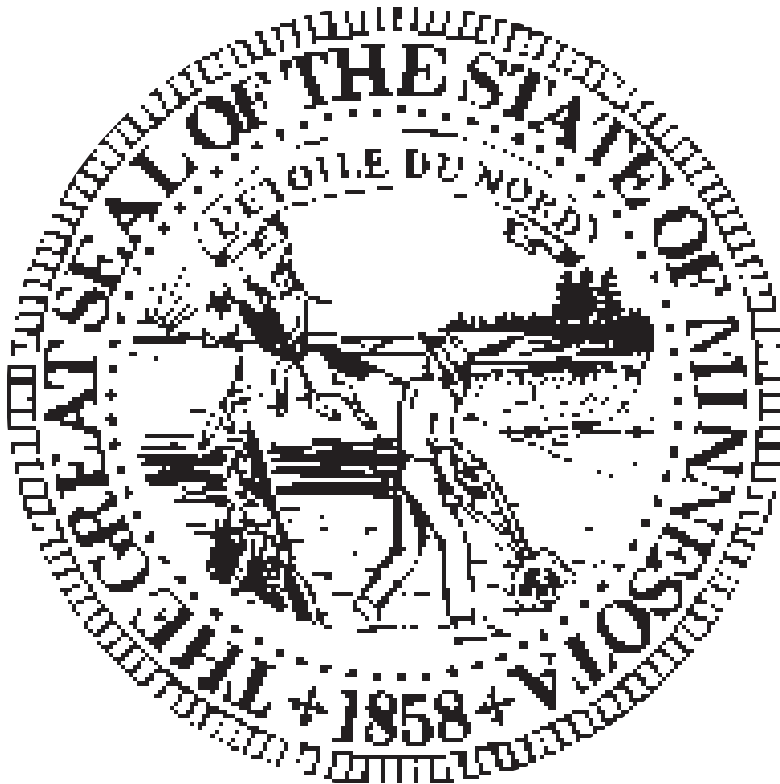


The Minnesota

State Register

Rules and Official Notices Edition



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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-consulting contracts, non-state bids and public contracts and grants.

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Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 27	Monday 5 January	Friday 19 December	Friday 26 December
# 28	Monday 12 January	Friday 26 December	Monday 5 January
# 29	Tuesday 20 January	Monday 5 January	Monday 12 January
# 30	Monday 26 January	Monday 12 January	Friday 16 January

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FOR LEGISLATIVE NEWS

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

Contact: Senate Public Information Office (612) 296-0504
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (612) 296-2146
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 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

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Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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*.

Department of Health

Proposed Permanent Rules Relating to Laboratory Accreditation Requirements

Notice of Intent to Adopt Rules Without a Public Hearing

Proposed Amendment to Rules Governing Laboratory Accreditation Requirements, *Minnesota Rules*, 4740.2020-4740.2040

Introduction. The Department of Health intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Pauline Bouchard at Minnesota Department of Health, 717 Delaware St. S.E., Minneapolis, MN 55440, (612) 623-5331 and fax (612) 623-5331. TTY users may call the Department of Health at TTY (612) 623-5522.

Subject of Rules and Statutory Authority. The proposed rules are about Certification of Environmental Laboratories. The statutory authority to adopt the rules is *Minnesota Statutes*, section 144.98. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Wednesday, February 4, 1998, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on February 4, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

Withdrawal of Requests. 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. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect 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 contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimated of the probable cost of the proposed rules. Copies of the statement may be obtained at the cost of reproduction from the agency.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 15 December 1997

Anne M. Barry, Commissioner
Department of Health

Rules as Proposed

4740.2020 ADMINISTRATIVE PROCEDURES REGARDING CERTIFICATION.

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

Subp. 3. **Issuance of provisional certification.** The commissioner shall issue a provisional certification to a laboratory that:

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

D. provides written assurance that the laboratory adheres to base certification and analyte specific certification requirements of parts 4740.2010 to 4740.2040.

The provisional certification is valid until the commissioner, after an inspection, approves or denies certification. If, ~~one year~~ two years after the date of issuance of the provisional certification, the commissioner has not inspected the laboratory, the commissioner shall renew a provisional certification if the laboratory files a renewal application according to subpart 6.

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

Subp. 5. **Certification approved.** The commissioner shall approve base certification and analyte certification for a laboratory when the commissioner determines, after an inspection, that the laboratory complies with the applicable provisions of parts 4740.2010 to 4740.2040. The certification approval is valid for ~~one year~~ two years from the date of issuance of the provisional certification.

Subp. 6. **Certification renewal.** The commissioner shall renew a base certification and analyte certification if the commissioner receives the following from the laboratory at least 30 days before the expiration date of the certificate: (1) an application meeting the standards of subpart 1, items A; B; C, subitems (1) to (3); and D; and part 4740.2030, subpart 2; and (2) appropriate fees. With the renewal application the laboratory shall submit any changes to the quality assurance plan or laboratory manual or a statement that the plan and manual continue to accurately describe current practices. The revised manual and plan must continue to meet the standards of part 4740.2030, subparts 4 and 6. The renewal certification is valid for ~~one year~~ two years. The commissioner shall inspect a laboratory certified by renewal at least once every three years.

