licensed health care professional from an occupation not otherwise represented on the committee; a representative of an institution of higher education located outside the seven-county metropolitan area that provides training for rural health care providers; and three consumers, at least one of whom must be an advocate for persons who are mentally ill or developmentally disabled. In making appointments the governor shall ensure that appointments provide geographic balance among those areas of the state outside the seven-county metropolitan area. The chair of the committee shall be elected by the members. Meeting location and schedule is undetermined at this time.

**STATE ADVISORY COUNCIL ON MENTAL HEALTH**

444 Lafayette Rd., St. Paul, MN 55155-3828. 612-297-4163.

*Minnesota Statutes* 245.697.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem. Reimbursed for expenses.

**VACANCY:** One vacancy: Must be a psychiatrist, usually designated by the Minnesota Psychiatric Society.

The council advises the governor, the legislature, and state agency heads about policy, programs, and services affecting people with mental illness. Thirty members include commissioner designees from the Departments of Education, Corrections, Vocational Rehabilitation, and the Housing Finance Agency, one representative in the state agency responsible for the state's Title XIX program, one member from each of the four core mental health professional disciplines (psychiatry, psychology, social work, nursing); one representative from each of the following advocacy groups: Mental Health Association of MN, MN Alliance for the Mentally Ill, MN Mental Health Law Projects; providers of mental health services, consumers of mental health services, family members of persons with mental illnesses, legislators, social service agency directors, county commissioners, and other members reflecting a broad range of community interest.

**STATE ADVISORY COUNCIL ON METROPOLITAN GOVERNANCE**

Address and phone number to be determined.

*Laws of 1993*, Chapter 375.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** \$55 per diem plus expenses.

**VACANCY:** Nine new positions: Public members, five appointed by the Governor, six appointed by the legislature. Please see the description of this new advisory council.

The council provides a forum at the state level for education, discussion, identification of emerging regional needs and appropriate responses, and advice to the legislature on the present and future role of the Metropolitan Council, metropolitan agencies, and local governmental units. The council consists of fifteen members, including nine public members who are residents of the metropolitan area, five appointed by the Governor, two appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the Senate and two appointed by the Speaker of the House of Representatives. Members serve at the pleasure of the Appointing Authorities. Meeting schedule and location to be determined.

**STATE ADVISORY COUNCIL TO STUDY THE SALES TAX EXEMPTION ON CAPITOL EQUIPMENT**

Address and phone number to be determined.

*Laws of 1993*, Chapter 375.

**APPOINTING AUTHORITY:** Governor. **COMPENSATION:** Not determined.

**VACANCY:** Eight new positions: Public members, four appointed by the Governor, four appointed by the legislature. Please see the description of this new advisory council.

The council shall examine an overview of the purpose, intent and application of the provisions of the present sales tax exemption

## Official Notices

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for capitol equipment, and shall report to the legislature on recommendations for modifying the exemption by February 1, 1994. The council consists of fifteen members, including eight public members, two appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the Senate, two appointed by the Speaker of the House, and four appointed by the Governor. Meeting schedule and location to be determined.

### **STATE CURRICULUM ADVISORY COMMITTEE**

635 Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101. 612-296-1485.  
*Minnesota Statutes 126.665.*

APPOINTING AUTHORITY: Commissioner of Education. COMPENSATION: None.

VACANCY: Two vacancies: Must have been a former or current member of a local curriculum advisory committee, and must be a parent, teacher, school administrator or a member of a local board of education. One member must reside in Region 4, one member must reside in Region 6 & 8, Educational Cooperative Service Unit Regions (ECSU).

The committee advises the State Board and Department of Education on the planning, evaluation, and reporting process. The committee consists of eleven members including nine members, one appointed from each educational cooperative service unit, and two at-large members.

### **STATE LOTTERY BOARD**

2645 Long Lake Rd., Roseville, MN 55113. 612-635-8210.  
*Minnesota Statutes 349A.03.*

APPOINTING AUTHORITY: Governor. COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Cannot be an Independent-Republican.

The board advises the director, reviews and comments on rules and game procedures, procurement contracts, joint lottery agreements, advertising, and approves any additional yearly compensation for the director. The board consists of seven members, no more than four from the same political party; members must be eighteen years of age or older. Three members must reside outside the seven county metropolitan area. Monthly meetings at Roseville location.

### **TELECOMMUNICATIONS ACCESS FOR COMMUNICATION-IMPAIRED PERSONS BOARD**

Dept. of Administration, Centennial Office Bldg. 1st Floor, 658 Cedar St., St. Paul, MN 55155. 612-296-0412 Voice, 612-296-9863 TDD  
*Minnesota Statutes 237.50.*

APPOINTING AUTHORITY: Governor. COMPENSATION: \$55. per diem.

VACANCY: Two new positions: Consumer representatives, must reside outside a metropolitan county; one must be deaf, and one must be hard of hearing. (Definitions can be found in *Laws of 1993*, Chapter 272.)

The board determines the priority of eligible applicants for initial distribution of communication devices and the circumstances requiring more than one device per household, and is to develop, implement, and maintain a statewide toll-free telephone relay service to enhance communication between persons using TDD and persons without such special devices. The twelve member board includes seven communications-impaired persons, at least three of whom reside outside a metropolitan county at the time of appointment, at least four of whom are deaf, one of whom is speech impaired, one of whom is mobility impaired, and one of whom is hard-of-hearing; one communication disabilities professional, one person representing the state's largest local exchange company, one member of the Minnesota Telephone Association, one person representing companies providing inter-LATA service, if the company with whom the person is employed does not have a contract to operate a telecommunication relay service under *Minnesota Statutes 237.54* and agrees not to enter such a contract for at least one year after the person leaves the board, and the Commissioner of Administration. Members must file with the Ethical Practices Board. Quarterly meetings until June 1993.

## 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. Thursday, June 10, at the Administration Building on the fairgrounds. Preceding the general business meeting will be a meeting of the board's space rental committee at 9 a.m.

# State Grants

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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.

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## Department of Health

### Bureau of Health Delivery Systems

#### Public Meeting Regarding the Minnesota Department of Health Application to the Federal Department of Health and Human Services for Federal Fiscal Year 1994 Maternal and Child Health Services Block Grant Funding

The Minnesota Department of Health will sponsor a public meeting to obtain comment on its application for continuation of Federal Maternal and Child Health (MCH) Services Block Grant funding for the Fiscal Year starting October 1, 1993, and ending September 30, 1994. The draft application is available for inspection upon request.

Discussion of the application will be conducted as part of the regularly scheduled meeting of the state Maternal and Child Health Advisory Task Force held Friday, June 18, 1993, at the Minnesota Department of Health, 717 Delaware Street S.E., Minneapolis, Minnesota. The application discussion will begin 3:00 p.m. in the Chesley Room. Any person or group may submit either written or oral comments at the meeting.

Any person needing special accommodations for a disability should so indicate at the time of registration. Persons planning to attend and/or present comments are requested to register by June 16, 1993.

For further information or registration contact:

Dr. Ronald Campbell, Section Chief  
MCH Technical Services  
Minnesota Department of Health  
717 Delaware Street S.E.  
Minneapolis, Minnesota 55440  
(612) 623-5539

## Department of Human Services

### Chemical Dependency Division

#### Notice of Intent to Identify the Need for a Competitive Bid Process on Existing Grants

The Chemical Dependency Program Division (CDPD) of the Department of Human Services is considering the continuation of a grant award to The City, Inc. in the area of prevention/early intervention for African American Youth.

The CDPD will open this grant to competitive selection if requested to do so by a qualified potential vendor. The potential vendor must demonstrate its capability to deliver an equal or superior service at a comparable cost.

Potential vendors should submit a letter outlining their qualifications to provide the services described to Ruthie M. Dallas, 2nd Floor, 444 Lafayette Road, St. Paul, MN 55155-3823 no later than close of business (4:20 p.m.) Monday, June 28, 1993. Applicants should indicate their interest in this specific grant.

The grant to The City, Inc. is for approximately \$40,000. The purpose of this grant with The City, Inc. is to develop and maintain a peer counseling program in which young African American students at the City School are trained to facilitate classes and discussion groups about chemical use, and abuse, and the dangers involved in the commerce of drugs. It also entails increasing the peer pressure upon students against involvement with drug trafficking and inappropriate chemical use. Efforts are to be continued towards increasing the cultural pride of African American students at the City School as well as the display of positive cultural themes and messages. Activities include: 1) conduct peer counseling groups, 2) establish an advisory council of students to assist in the development of the peer counseling program, sponsor public presentations to the school, and develop public service messages regarding norms about drug use for use in the school program, 3) facilitate students involvement in the peer counseling program's development of a public presentation regarding drugs for the agency's celebration of Black History Month, and 4) maintaining a record keeping system on grant-related activity.

# 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 Human Services

### Self Sufficiency Programs

#### Evaluation of the New Vistas/Economic Self-sufficiency Program (ESP)

#### A project of the Minnesota Department of Human Services, Honeywell and the Minneapolis Public Schools

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 its best interests.

|                        |                    |
|------------------------|--------------------|
| RFP Issued:            | June 7, 1993       |
| Letters of Intent Due: | June 25, 1993      |
| Proposals Due:         | July 16, 1993      |
| Contract Begins:       | July 30, 1993      |
| Evaluation Plan Due:   | September 28, 1993 |

#### Minnesota Department of Human Services Contact

Prospective respondents who have questions regarding this request for proposals may call or write:

Katheryn Olson  
Project Manager for JOBS Revenue Enhancement  
Department of Human Services  
State of Minnesota  
444 Lafayette Road  
St. Paul MN 55155-3837  
Telephone: (612) 296-5995  
Facsimile: (612) 297-5840

All contact regarding this RFP is to be made with the individual listed above. There will be no other point of contact. In the interest of fairness, copies of (a) any addenda to the RFP; and (b) responses to any questions relating to the RFP will be sent to all prospective bidders who submit a letter of intent indicating their interest in submitting a proposal (see "Letter of Intent").