[For text of subp 7, see M.R.]

Subp. 8. **Revocation of certification.** The following are grounds to revoke a base certification or analyte certification of the laboratory:

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

G. failure to cooperate with an inspector designated by the commissioner.

Within 30 days after the revocation, the laboratory must notify all existing and new clients whose analytical work requires a certified laboratory that it is not certified. The laboratory shall provide verification of this notice to the commissioner. The laboratory shall not advertise itself as certified and shall remove or replace any advertisements that indicate that it is certified.

A laboratory that has had its certification revoked may not reapply for certification until it has corrected all deficiencies. It may reapply according to ~~subdivision~~ subpart 1 and, with the application, must provide documentation of the steps taken to correct the deficiencies.

[For text of subs 9 to 11, see M.R.]

4740.2030 REQUIREMENTS FOR BASE CERTIFICATION.

Subpart 1. **Methodology.** The laboratory shall specify the analytical methodology, sample collection, and preservation procedures used for each analyte for which it seeks certification. The analytical methodology, sample collection, and preservation procedures used for samples required to be analyzed under a permit, program, or rule administered by a state agency must meet the requirements specified by that permit, program, or rule. The analytical methodology, sample collection, and preservation procedures used to analyze samples for the Safe Drinking Water Program must comply with the *Code of Federal Regulations*, title 40, sections 141.21 to 141.24, and *Minnesota Rules*, chapter 4720. The analytical methodology, sample collection, and preservation procedures used to analyze samples under the Clean Water Program must comply with the *Code of Federal Regulations*, title 40, section 136.3. The analytical methodology, sample collection, and preservation procedures used to analyze samples for the Resource Conservation and Recovery Program must comply with *Code of Federal Regulations*, title 40, part 261. The analytical methodology, sample collection, and preservation procedures used to analyze samples for the Underground Storage Tank Program must comply with Wisconsin Department of Natural Resources PUBL-SW-141, "Modified DRO Method for Determining Diesel Range Organics" (September 1995), and PUB-SW-140, "Modified GRO Method for Determining Gasoline Range Organics" (September 1995), which are incorporated by reference. The Wisconsin modified methods are available through the Minitex inter-library loan system, and are not subject to frequent change.

When a client collects a sample, the laboratory must inform the client of the appropriate procedures. The laboratory may delegate responsibility for proper sample collection and submission under parts 4740.2010 to 4740.2040 to a client. The laboratory must report any deviations as noted in subpart 9, item A.

Alternative methodology may be used if the EPA approves the methodology and the laboratory submits a copy of the EPA approval to the commissioner.

Subp. 2. **Performance evaluations.** The laboratory shall analyze a performance evaluation sample for each certified analyte at least once annually during the term of certification. The laboratory shall handle and analyze the performance evaluation samples with its usual analysts, equipment, and methods. The laboratory shall obtain the performance evaluation samples from an approved provider. The commissioner shall ~~publish at least annually in the *State Register*~~ make available a list of approved providers of performance evaluation samples. If the commissioner determines performance evaluation samples are not available for an analyte, the commissioner may review the laboratory's quality control data to evaluate precision and accuracy for that analyte.

The laboratory must show acceptable performance as determined by the approved provider on each performance evaluation sample.

The laboratory shall provide the commissioner with the results of performance from the approved provider within 30 days after the laboratory receives them. When a provider notifies the laboratory that a performance evaluation sample result falls outside acceptable results, the laboratory must promptly take corrective action. Within 30 days after receiving notice of the unacceptable results, the laboratory must submit to the commissioner documentation of the corrective action planned and taken. Within 30 days after receiving notice of unacceptable results, the laboratory must request a follow-up performance evaluation sample from an approved provider. The laboratory shall provide the commissioner with the results of the follow-up performance evaluation within 30 days after receiving them.

The commissioner may supply blind performance evaluation samples to certified laboratories on a randomly chosen basis and to a specific laboratory if the commissioner receives a complaint about the laboratory's performance or suspects fraud in the generation or reporting of test results. A blind performance evaluation sample is one that is not distinguishable as a performance evaluation sample.

[For text of subs 3 to 5, see M.R.]

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Proposed Rules

Subp. 6. **Laboratory procedures manual.** The laboratory shall possess a written document-controlled manual of procedures used by laboratory personnel to analyze samples. Actual practice must conform to the written procedures. The manual must have a table of contents and numbered pages. The manual must be reviewed annually and changes must be initiated by the laboratory director or the director's designee. The description of each test procedure must include sections describing the following:

- A. the sample used for the analysis;
- B. the sample acceptance and rejection criteria;
- C. the reagents, supplies, and materials and equipment used;
- D. step-by-step analysis procedures;
- E. methods of calculation;
- F. detection ~~limits~~, and reporting limits;
- G. safety precautions; and
- H. limitations of the procedure.