#### Description of the Project

New Vistas/ESP is a program designed to reduce welfare dependency and to enhance the vocational and economic independence of adolescent parents. Research has linked significant long-term economic difficulties and associated stresses to families where the first child was born to an unmarried adolescent. Many jobs which are available to adolescents do not provide sufficient income to support a family. Adolescent parents frequently lack an adequate support system to facilitate completion of secondary education and preparation for a job which will provide a wage adequate to meet basic family needs.

Because few adolescent fathers provide support, the complete responsibility for meeting family needs often rests upon the adolescent mothers. Although the role of the father needs to be addressed, the loss of public assistance when income is earned has been demonstrated to be a deterrent to the transition from welfare dependence to the role of a contributing member of society.

The human services system has become encumbered by overlapping programs and inconsistent policies, and welfare benefits have not kept up with inflation. In Minnesota, the purchasing power of AFDC benefits declined 40% between 1972 and 1990. There has been no Cost of Living Adjustment in welfare since July 1, 1986. In addition, legislative and administrative changes to the welfare system have created, for AFDC recipients, significant disincentives to work; only 14% of the Minnesota case load is employed. Although the majority of families use welfare only temporarily, some use welfare for a longer term. These long term cases are a major part of the cost.

It is the intent of New Vistas/ESP to provide incentives for adolescent mothers to participate in educational and vocational development activities leading to long-term independence from the welfare system. The current welfare system puts recipients on an economic roller coaster because of the loss of AFDC benefits, particularly when employment is sporadic, since a rise in earned income is followed by a drop in benefits (which is frequently concomitant with a loss in earned income as well). New Vistas/ESP hopes to raise the perceived value of career planning and education by creating a vision of economic independence as an achievable goal.

### New Vistas/ESP Goals and Objectives

The evaluation shall address the four goals of the New Vistas/ESP Project:

- Reduce fluctuations in family income caused by reactions of the welfare system to earned income for adolescent mothers who are trying to complete their education
- Support adolescent mothers' movement toward self-sufficiency through increased earned income
- Prevent long-term dependence on public assistance as the primary source of family income
- Help families increase their income-earning potential

New Vistas/ESP is designed to achieve these goals through three mechanisms: The New Vistas/ESP waiver will provide financial incentives to encourage employment; an Employability Skills Portfolio will provide focus by maintaining records of skills, interests, accomplishments and career plans; and vocational training will develop skills in a career which promises to provide a living-wage.

### Scope of the Project

The Steering Committee of the New Vistas/ESP Evaluation Team is soliciting proposals from qualified consultants (individuals or firms) to conduct an evaluation of the New Vistas/ESP project and each of its major components. The evaluation will consider the context, inputs, process and products of the New Vistas/ESP project, and is envisioned to include a detailed analysis of the impact of the waiver of earned income under section 1115 of the Social Security Act which has been received from the Department of Health and Human Services, Administration for Children and Families.

New Vistas is a model program of the Minneapolis Public Schools housed in the first floor of Honeywell's corporate headquarters in Minneapolis. The school was opened in September 1990 and currently accommodates approximately 70 infants, toddlers and preschoolers along with 60 students in grades 10 through 12 who are their mothers or are expecting a child. All of the participants in the waiver program which will be the subject of this evaluation are receiving AFDC benefits, and are voluntarily participating in the program.

The school offers individualized instruction for teen mothers, and daycare and early childhood education for their children. A wide range of health and social services are also available, including parenting classes. Graduates of the program earn a regular Minneapolis Public Schools high school diploma.

In 1992, the Minnesota Department of Human Services requested and received the following waivers for the New Vistas/ESP participants:

To allow the State to conduct the demonstration only among AFDC recipients in the Minneapolis Public Schools while excluding AFDC cases not within the demonstration from receiving the waivers.

To allow the State to disregard all income earned from participation in the demonstration when determining AFDC eligibility and payments.

To allow the State to exclude income earned from participation in the demonstration from the 185% of need standard test for AFDC.

To allow the State to apply the AFDC \$30 and one third earned income disregards without regard to the fact that the AFDC recipient earned income from participation in the demonstration and did not have a twelve consecutive month period of ineligibility after earning such income.

As part of the agreement to qualify for these waivers, the State of Minnesota agreed to acquire the services of an independent evaluator, funded by Honeywell, to assess the impact of the waivers on the students involved. The contractor must be qualified and have experience in evaluating social experiments of the design, scale, and duration of that proposed in the WAIVERS REQUESTED (see Appendix A).

### Evaluation Plan

The selected evaluation contractor will be required to develop, not later than 60 days after contract award, an evaluation plan that will be submitted by the State to the United States Department of Health and Human Services for approval. The evaluation plan must include the research questions to be studied, the major variables to be measured, the sources of data for these variables, the data collection procedures, and the major data analyses to be performed.

The evaluation will include a process study that will describe how the parts of the program were implemented and operated. The following aspects of the demonstration will be addressed:

- The organizational aspects, such as: the planning process; staffing structure; funding committed; procedures for inclusion in the experimental group; procedures for referral to any support services used by the participants; and interagency coordination among Honeywell, Minneapolis Public Schools, and the Minnesota Department of Human Services.

## Professional, Technical & Consulting Contracts

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- The service aspects, such as: the characteristics, roles and training of personnel running the program; type and duration of student training and services actually provided, including monitoring services and case management services; and timeliness and scheduling in the provision of services to students. The costs of running such a program on a per-participant basis should also be measured and reported.

- The contextual factors, such as the social, economic and political forces that may have a bearing on the replicability of the intervention or that influence the implementation of the demonstration.

- Measures of demonstration participants at the baseline, throughout the demonstration, and at the end of the demonstration on factors such as AFDC status and history, use of services, school enrollment and attendance, graduation, post secondary school attendance, subsequent births, employment performance and history subsequent to the end of the demonstration. There should be some analysis of the self-selection factor that brings participants into the demonstration.

In addition to the above, the evaluation contractor will be required to do a follow-up survey after the waiver expires on May 31, 1996. The purpose of this survey will be to determine the extent to which the New Vistas Goals and Objectives (see box in Goals and Objectives section) have been met.

With the approval of the United States Department of Health and Human Services, additional research questions and outcome measures may also be included.

### Reporting Requirements

Quarterly reports will be submitted by the State of Minnesota to the federal project officer at the United States Department of Health and Human Services 30 to 60 days following each quarter. These reports will include the number of participants enrolled in the demonstration for that quarter (for both the comparison group and the waiver group), those who have left the demonstration, and start dates for those entering, fields of employment, and hours worked each week by each student. The last quarterly report, covering March 1, 1996 through May 31, 1996 will be completed and sent by August 31, 1996.

A final evaluation report will be due nine months after the termination of the demonstration (i.e., by the end of February, 1997). This report shall include the results from the follow-up study as described under the box in the section entitled Evaluation Plan. The evaluation contractor will produce and make available public-use data tapes containing data collected during the demonstration. Annual progress reports, summarizing the progress in implementing the demonstration and carrying out the evaluation plan, will also be submitted to the Department of Health and Human Services.

### Data Sources

The students and staff will implement and maintain a portfolio which will provide the primary data source for the evaluation:

- California Achievement Test Results (electronic format)
- Career Assessment Inventory (given to all New Vistas/ESP students upon entry into the program) Results (electronic format)
- Results from other tests of interests, skills and achievement
- Work experience records
- Vocational Training and Certification Records
- Enrollment and Attendance Records (electronic format)
- History of use of public assistance
- History of participation in New Vistas
- Attitude survey (toward work, health, relationships, locus of control, etc.)
- Individual Plans for:
  - Financial and Budget
  - Stress Management
  - Personal and Family Health
  - Family Life Vision
- Letters of Recommendation
- Diploma and Transcript (electronic format)

Practically all of the above data are currently available, and will not need to be collected by the contractor. Baseline data (indicated as available in electronic format) will be supplied by the Minneapolis Public School District. For the purposes of executing its responsibilities and to the extent set forth in this contract, the contractor shall be considered as part of the welfare system as defined in *Minnesota Statutes*, section 13.46, subdivision 1. The contractor's employees and agents shall have access to private or confidential



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## Professional, Technical & Consulting Contracts

data maintained by the State, Honeywell or Minneapolis Public Schools to the extent necessary to carry out its responsibilities under this contract. The contractor will be responsible for providing adequate supervision and training to its agents and employees to ensure compliance with the Data Practices Act. No private or confidential data collected, maintained or used in the course of this contract shall be disseminated except as authorized by statute, either during the period of this contract or hereafter.

For reasons of privacy, students will be identified by a non-traceable identification number only. Follow-up of participants will be made through information provided to the contractor by the participants.

### Critical Stakeholders

The critical stakeholders must be represented in an Evaluation Team which will guide and review progress of the evaluation. These include:

- Honeywell, Inc.
- Minneapolis Public Schools
- New Vistas/ESP Staff and Students
- State of Minnesota, Department of Human Services
- United States Department of Health and Human Services

### Comparison group

Because of the experimental nature of this project, and because there is a desire to obtain meaningful results which could be used for planning wider scale application of the waiver concept, it is necessary to have a carefully selected comparison group in addition to the New Vistas/ESP participants. Possible candidates for a comparison group would include adolescent mothers in the Pregnant Adolescent Continuing Education (PACE) and Mother and Infant Continuing Education (MICE) programs. Baseline data have been collected on potential comparison group members. It will be a responsibility of the successful bidder to assess the appropriateness of the comparison group selected by the New Vistas/ESP Evaluation Team.

### Project Costs and Completion Date

The time frame for evaluation begins with the selection of the successful bidder and ends with the submission of the final report in February 28, 1997. The State estimates that approximately \$25,000 is available to fund the services solicited in this RFP. The funding is provided by Honeywell, and is subject to change. Bidders should be prepared to renegotiate the terms of the project in the event that less funding is available. It should be understood that continuation of the evaluation contract over the course of the project will depend upon satisfactory completion of the evaluation activities and reporting requirements. The duties will be carried out under a series of one-year contracts which coincide with the State fiscal year (July 1 through June 30). Depending on the exact starting date, the first and last contracts may be longer or shorter than one year, but in no case shall a contract exceed two years. The contract may be terminated if, in the judgment of the State, there is a likely possibility that the goals of the evaluation cannot be fulfilled by the successful bidder.

### Phase Down Plan

The New Vistas Demonstration Project waiver of earned income is effective from June 1, 1993 through May 31, 1996. Hennepin County Department of Economic Assistance will be informed by the State of Minnesota of the end of the demonstration by formal letter prior to March 1, 1996.

Termination notices to participants will be coordinated between the school and county AFDC program personnel. Participants will be informed in writing by school staff and by county personnel as to the ending of the waiver. The county will specifically state that March earnings will be the last earnings that will qualify for the income exclusion and that April 1996 earnings will be counted as earned income which will be reflected in AFDC checks issued in June 1996.

Individual participants will be kept continuously informed of their own standing in relation to the waiver throughout the project period. A notification letter will be given to all current participants by New Vistas staff on or before April 20, 1996, stating that the waiver will no longer be in effect. The county will send a second notification by May 20, 1996 to all participants, in order to comply with the 10-day notification requirement for any adverse action. At this time the participants will be given the option of continuing their employment and having the earned income counted against their AFDC grant or ending employment effective with the end of the waiver period.

### General Information for Prospective Contractors

#### Issuing Office

This RFP is issued by the State of Minnesota, Department of Human Services, Self-Sufficiency Programs Division. This RFP 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 its best interest. The State reserves the right to reject all proposals and to issue no contract in the event that no adequate proposals are submitted.

# Professional, Technical & Consulting Contracts

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## Letter of Intent

Prospective contractors are strongly encouraged to send a letter of intent indicating their interest in submitting a proposal. The letters must be received by the State by June 25, 1993. The letter of intent will facilitate communication related to:

- a. copies of any addenda to the RFP; and
- b. responses to questions relating to the RFP.

Prospective contractors who do not submit a letter of intent will not receive these communications. Letters of intent may be submitted by mail or facsimile to:

Katheryn Olson  
Project Manager for JOBS Revenue Enhancement  
Department of Human Services  
State of Minnesota  
444 Lafayette Road  
St. Paul MN 55155-3837  
Telephone: (612) 296-5995  
Facsimile: (612) 297-5840

## Questions Concerning the RFP

Prospective contractors who have submitted a letter of intent may submit any questions relating to the RFP in writing to the Project Manager (see address above). Each question must cite the particular RFP page to which it refers. Copies of all questions and their answers will be provided to all prospective contractors who have submitted letters of intent. Only responses in writing by the Project Manager will be considered official. The closing date for the receipt of questions will be the close of business on Friday, July 2, 1993.

From the issue date of this RFP until the selection of a contractor, all contacts with Department personnel concerning the contents of this RFP must be made through the Project Manager or her designee. Communication on any matter related to the New Vistas/ESP evaluation directed to employees of the State of Minnesota other than the Project Manager, or his/her designee, may result in the disqualification of the bidder. Similarly, communication on any matter related to the New Vistas/ESP evaluation directed to employees of New Vistas/ESP may result in the disqualification of the bidder. This provision shall remain in effect until the contract is awarded by the State of Minnesota. Prospective contractors shall not approach Department personnel with offers of employment during the period from the release of the RFP until approval of an executed contract.

## Oral Presentations

The State may, at its discretion, elect to have some or all of the bidders provide oral presentations of their proposals. The Department will provide at least 7 days of advance notice.

## Minimum Qualifications of Prospective Contractors

Bidders must not have a direct interest with any of the stakeholders listed in the box in the Critical Stakeholders section. They must have experience in evaluating social experiments of the scale and duration of the project described in this RFP. A qualified prospective contractor must have knowledge and experience in the following areas in order to conduct the New Vistas/ESP evaluation:

- An understanding of the AFDC program, the low-income population, the dynamics of public assistance receipt, and work/welfare demonstrations.
- A broad understanding of issues related to adolescent parents, including child care, parenting, and education.
- An understanding of employment and training programs and their efficacy with low income populations.
- Demonstrated skill in conducting social science field research, including study design, sample design, data collection, use of administrative records and record systems, survey data, data base management, observations of program process, data analyses, and reporting.

## Addenda to RFP

The State reserves the right to amend the RFP. If it becomes necessary to revise any part of the RFP, addenda will be provided to all prospective contractors who submitted a letter of intent.

## Incurred Costs

The State is not liable for any cost incurred by prospective contractors, or by contractors who are submitting proposals, in preparation for or prior to the approval of an executed contract by the State. Additionally, no cost will be incurred by the State for any activity by the selected contractor prior to the contract execution.

### Selection Criteria

Bidders will be evaluated on a 100-point scale in determining which are qualified to participate in the bid opening:

- Understanding of the Problem (20 points): The proposal must include a restatement of the scope and objectives of the project, including a description of the services and products to be provided. This will be used to determine the respondent's understanding of the nature of the project.
- Capability to Perform Work (50 points): An outline must be provided detailing the respondent's background and experience with social science research projects, including attention to the topics listed in the box in the Minimum Qualifications of Prospective Contractors section. Response to this item should minimally include abstracts for related past reports/studies and/or evaluations of work performed on similar projects.
- Detailed Cost and Work Plan (30 points): The work plan must cover the entire project period beginning with award of the contract on July 30, 1993 through completion of the final report on February 28, 1997. For each task, the plan must include an estimate of the person-hours of work needed to complete the task or provide the service.

Only bids which receive at least 85 points will be considered for inclusion in the final selection process.

### Submission of Proposal

The following are general requirements to which a prospective contractor must adhere in submitting a proposal in response to the RFP:

- a. The prospective contractor must submit the proposal in two parts: technical and cost.
- b. The technical proposal must include a section that contains the following materials:
  - A statement, signed in ink by a responsible officer of the organization, which includes:
    - (i) a statement of the bidder's willingness to enter into a contract which contains, at minimum, the terms and conditions set forth in this RFP (the bidder may suggest revisions to such terms and conditions but the state reserves the right to reject any such proposed revisions and to incorporate such terms and conditions into the resulting contract, unchanged); and
    - (ii) a statement of assurance that the offer will remain valid and not subject to change for a minimum period of ninety (90) days.
  - A management summary of the organization, which must include:
    - (i) a brief description of the offering organization;
    - (ii) a list of the names and titles of all responsible officers, identifying those who are authorized to negotiate a contract with the state and who will have ultimate responsibility and accountability for this contract; and
    - (iii) names and addresses of any organizations with which the bidder will subcontract for any services under the project and mechanisms for assuring effective and efficient operations by subcontractors. Evidence of a potential subcontractor's willingness to participate or enter into subcontractual arrangements should be included.
- c. The cost proposal must include a detailed breakdown of the proposed project activities and costs for each. The State reserves the right to reject any activity not deemed to be in its best interests, or to substitute activities at a mutually agreed upon cost.
- d. To facilitate the evaluation process, the prospective contractor is required to submit an original and five (5) copies of both parts of the proposal. The original must be one-sided and suitable for duplication. The copies must be two-sided.
- e. The cost proposal and the technical proposal should be identified and bound separately. These proposals should then be packaged together, properly identified, and mailed or hand-delivered to:

Katheryn Olson  
Project Manager for JOBS Revenue Enhancement  
Department of Human Services  
State of Minnesota  
444 Lafayette Road  
St. Paul MN 55155-3837  
Telephone: (612) 296-5995  
Facsimile: (612) 297-5840

- f. Proposals must be received by the Department on or before:

#### **Proposal Opening at the Minnesota Department of Human Services**

Date: July 16, 1993

Time: 11:00 a.m.

## Professional, Technical & Consulting Contracts

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g. Prospective contractors must allow adequate time for delivery to ensure receipt of proposals by the opening date and time.

### Requests for Supplemental Information Regarding Proposals

During the selection period, prospective contractors may be requested to present supplemental information clarifying their proposal. This supplemental information must be submitted in writing and will be included as a formal part of the prospective contractor's proposal.

### Disclosure of Proposal Contents

Except to the extent required by law, prospective contractor's proposals will not be disclosed. All material submitted becomes the property of the State. Submitted proposals may be reviewed and evaluated by any person, other than one associated with a competing prospective contractor, designated by the Department. The Department reserves the right to use any and all ideas presented in any response to the RFP unless noted by the bidder as trade secret or copyrighted material.

If a prospective contractor believes that any information in its proposal constitutes a trade secret and wishes such information not be disclosed if requested by a member of the public pursuant to the Minnesota Government Data Practices Act, the prospective contractor shall submit with his or her proposal a letter specifically identifying by page number, line or other appropriate designation that information which is secret. Failure by a prospective contractor to submit such a letter with his or her proposal identifying trade secrets shall constitute a waiver by the prospective contractor of any rights she or he may have under law relating to protection of trade secrets.

### Notification of Award

After evaluation and selection of the contractor, the successful contractor will be notified in writing of the acceptance of her or his proposal. The name of the successful contractor will be disclosed. Press releases, advertising material, other publicity pertaining to this project shall not be released without prior written approval by the Department and then only in conjunction with the issuing office.

### Contract Duration and Level of Effort

The duties assigned to the contractor in this RFP cover a period of approximately three (3) years and nine (9) months commencing on the date of contract approval by the State, projected to be July 30, 1993. The duties will be carried out under a series of one-year contracts which coincide with the state fiscal year (July 1 through June 30). Depending on the exact starting date, the first and last contracts may be longer or shorter than one year, but in no case shall a contract exceed two years.

Each potential contractor must provide assurance that, should they be the successful bidder, they will be available for the duration of the entire project, and that their proposal is valid for the duration of the project.

Potential contractors should note that federal or state public assistance laws or regulations may change significantly during the course of the New Vistas/ESP project. Such changes could require significant alteration of the evaluation design. Should significant demonstration program changes be required, the State may ask the contractor to assess the validity of the evaluation design and recommend appropriate changes. Due provision will be made to provide for expenses for needed modifications or termination of the evaluation.

### Basis of Payment

Payment to the contractor will be made using a standard invoice form prescribed by the Department of Human Services and upon submission and Department acceptance of required deliverables.

### Projected Timeline

|                    |                                                                                            |
|--------------------|--------------------------------------------------------------------------------------------|
| June 7, 1993       | RFP appears in <i>State Register</i> .                                                     |
| June 25, 1993      | Deadline for Letters of Intent to be received by State contact person.                     |
| July 16, 1993      | Deadline for all proposals to be submitted to the State contact person.                    |
| July 23, 1993      | Deadline for independent committee to select the successful bidder.                        |
| July 30, 1993      | Deadline for negotiations with prospective contractor to be finalized and contract signed. |
| September 28, 1993 | Deadline for contractor to submit Evaluation Plan (60 days after contract awarded).        |

## APPENDIX A — WAIVERS REQUESTED

### STATEWIDENESS

Waive section 402(a)(1) of the Social Security Act and 45 CFR 233.10 (a)(1)(iv). Waiver of these sections will allow Minnesota to pilot a project for demonstration purposes with persons enrolled in the Minneapolis Public School's New Vistas program rather than throughout the State.

### QUALITY CONTROL

Waive section 45 CFR 205.40(c)(1) to waive fiscal consequences of Quality Control errors in cases of persons enrolled in the New Vistas program.

### DISREGARD OF EARNED INCOME

#### First Option: Total Income Disregard

Waive 45 CFR 233.20(a)(1)(i). Waiver of this section will allow the amount of assistance for New Vistas students to be determined in a different manner than other employed students.

Waive section 402(a)(18) of the Social Security Act and 45 CFR 233.20(a)(3)(xiii) and 233.20(a)(xix). Waiver of these sections will allow income earned by students in the New Vistas apprenticeship program to be excluded from the Gross Income Test (185% of the State's need standard). Approximately half of the students live with a parent(s). If the parent(s) is also employed, the additional earnings of the student may make the entire family ineligible.

Waive section 402(a)(8)(A)(i), (ii), (iii), (iv), and (vii) and section 402(a)(8)(B)(ii) of the Social Security Act and 45 CFR 233.20(11)(i) and (ii). Waiver of these sections will allow Minnesota to totally disregard the earnings of students enrolled in the New Vistas program. After the student graduates from the program, the student will qualify for the disregard under section 402(a)(8)(B)(ii) of the Social Security Act and 45 CFR 233.20(a)(11)(ii)(B) without a twelve consecutive month period of ineligibility.

#### Second Option: Partial Income Disregard

Waive 45 CFR 233.30(a)(1)(i). Waiver of this section will allow the amount of assistance for New Vistas students to be determined in a different manner than other employed students.

Waive section 402(a)(18) of the Social Security Act and 45 CFR 233.20(a)(3)(xiii) and 233.20(a)(3)(xix). Waiver of these sections will allow income earned by students in the New Vistas apprenticeship program to be excluded from the Gross Income Test (185% of the State's need standard). Approximately half of the students live with a parent(s). If the parent(s) is also employed, the additional earnings of the student may make the entire family ineligible.

Waive section 402(a)(8)(B)(ii) of the Social Security Act and 45 CFR 233.20(a)(11)(ii)(B). Waiver of these sections will not restrict application of the \$30 plus one third disregard to four consecutive months nor the \$30 portion of the disregard to the eight month period following the fourth consecutive month. Application of the \$30 plus one-third disregard will be continuous as long as the student has earnings and is enrolled in the New Vistas program. After the student graduates from the program, the student will qualify for the disregard under this section without a twelve consecutive month period of ineligibility.

## Minnesota Racing Commission

### Notice of Contractual Position for State Veterinarian

The Minnesota Racing Commission (MRC) is accepting applications for the contractual position of State Veterinarian for the 1993 county fair pari-mutuel race meets at Cannon Falls and Wheaton, Minnesota. Approximate dates for employment are from July 30 to August 2 (Cannon Falls) and August 20-23 (Wheaton). Per diem compensation is \$300.00 per race day worked and \$100.00 per each non-race day worked.

Preference will be given to qualified candidates who have served in a regulatory veterinary capacity in previous years, and must be licensed to practice veterinary medicine in the State of Minnesota.

Representative duties include, but are not necessarily limited to:

- Securing samples of blood, urine and/or saliva or other substances from racehorses, as directed by the Board of Stewards or MRC.
- Supervising licensed personnel and activities within the secure testing area.
- Conducting pre-race soundness examinations.
- Providing expert testimony as required by the MRC during hearings regarding testing procedures.
- Maintain all data relevant to each horse which is registered to race or which enters the stable area.
- Process medical examination cards for all horses.
- Maintain files related to bleeder lists and medication lists as required by MRC rules.
- Maintain racing records for each horse.
- Report drug testing results to MRC stewards.

## Professional, Technical & Consulting Contracts

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- Handle or refer inquiries into Commission-related veterinary functions.
- Prepare and disseminate bleeding certificates, notification of placement on vet's list, medication information for horses shipping to other locations, notification of expired Coggin's test certificates, violations reports to stewards and other reports as needed.
- Coordinate the transportation of blood, urine, saliva and/or other substance samples to MRC's contracted testing laboratory.

Resumés and letters of application should be sent to Richard G. Krueger, Executive Director, Minnesota Racing Commission, 7825 Washington Avenue South, #800, Bloomington, Minnesota 55439. Applications must be received by 4:30 p.m. on Tuesday, July 6, 1993.

## Minnesota Racing Commission

### Notice of Contractual Position for State Stewards (2)

The Minnesota Racing Commission (MRC) is accepting applications for the contractual positions of State Steward for the 1993 county fair pari-mutuel race meets at Cannon Falls and Wheaton, Minnesota. Approximate dates for employment are from July 30 to August 2 (Cannon Falls) and August 20-23 (Wheaton). Per Diem compensation is \$50.00 per race day worked and \$25.00 for each non-race day worked, as assigned by the Chief Steward.

Preference will be given to qualified candidates who have served in a regulatory official capacity in previous years, and should be licensed by the U.S.T.A. as a Judge.

Representative duties include, but are not limited to:

1. Exercising immediate supervision, control and regulation of racing at each licensed race meeting according to MRC rules.
2. Determine all questions, disputes, protests, complaints, or objections concerning racing matters which arise during a race meeting and enforce such determinations.
3. Interpret and enforce MRC rules and determine all questions pertaining to racing matters in conformity with applicable law and the "customs of the turf".
4. Issue decisions or rulings pertaining to racing matters.
5. Conduct hearings on all questions, disputes, protests, complaints, or objections concerning racing matters.
6. Consider and review all allegations of misconduct or rule infractions and, when warranted, initiate investigations of the allegations and conduct necessary hearings; or take the action necessary to prevent rule infractions.

Resumés and letters should be sent to Richard G. Krueger, Executive Director, Minnesota Racing Commission, 7825 Washington Avenue South, #800, Bloomington, Minnesota 55439. Applications must be received by 4:30 p.m. on Tuesday, July 6, 1993.

## Minnesota Racing Commission

### Request for Proposal for Equine Drug Testing Services

The Minnesota Racing Commission is requesting proposals for the on-going testing of equine body fluids for the presence of prohibited medications. This request does not obligate the State to make any changes in service provider, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Proposals or questions should be directed to the attention of Richard G. Krueger, Executive Director, Minnesota Racing Commission, 7825 Washington Avenue South, Suite #800, Bloomington, Minnesota and must be received on or before 4:30 p.m. on Tuesday, July 6, 1993.

The proposal must conform to the following:

1. Three 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 testing laboratory name, address, telephone number, and the name of the contact person.

#### Mandatory Proposal Contents in Sequence:

1. Identity of organization and an indication of its legal status, i.e., corporation, partnership, etc.
2. Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with a brief description of their qualifications and an estimate of the extent of the involvement of each in the testing and/or the

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## Professional, Technical & Consulting Contracts

documentation process, as well as a statement of membership of at least one of these persons with the Association of Official Racing Chemists or of intent to gain such membership.

3. A listing of laboratory equipment available for testing of samples.
4. A description of the security system of the laboratory.
5. A listing of licenses, permits, certifications, and the like held by the entity, and a statement that the entity is in good standing with all applicable state and federal regulatory agencies.
6. A brief listing of present and previous clients for which similar services have been provided and an indication of the relative length of such service.
7. A detailed plan for the manner in which the testing lab intends to serve the needs of the Minnesota Racing Commission as outlined in the following sections.

### Scope of the Services Required:

1. Approximately 60 to 100 cases are to be tested within the month of August, 1993. It is anticipated that this number might increase if additional pari-mutuel racing meets are permitted in future years, and would expand the testing period from June through September.
2. Each case ideally will consist of a urine sample of 250 ml. or larger and a 15 ml. sample of whole blood obtained from a horse following a race. These samples are collected at county fairs conducting pari-mutuel racing.
3. Each sample must be subjected to testing to make the following determinations:
  - A. Quantity of phenylbutazone reported in micrograms per milliliter of plasma.
  - B. Quantity of any metabolites of phenylbutazone reported in micrograms per milliliter of plasma.
  - C. Quantity of any other non-steroidal anti-inflammatory agent detected in the plasma, reported in micrograms per milliliter.
  - D. Quantity of furosemide in plasma, determined by high power liquid chromatography, reported in nanograms per milliliter.
  - E. Quantity of creatinine in urine, reported in milligrams per 100 milliliters.
  - F. Quantity of furosemide in urine, determined by high-power liquid chromatography, reported in milligrams per 100 milliliters.
  - G. Whether there are indications from initial screening tests, including immunoassays, that the sample may contain a prohibited substance (including non-steroidal anti-inflammatory agents as in item C. above) and, if so, the possible identity or type of substance indicated.
  - H. The results of further testing on such samples.

In cases where the testing results would indicate a possible violation of the administrative rules governing horse racing or any applicable *Minnesota Statute*, the testing entity will be expected to provide to the Minnesota Racing Commission a complete copy of test data and documentation to support their findings and to document the chain of custody followed while in possession of the sample in question. Such documentation must be available to be transmitted within 24 hours of notification of test results. On request, and at the expense of the Minnesota Racing Commission, the chief chemist and/or the laboratory director must be available to travel to any adjudicatory hearings for the purpose of giving testimony or must be available for conference call or other means of communication.

The time period between receipt of samples and reporting of preliminary results, i.e. items A, B, D, E, F and G above, may not exceed five days. Barring unforeseen circumstances, final results should be available within five additional days. Results are to be transmitted by facsimile machine and data packets by express mail.

A testing entity beyond a 30-mile radius of the site of collection (racetrack) will be required to include within its proposal a plan for the transport of samples from the site of collection to the testing locations. Attention should be given to the costs of containers, seals, transport boxes and transportation, as these costs are to be borne by the testing entity and reflected in the proposal.

The testing entity must agree to perform testing of quality assurance samples provided to it as a result of the Minnesota Racing Commission's involvement with the Association of Racing Commissions International Quality Assurance Program.

### Necessary Cost Information:

Proposals should quote costs to the Minnesota Racing Commission on a case basis for the testing, communications, and transportation described above. Included in this per case cost should be an indication of the number and types of immunoassay tests to be performed on each sample for that basic cost. The testing entity should also include the per case cost for any additional immunoassays should the Minnesota Racing Commission desire to have more performed than those included in the basic cost figures.

## Department of Transportation

### Notice to Consulting Engineers, Registered Civil and Structural

The Minnesota Department of Transportation (Mn/DOT) intends to retain a consultant to prepare final construction plans for Bridge No. 82011 (Stillwater Bridge) which carries T.H. 36 over the St. Croix River into Wisconsin at Stillwater, Minnesota. Consultant designs shall be based on the following:

River Spans—

- Variable depth, rectangular, concrete box girders
- Continuous, post-tensioned design

Approach Spans—

- 81" Prestressed Concrete Beam

Mn/DOT will design and prepare construction plans for a structural steel plate girder option to the concrete box girder river spans. The consultant prepared approach span design shall be employed for either river span option.

Work is proposed to begin after January 1, 1994 and shall be approximately two years duration.

Firms desiring consideration for shortlisting should submit their expression of interest. Submittals shall include the following information concerning both their firm and anticipated sub-consultants:

- Three copies of Federal Forms 254 and 255.
- Highlight experience of firm on projects of this magnitude.
- List key personnel expected to be utilized on project and their related experience.
- Ability of firm to mobilize adequate personnel to staff project.
- Location of offices where work will occur.

Submittals shall be mailed to:

Mr. G. S. Bodoczy  
Consultant Agreements Engineer  
720 S Transportation Building  
395 John Ireland Boulevard  
St. Paul, MN 55155  
(612) 296-3051

Response deadline is 12:00 p.m., July 9, 1993.

Applicants shall indicate if your firm is certified by the Department of Human Rights for Affirmative Action as follows:

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.

Your proposal will be rejected unless it includes one of the following:

- 1) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- 2) A letter from Human Rights certifying that your firm has a current certificate of compliance; or
- 3) A notarized letter certifying that your firm has not had more than 20 full-time employees at any time during the previous 12 months

DBE (Disadvantaged Business Enterprise) requirements will be a minimum of 10 percent of the contract. For additional DBE information contact:

Carl Fransen  
Director EEO Contract Management  
Phone: (612) 297-1869

Technical inquiries should be directed to:

Robert J. Miller  
Bridge Agreements Engineer  
610 Transportation Building



395 John Ireland Boulevard  
St. Paul, MN 55155  
(612) 296-3187

This request does not obligate Mn/DOT to complete the work contemplated in this notice. The Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

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## Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

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### City of Silver Bay, Minnesota

#### Request for Proposals for a Preliminary Engineering Study for the Proposed Silver Bay, Minnesota Small Craft Harbor—Lake Superior

The City of Silver Bay will accept sealed bids at the office of the City Clerk until 2:00 p.m., Tuesday, July 6, 1993, for the construction of the following, at which time said bids will be opened, read aloud, and tabulated:

##### **PURPOSE**

The City of Silver Bay (City), with assistance from the Minnesota Department of Natural Resources Trails and Waterways Unit (DNR), and the North Shore Management Board (NSMB), is seeking proposals from qualified engineering firms or individuals to prepare a report that will provide information and recommendations to be used by the City, NSMB, and DNR to determine what type of a small craft harbor, boat launching facility, and marina development is feasible from an environmental, architectural, and engineering basis.

This request for proposal does not obligate the City, DNR, or NSMB to complete the project and the City reserves the right to cancel the solicitation without responsibility for costs or expenses incurred by the respondents if it is considered to be in their best interest.

Interested parties may request a detailed Request for Proposals by calling or writing to Duane Northagen, City Planner—telephone 218-226-4444, or at the office of the City Clerk, 7 Davis Drive, Silver Bay, MN 55614, telephone 218-226-4408. Proposals are due in City Clerk's office no later than 2:00 p.m., CDT, Tuesday, July 6, 1993.

No bid will be considered unless it is securely sealed in an envelope marked "Harbor's Project Bid" and filed at the City Clerk's office prior to the time noted above for the closing of bids. All bids must be accompanied by a certified check, cashier's check or bidder's bond in the amount of 5 percent of the total bid, payable to the City of Silver Bay.

The City of Silver Bay reserves the right to accept or reject any or all bids, to waive technicalities and informalities therein and to award the bid in the best interests of the city.

Dated: 27 May 1993

Gary J. Brumberg  
City Clerk-Treasurer

### Metropolitan Waste Control Commission

#### Request for Quotations (RFQ) for Pipe Fittings and Valves

The Metropolitan Waste Control Commission (MWCC) is requesting quotations for PIPE FITTINGS AND VALVES for use at the Metro Plant located at 2400 Childs Road in St. Paul, Minnesota.

Price quotations for the pipe fittings and valves are to be entered onto a 3½" diskette using LOTUS 1-2-3, Version 3.1 software supplied by the MWCC.

## Non-State Public Bids and Contracts

The diskette and technical specifications can be obtained by writing to the MWCC, Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101 or by contacting Mr. Kent Brun, Purchasing Agent at (612) 229-2036.

The diskette with the price quotations should be delivered to the MWCC Central Office no later than June 30, 1993 at 5:00 p.m.

The award will be based upon but not necessarily limited to factors of price, agreement to MWCC terms and conditions, and past experience with the MWCC. The award will be made and determined approximately two weeks after all price quotations have been tabulated.

The MWCC reserves the right to reject any or all proposals and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

Inquiries should be directed to Mr. Kent Brun, Purchasing Agent at (612) 229-2036.

BY ORDER OF THE METROPOLITAN WASTE CONTROL COMMISSION  
Mr. Gordon O. Voss, Chief Administrator  
Mears Park Centre  
230 East 5th Street—St. Paul, Minnesota 55101  
(612) 222-8423

## Awards of 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.

## 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 CODE KEY

|                                                       |                                                                                  |                                              |
|-------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------|
| <b>A = Sealed Bid</b>                                 | <b>G = \$5,000-\$15,000<br/>Estimated Dollar Value</b>                           | <b>J = Targeted Vendors Only</b>             |
| <b>B = Write for Price</b>                            | <b>H = \$15,000-\$50,000 Sealed<br/>Bid</b>                                      | <b>K = Local Service Needed</b>              |
| <b>C = Request for Proposal</b>                       | <b>I = \$50,000 and Over Sealed<br/>Bid/Human Rights<br/>Compliance Required</b> | <b>L = No Substitute</b>                     |
| <b>D = Request for Information</b>                    |                                                                                  | <b>M = Installation Needed</b>               |
| <b>E = \$0-\$1,500 Estimated<br/>Dollar Value</b>     |                                                                                  | <b>N = Pre-Bid Conference</b>                |
| <b>F = \$1,500-\$5,000 Estimated<br/>Dollar Value</b> |                                                                                  | <b>O = Insurance or<br/>Bonding Required</b> |

## Materials Management Division: Commodities and Requisitions Awarded

**Item:** Printer, Computer  
**Req.#:** 26175-03358-01  
**Awarded to:** Cedar Computer Center,  
Edina, MN  
**Awarded amount:** \$645.00  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Southwest State University

**Item:** Truck Parts and Supplies,  
Miscellaneous  
**Req.#:** 29000-60677-01  
**Awarded to:** L & M Supply Company,  
Grand Rapids, MN

**Awarded amount:** \$498.24  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 20, 1993  
**Shipped to:** Department of Natural  
Resources—Regional Headquarters

**Item:** Van. (Contract)  
**Req.#:** 55303-93624-01  
**Awarded to:** Becker, Ron, Hastings, MN  
**Awarded amount:** \$13,983.00  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Faribault Regional Center

**Item:** Copy Machine, Medium Speed; 15  
to 50 CPM  
**Req.#:** 78000-42269-01  
**Awarded to:** St. Cloud Business, Waite  
Park, MN  
**Awarded amount:** \$7,097.50  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Various Locations

## Awards of State Contracts and Advertised Bids

**Item:** Meat  
**Req. #:** 78620-00498-01  
**Awarded to:** Professional Food Systems,  
South St. Paul, MN  
**Awarded amount:** \$15,965.10  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Minnesota Correctional  
Facility

**Item:** Detector, Metal  
**Req. #:** 79000-33869-01  
**Awarded to:** Minnesota Blueprint,  
Minneapolis, MN  
**Awarded amount:** \$13,020.00  
**Awarded date:** June 1, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Topper, Pickup Truck  
**Req. #:** 79382-02620-01  
**Awarded to:** Custom Truck Body &  
Equipment, Rochester, MN  
**Awarded amount:** \$1,842.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Civil Engineering Laboratory  
Equipment, Miscellaneous  
**Req. #:** 79000-33935-01  
**Awarded to:** Hogentogler & Company,  
Inc., Columbia, MD  
**Awarded amount:** \$3,587.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Soil Testing/Sampling Equipment  
**Req. #:** 79000-33936-01  
**Awarded to:** Gilson Company, Inc.,  
Worthington, OH  
**Awarded amount:** \$1,756.75  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Civil Engineering Laboratory  
Equipment, Miscellaneous  
**Req. #:** 79000-33937-01  
**Awarded to:** Gilson Company, Inc.,  
Worthington, OH

**Awarded amount:** \$1,403.75  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Fence, Flexible, Safety  
**Req. #:** 79750-01273-01  
**Awarded to:** Acme Electric Motor, Inc.,  
Grand Forks, ND  
**Awarded amount:** \$2,324.10  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 25, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Rodenticides  
**Req. #:** 79750-01272-01  
**Awarded to:** Fillipi Hardware, Inc.,  
Faribault, MN  
**Awarded amount:** \$1,067.20  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** May 31, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Medical/Surgical Equipment  
**Req. #:** 55106-03192-01  
**Awarded to:** Unimed Midwest,  
Burnsville, MN  
**Awarded amount:** \$709.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 4, 1993  
**Shipped to:** Willmar Regional Treatment  
Center

**Item:** Table, Cafeteria  
**Req. #:** 55106-03184-01  
**Awarded to:** St. Cloud Restaurant, St.  
Cloud, MN  
**Awarded amount:** \$2,215.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Willmar Regional Treatment  
Center

**Item:** Audio/Visual/Video Parts and  
Accessories  
**Req. #:** 67110-53662-01  
**Awarded to:** Audio Visual, Inc., Eden  
Prairie, MN  
**Awarded amount:** \$1,499.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Department of Revenue,  
Support

**Item:** Contractor, Concrete (Outdoor  
Work)  
**Req. #:** 75300-93053-01  
**Awarded to:** Hovland Masonry, Inc.,  
Duluth, MN  
**Awarded amount:** \$2,700.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Minnesota Veterans Home

**Item:** Ice Making Machine Accessories  
**Req. #:** 78640-02582-01  
**Awarded to:** P. H. T. Systems, New  
Brighton, MN  
**Awarded amount:** \$2,916.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Minnesota Correctional  
Facility

**Item:** Calculator  
**Req. #:** 79000-34044-01  
**Awarded to:** Educacalc, Laguna Niguel,  
CA  
**Awarded amount:** \$2,244.30  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 20, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Scaffolding Equipment  
**Req. #:** 79000-33804-01  
**Awarded to:** Humac Engine &  
Equipment, Bloomington, MN  
**Awarded amount:** \$3,185.34  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Scaffolding Equipment  
**Req. #:** 79000-33592-01  
**Awarded to:** Ace Hardware, Sandstone,  
MN  
**Awarded amount:** \$2,205.89  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 18, 1993  
**Shipped to:** Minnesota Department of  
Transportation

**Item:** Scale/Balance, Laboratory,  
Precision  
**Req. #:** 27152-47087-01  
**Awarded to:** Baxter Healthcare  
Corporation, Minneapolis, MN

## Awards of State Contracts and Advertised Bids

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**Awarded amount:** \$3,430.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 4, 1993  
**Shipped to:** Anoka Ramsey Community College

**Item:** Audio/Visual/Video Parts and Accessories  
**Req.#:** 27000-10449-01  
**Awarded to:** Alpha Video & Audio, Bloomington, MN  
**Awarded amount:** \$7,273.00  
**Awarded date:** March 4, 1993  
**Expir/deliv date:** March 30, 1993  
**Shipped to:** North Hennepin Community College

**Item:** Electronic Test Equipment, Miscellaneous  
**Req.#:** 27153-21533-01  
**Awarded to:** Anixter Brothers, Plymouth, MN  
**Awarded amount:** \$2,250.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** North Hennepin Community College

**Item:** Camera, Video Tape  
**Req.#:** 32600-35127-01  
**Awarded to:** Dons Television & Radio, St. Paul, MN  
**Awarded amount:** \$3,572.50  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 3, 1993  
**Shipped to:** Minnesota Pollution Control Agency

**Item:** Laboratory/Science Supplies  
**Req.#:** 32200-35103-01  
**Awarded to:** Belfort Instruments, Baltimore, MD  
**Awarded amount:** \$905.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 8, 1993  
**Shipped to:** Minnesota Pollution Control Agency

**Item:** Contractor, Concrete (Outdoor Work)  
**Req.#:** 43000-70558-01  
**Awarded to:** Range Concrete, Hibbing, MN  
**Awarded amount:** \$1,750.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Ironworld USA

**Item:** Range, Kitchen  
**Req.#:** 43000-70557-01  
**Awarded to:** Lehman Hardware, Kidron, OH  
**Awarded amount:** \$3,350.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Ironworld USA

**Item:** Copy Machine, Medium Speed; 15 to 50 CPM  
**Req.#:** 55000-32468-03  
**Awarded to:** Copelco Credit Corporation, Upper Sad River, NJ  
**Awarded amount:** \$887.80  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** May 25, 1993  
**Shipped to:** Department of Human Services

**Item:** Table, Reception/Lobby  
**Req.#:** 02305-37034-01  
**Awarded to:** Schneidermans Furniture, Inc., Meadowlands, MN  
**Awarded amount:** \$1,620.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Minnesota Veterans Home

**Item:** Cabinet, Storage Locker  
**Req.#:** 02412-36962-01  
**Awarded to:** Gopher Electric Company, St. Paul, MN  
**Awarded amount:** \$5,212.60  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Intertechnologies Group

**Item:** Van, (Contract)  
**Req.#:** 02514-30204-01  
**Awarded to:** Thane Hawkins Polar Chevrolet, White Bear Lake, MN  
**Awarded amount:** \$18,922.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Central Motor Pool

**Item:** Van, (Contract)  
**Req.#:** 02514-30205-01  
**Awarded to:** Thane Hawkins Polar Chevrolet, White Bear Lake, MN  
**Awarded amount:** \$19,735.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Central Motor Pool

**Item:** Radio, 2-Way, Stationary Equipment (Under \$500)  
**Req.#:** 07500-42247-01  
**Awarded to:** Siemens Stromberg Carlson, Chicago, IL  
**Awarded amount:** \$23,029.20  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** May 30, 1993  
**Shipped to:** Various Locations

**Item:** Auto, Leased  
**Req.#:** 07010-42272-01  
**Awarded to:** Thane Hawkins Polar Chevrolet, White Bear Lake, MN  
**Awarded amount:** \$23,014.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 18, 1993  
**Shipped to:** Various Locations

**Item:** Laboratory/Science Equipment, Miscellaneous  
**Req.#:** 26073-24633-01  
**Awarded to:** Curtin Matheson Scientific, Eden Prairie, MN  
**Awarded amount:** \$952.00  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 5, 1993  
**Shipped to:** St. Cloud State University

**Item:** Sports Supplies, Miscellaneous  
**Req.#:** 27165-65123-01  
**Awarded to:** Sportime, Atlanta, GA  
**Awarded amount:** \$566.53  
**Awarded date:** May 25, 1993  
**Expir/deliv date:** June 11, 1993  
**Shipped to:** Duluth Community College Center

**Item:** Computer, Personal  
**Req.#:** 42207-18946-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$16,902.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 21, 1993  
**Shipped to:** Department of Labor & Industry

**Item:** Computer, Personal  
**Req.#:** 42300-19008-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$1,878.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Department of Labor & Industry

## Awards of State Contracts and Advertised Bids

**Item:** Computer, Personal  
**Req.#:** 42400-18919-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$1,878.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 21, 1993  
**Shipped to:** Department of Labor & Industry

**Item:** Computer, Personal  
**Req.#:** 42600-18987-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$7,512.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** July 10, 1993  
**Shipped to:** Department of Labor & Industry

**Item:** Computer, Personal  
**Req.#:** 42702-18909-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$1,878.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 21, 1993  
**Shipped to:** Department of Labor & Industry

**Item:** Recorder, Video Tape (VCR)  
**Req.#:** 42204-18984-01  
**Awarded to:** EPA Audio Visual, Rockford, MN  
**Awarded amount:** \$4,281.40  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** July 10, 1993  
**Shipped to:** Department of Labor & Industry

**Item:** Contractor, Concrete (Outdoor Work)  
**Req.#:** 43000-70568-01  
**Awarded to:** AM Construction, Hibbing, MN  
**Awarded amount:** \$4,985.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Ironworld USA

**Item:** Fertilizer  
**Req.#:** 55106-03185-01  
**Awarded to:** North Star Turf, Inc., St. Paul, MN  
**Awarded amount:** \$2,640.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Willmar Regional Treatment Center

**Item:** Air Purification Equipment  
**Req.#:** 79800-04154-01  
**Awarded to:** Continental Safety Equipment, Eagan, MN  
**Awarded amount:** \$3,619.95  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Computer, Personal  
**Req.#:** 02307-34383-01  
**Awarded to:** Microframe Engineering, St. Paul, MN  
**Awarded amount:** \$34,145.30  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Building Construction Division

**Item:** Van, (Contract)  
**Req.#:** 02514-30202-01  
**Awarded to:** Becker, Ron, Hastings, MN  
**Awarded amount:** \$14,374.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Central Motor Pool

**Item:** Computer, Personal  
**Req.#:** 02525-36875-01  
**Awarded to:** Microframe Engineering, St. Paul, MN  
**Awarded amount:** \$15,633.30  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Building Codes & Standards

**Item:** Training Devices, Miscellaneous  
**Req.#:** 04111-32567-01  
**Awarded to:** Wisconsin University of Stevenspoint, Stevenspoint, WI  
**Awarded amount:** \$520.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** July 30, 1993  
**Shipped to:** Minnesota Department of Agriculture

**Item:** Service, Advertising  
**Req.#:** 04111-32594-01  
**Awarded to:** Beacon, Glenville, MN  
**Awarded amount:** \$1,160.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Minnesota Department of Agriculture

**Item:** Printing, Form, Multipart, Carbon, Snapout  
**Req.#:** 07700-42262-01  
**Awarded to:** Twin Communications, Burnsville, MN  
**Awarded amount:** \$3,211.80  
**Awarded date:** May 19, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Department of Public Safety/DVS

**Item:** Software, Personal Computer  
**Req.#:** 10000-05148-01  
**Awarded to:** A. I. Systems, Inc., Minneapolis, MN  
**Awarded amount:** \$3,602.60  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Department of Finance

**Item:** Van, Modification, Handicap  
**Req.#:** 21603-36776-01  
**Awarded to:** Complete Mobility Systems, Roseville, MN  
**Awarded amount:** \$7,675.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 28, 1993  
**Shipped to:** Various Locations

**Item:** Handicapped Device, Visual  
**Req.#:** 21701-54019-01  
**Awarded to:** Overseer Elec. Visual, Richfield, MN  
**Awarded amount:** \$2,015.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 11, 1993  
**Shipped to:** Minnesota Department of Jobs & Training

**Item:** Printing, Maps  
**Req.#:** 26071-60515-01  
**Awarded to:** Bergstrom & Company, Minneapolis, MN  
**Awarded amount:** \$14,785.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** September 10, 1993  
**Shipped to:** Mankato State University

**Item:** Computer, Personal, Portable  
**Req.#:** 26073-24724-01  
**Awarded to:** Gateway 2000, North Sioux City, SD  
**Awarded amount:** \$15,900.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** St. Cloud State University

## Awards of State Contracts and Advertised Bids

**Item:** Bar Code Reading Equipment

**Req.#:** 26073-24728-01

**Awarded to:** A. I. Systems, Inc.,  
Minneapolis, MN

**Awarded amount:** \$878.90

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 10, 1993

**Shipped to:** St. Cloud State University

**Item:** Copy Machine, Personal Speed

**Req.#:** 26073-24710-01

**Awarded to:** Davis Educational  
Business, Willmar, MN

**Awarded amount:** \$2,204.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 15, 1993

**Shipped to:** St. Cloud State University

**Item:** Newspapers, Magazines and  
Periodicals

**Req.#:** 27153-21519-01

**Awarded to:** Univ. Microfilms  
International, Ann Arbor, MI

**Awarded amount:** \$22,028.11

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 30, 1993

**Shipped to:** North Hennepin Community  
College

**Item:** Clothing, Safety/Hazardous

**Req.#:** 29000-60941-01

**Awarded to:** Clareys Safety Equipment,  
Rochester, MN

**Awarded amount:** \$1,342.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** July 9, 1993

**Shipped to:** Department of Natural  
Resources—Northeast Interagency

**Item:** Truck Parts and Supplies,  
Miscellaneous

**Req.#:** 29000-60836-01

**Awarded to:** Arrowhead Equipment  
Company, Duluth, MN

**Awarded amount:** \$1,986.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 15, 1993

**Shipped to:** Department of Natural  
Resources—Regional Headquarters

**Item:** Mower, Commercial

**Req.#:** 29002-23168-01

**Awarded to:** Moose Lake Implement,  
Moose Lake, MN

**Awarded amount:** \$1,395.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 20, 1993

**Shipped to:** Department of Natural  
Resources

**Item:** Copy Machine, Medium Speed; 15  
to 50 CPM

**Req.#:** 32200-35108-01

**Awarded to:** Copy Duplicating Products,  
Richfield, MN

**Awarded amount:** \$3,207.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 1, 1993

**Shipped to:** Minnesota Pollution Control  
Agency

**Item:** Computer, Personal

**Req.#:** 42100-18915-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$1,878.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 21, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Computer, Personal

**Req.#:** 42190-18917-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$3,756.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 21, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Computer, Personal

**Req.#:** 42190-19006-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$5,634.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** July 10, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Computer, Personal

**Req.#:** 42200-19013-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$78,876.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** July 15, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Computer, Personal

**Req.#:** 42207-18913-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$1,878.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 21, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Computer, Personal

**Req.#:** 42207-18936-01

**Awarded to:** PC Tailors, Roseville, MN

**Awarded amount:** \$5,634.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 21, 1993

**Shipped to:** Department of Labor &  
Industry

**Item:** Door and Door Frame, Metal

**Req.#:** 55303-93635-01

**Awarded to:** Kendell Doors &  
Hardware, Inc., Winona, MN

**Awarded amount:** \$1,722.17

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 15, 1993

**Shipped to:** Various Locations

**Item:** Door and Door Frame, Wood

**Req.#:** 55303-93636-01

**Awarded to:** Lamperts Home Center,  
Faribault, MN

**Awarded amount:** \$1,876.26

**Awarded date:** May 28, 1993

**Expir/deliv date:** June 14, 1993

**Shipped to:** Various Locations

**Item:** Truck, Medium Duty; 11,001 to  
26,000 GVW

**Req.#:** 79382-02655-01

**Awarded to:** Superior Ford,  
Minneapolis, MN

**Awarded amount:** \$177,248.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** August 1, 1993

**Shipped to:** Minnesota Department of  
Transportation

**Item:** Trailer, Miscellaneous

**Req.#:** 79382-02640-01

**Awarded to:** Redi Haul Trailer, Inc.,  
Fairmont, MN

**Awarded amount:** \$1,537.00

**Awarded date:** May 28, 1993

**Expir/deliv date:** July 15, 1993

**Shipped to:** Minnesota Department of  
Transportation

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## Awards of State Contracts and Advertised Bids

**Item:** Drill, Hammer, Electric Powered  
**Req.#:** 79000-33853-01  
**Awarded to:** A to Z Sales, St. Paul, MN  
**Awarded amount:** \$13,671.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Radio, 2-Way, Stationary Equipment (Over \$500)  
**Req.#:** 79000-33859-01  
**Awarded to:** Telesciences, Bloomingdale, IL  
**Awarded amount:** \$14,817.30  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 23, 1993  
**Shipped to:** MN/DOT Communications

**Item:** Radio, 2-Way, Stationary Equipment (Under \$500)  
**Req.#:** 79000-33938-01  
**Awarded to:** Telesciences, Bloomingdale, IL  
**Awarded amount:** \$11,910.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Laboratory/Science Equipment, Miscellaneous  
**Req.#:** 79000-33961-01  
**Awarded to:** Humboldt Manufacturing Company, Chicago, IL  
**Awarded amount:** \$6,450.00  
**Awarded date:** May 28, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Laboratory/Science Equipment, Cabinet/Table  
**Req.#:** 26073-24758-01  
**Awarded to:** Wards Natural Science, Rochester, NY  
**Awarded amount:** \$665.75  
**Awarded date:** May 26, 1993  
**Expir/deliv date:** June 17, 1993  
**Shipped to:** St. Cloud State University

**Item:** Van, (Contract)  
**Req.#:** 79382-02636-01  
**Awarded to:** Midway Ford, Roseville, MN

**Awarded amount:** \$33,196.00  
**Awarded date:** April 28, 1993  
**Expir/deliv date:** July 9, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Lumber, Softwood  
**Req.#:** 79700-03928-02  
**Awarded to:** Lampert Building Center J, Janesville, MN  
**Awarded amount:** \$4,819.06  
**Awarded date:** May 26, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Software, Personal Computer  
**Req.#:** 79700-03948-01  
**Awarded to:** Intergraph Corporation, Mendota Heights, MN  
**Awarded amount:** \$7,260.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 14, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Floor Maintenance Equipment, Parts and Accessories  
**Req.#:** 55106-03187-01  
**Awarded to:** Steins, Inc., Moorhead, MN  
**Awarded amount:** \$2,865.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 3, 1993  
**Shipped to:** Willmar Regional Treatment Center

**Item:** Floor Maintenance Equipment, Parts and Accessories  
**Req.#:** 55106-03186-01  
**Awarded to:** Hillyard Floor Care, Hutchinson, MN  
**Awarded amount:** \$1,350.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 11, 1993  
**Shipped to:** Willmar Regional Treatment Center

**Item:** Plumbing Supplies, Miscellaneous  
**Req.#:** Superior Products, St. Paul, MN  
**Awarded to:** \$970.00  
**Awarded amount:** \$970.00  
**Awarded date:** May 27, 1993  
**Awarded date:** June 30, 1993  
**Expir/deliv date:** Faribault Regional Center

**Item:** Tool, Hand, Miscellaneous, Pneumatic Powered  
**Req.#:** 79000-33807-01  
**Awarded to:** Acme Elec. Motor, Inc., Grand Forks, ND  
**Awarded amount:** \$828.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** July 2, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Tool, Hand, Miscellaneous, Pneumatic Powered  
**Req.#:** 79000-33600-01  
**Awarded to:** Clayhill, Inc., Minneapolis, MN  
**Awarded amount:** \$1,675.64  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 28, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Printing, Maps  
**Req.#:** 79000-33997-01  
**Awarded to:** Albinson, Inc., Minneapolis, MN  
**Awarded amount:** \$3,705.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Printing, Color Separations  
**Req.#:** 79000-34059-01  
**Awarded to:** Printing Enterprises, New Brighton, MN  
**Awarded amount:** \$895.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** May 28, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Plotter, Computer  
**Req.#:** 79700-03936-01  
**Awarded to:** Intergraph Corporation, Mendota Heights, MN  
**Awarded amount:** \$22,038.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 14, 1993  
**Shipped to:** Minnesota Department of Transportation

**Item:** Scanner/Optical Reader, Computer  
**Req.#:** 27151-93215-01  
**Awarded to:** Telesensory Systems, Inc., Mountain View, CA

## Awards of State Contracts and Advertised Bids

**Awarded amount:** \$2,555.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Minneapolis Community College

**Item:** Printing, Single Sheets, Complex  
4 + Colors

**Req.#:** 29000-60920-01  
**Awarded to:** Mono Trade Company,  
Minneapolis, MN  
**Awarded amount:** \$789.75  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Various Locations

**Item:** Printing, Maps  
**Req.#:** 29000-60913-01  
**Awarded to:** Bolger Publications, Inc.,  
Minneapolis, MN

**Awarded amount:** \$7,888.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 3, 1993  
**Shipped to:** Department of Natural  
Resources—Parks & Recreation

**Item:** Computer Network Equipment  
**Req.#:** 32600-35128-01  
**Awarded to:** Access Technology,  
Memphis, TN  
**Awarded amount:** \$1,075.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Minnesota Pollution Control  
Agency

**Item:** Storage Units, Mobile  
**Req.#:** 32200-35195-01  
**Awarded to:** Mid America Business  
Systems, Minneapolis, MN  
**Awarded amount:** \$17,299.70  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Minnesota Pollution Control  
Agency

**Item:** Copy Machine, Medium Speed; 15  
to 50 CPM  
**Req.#:** 37010-16809-01  
**Awarded to:** Advanced Business  
Methods, Grand Forks, ND  
**Awarded amount:** \$3,157.50  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Various Locations

**Item:** Printing, Form, Continuous  
**Req.#:** 37010-17159-01  
**Awarded to:** Royal Business Forms,  
Brooklyn Center, MN  
**Awarded amount:** \$405.85  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** May 31, 1993  
**Shipped to:** Various Locations

**Item:** Printing, ID Cards, Paper  
**Req.#:** 42700-19019-01  
**Awarded to:** Apple Printing, Apple  
Valley, MN  
**Awarded amount:** \$412.88  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** July 10, 1993  
**Shipped to:** Department of Labor &  
Industry

**Item:** Projection Viewer, Computer  
**Req.#:** 26070-15269-01  
**Awarded to:** EPA Audio Visual,  
Rockford, MN  
**Awarded amount:** \$3,693.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Bemidji State University

**Item:** Computer, Personal  
**Req.#:** 26070-15361-01  
**Awarded to:** PC Tailors, Roseville, MN  
**Awarded amount:** \$13,404.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 6, 1993  
**Shipped to:** Bemidji State University

**Item:** Office Machine, Lettering  
**Req.#:** 26072-04179-01  
**Awarded to:** Collins Lee Limited, New  
Brighton, MN  
**Awarded amount:** \$2,471.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Moorhead State University

**Item:** Computer Network Equipment  
**Req.#:** 26073-24737-01  
**Awarded to:** A. I. Systems, Inc.,  
Minneapolis, MN  
**Awarded amount:** \$1,602.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 11, 1993  
**Shipped to:** St. Cloud State University

**Item:** Computer Equipment,  
Miscellaneous  
**Req.#:** 26175-03357-01  
**Awarded to:** A. I. Systems, Inc.,  
Minneapolis, MN  
**Awarded amount:** \$1,075.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 8, 1993  
**Shipped to:** Southwest State University

**Item:** Copy Machine, Medium Speed; 15  
to 50 CPM  
**Req.#:** 26175-03334-01  
**Awarded to:** Mankato Business  
Products, Marshall, MN  
**Awarded amount:** \$5,320.90  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Southwest State University

**Item:** Printer, Computer  
**Req.#:** 26074-14906-01  
**Awarded to:** A. I. Systems, Inc.,  
Minneapolis, MN  
**Awarded amount:** \$6,169.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 10, 1993  
**Shipped to:** Winona State University

**Item:** Copy Machine, Low Speed; Less  
than 15 CPM  
**Req.#:** 27143-43333-01  
**Awarded to:** Midwest Business, Duluth,  
MN  
**Awarded amount:** \$1,683.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 1, 1993  
**Shipped to:** Hibbing Community  
College

**Item:** Computer, Personal  
**Req.#:** 02305-36868-01  
**Awarded to:** Microframe Engineering,  
St. Paul, MN  
**Awarded amount:** \$63,519.50  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 15, 1993  
**Shipped to:** Building Construction  
Division

**Item:** Printer, Computer  
**Req.#:** 04121-32529-01  
**Awarded to:** ABC Systems, Eden  
Prairie, MN



## Awards of State Contracts and Advertised Bids

**Awarded amount:** \$2,662.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Minnesota Department of Agriculture

**Item:** Service, Advertising  
**Req.#:** 04261-32562-01  
**Awarded to:** Transportation Displays, Minneapolis, MN  
**Awarded amount:** \$6,120.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 2, 1993  
**Shipped to:** Minnesota Department of Agriculture

**Item:** Auto Parts and Supplies, Miscellaneous  
**Req.#:** 07500-42245-01  
**Awarded to:** Whelen Engineering Company, Inc., Chester, CT  
**Awarded amount:** \$4,000.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Various Locations

**Item:** Printing, Single Sheets, One Color  
**Req.#:** 99997-30036-01  
**Awarded to:** Universal Press & Label, Minneapolis, MN  
**Awarded amount:** \$33,000.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 30, 1993  
**Shipped to:** Minnesota State Lottery

**Item:** Printing, Form, Continuous  
**Req.#:** 21200-54444-01  
**Awarded to:** Bergstrom & Co., Minneapolis, MN  
**Awarded amount:** \$405.40  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** July 1, 1993  
**Shipped to:** Minnesota Department of Jobs & Training

**Item:** Printing, Form, Multipart, No Carbon  
**Req.#:** 21200-54443-01  
**Awarded to:** Royal Business Forms, Brooklyn Center, MN  
**Awarded amount:** \$247.50  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** June 7, 1993  
**Shipped to:** Minnesota Department of Jobs & Training

**Item:** Glassware/Mugs, Promotional  
**Req.#:** 22200-01554-01  
**Awarded to:** Advertising Incentives, Minnetonka, MN  
**Awarded amount:** \$962.00  
**Awarded date:** May 27, 1993  
**Expir/deliv date:** July 9, 1993  
**Shipped to:** Trade & Economic Development

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## Human Services Laws and Rules

### Human Services Laws 1992

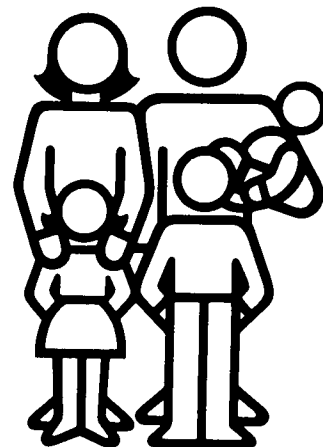
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