[For text of subps 7 to 10, see M.R.]

4740.2040 CERTIFIED TEST CATEGORIES.

Subpart 1. **Scope.** The commissioner shall certify the analytes in subparts 2 to 6 for a specific program. The programs for which the commissioner shall certify an analysis are:

- A. the Clean Water Program, *Code of Federal Regulations*, title 40, part 136;
- B. the Safe Drinking Water Program, *Code of Federal Regulations*, title 40, part 141; ~~and~~
- C. the Resource Conservation and Recovery Program, *Code of Federal Regulations*, title 40, part 261; and
- D. the Underground Storage Tanks Program, Code of Federal Regulations, title 40, part 280.

To be certified for a specific program, the laboratory shall use the sample collection, preservation, and handling techniques required in the methodology meeting the conditions of the specific program.

Subp. 2. **Inorganic analytes.**

A. Inorganic analytes eligible for certification under the Clean Water Program are:

- (1) acidity;
- (2) alkalinity;
- (3) biochemical oxygen demand, 5 day;
- (4) biochemical oxygen demand, carbonaceous;
- (5) chemical oxygen demand;
- (6) chloride;
- (7) color;
- (8) cyanide;
- (9) nitrogen, ammonia;
- (10) nitrogen, total kjeldahl;
- (11) nitrogen, nitrate;
- (12) nitrogen, nitrate + nitrite;
- (13) nitrogen, nitrite;
- ~~(13)~~ (14) oil and grease;
- ~~(14)~~ (15) organic carbon, total;
- ~~(15)~~ (16) phenol, total compounds;
- ~~(16)~~ (17) phosphorus, ortho;
- ~~(17)~~ (18) phosphorus, total;
- ~~(18)~~ (19) residue (solids), total;

- ~~(19)~~ (20) residue (solids), filterable (dissolved);
- ~~(20)~~ (21) residue (solids), nonfilterable (TSS);
- ~~(21)~~ (22) residue (solids), volatile;
- ~~(22)~~ (23) specific conductance;
- ~~(23)~~ (24) sulfate;
- ~~(24)~~ (25) sulfide; and
- ~~(25)~~ (26) surfactant.

Total residual chlorine, pH, and turbidity analyses under the Clean Water Program need not be done by a certified laboratory as long as the analyses are performed as soon as practicable but not later than one hour after collection and the methodology used is that specified under the *Code of Federal Regulations*, title 40, section 136.3.

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

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

Subp. 4. **Metal chemistry.**

[For text of items A and B, see M.R.]

C. Metals analytes eligible for certification under the Resource Conservation and Recovery Program are:

- (1) arsenic;
- (2) barium;
- (3) cadmium;
- (4) chromium;
- (5) copper;
- (6) lead;
- (7) mercury;
- (8) molybdenum;
- (9) nickel;
- (10) selenium;
- (11) silver;
- (12) zinc; and
- (13) toxicity characteristic leaching procedure (TCLP) extraction.

Subp. 5. **Volatile organic compounds (VOCs).**

A. Analytes eligible for certification under the Clean Water Program are:

[For text of subitems (1) to (56), see M.R.]

- (57) n-butylbenzene; and
- (58) naphthalene;
- (59) acetone;
- (60) p-dioxane;
- (61) ethyl ether;
- (62) 2-chloroethylvinyl ether; and
- (63) methyl ethyl ketone.

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Proposed Rules

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

C. Analytes eligible for certification under the Resource Conservation and Recovery Program are:

- (1) acetone;
- (2) carbon disulfide;
- (3) p-dioxane;
- (4) ethyl ether;
- (5) methyl ethyl ketone; and
- (6) methyl isobutyl ketone.

D. Analytes eligible for certification under the Underground Storage Tanks Program are:

- (1) diesel range organics (DROs);
- (2) gasoline range organics (GROs); and
- (3) petroleum volatile organic compounds (PVOCs).

Subp. 6. **Synthetic organic compounds (SOCs).**

A. Analytes eligible for certification under the Clean Water Program are:

- (1) acetone;
- (2) acrolein;
- (3) acrylonitrile;
- (4) aldrin;
- (5) benzidine;
- (6) delta-BHC;
- (7) beta-BHC;
- (8) alpha-BHC;
- (9) gamma-BHC (lindane);
- (10) bis(2-chloroethoxy) methane;
- (11) bis(2-chloroethyl) ether;
- (12) 1,1'-biphenyl;
- (13) 4-bromophenylphenyl ether;
- (14) chlordane;
- (15) 4-chloro-3-methylphenol;
- (16) 2-chloroethylvinyl ether;
- (17) 2-chloronaphthalene;
- (18) 2-chlorophenol;
- (19) 4-chlorophenylphenyl ether;
- (20) 4,4'-DDD;
- (21) 4,4'-DDE;
- (22) 4,4'-DDT;
- (23) 3,3'-dichlorobenzidine;
- (24) 2,4-dichlorophenol;
- (25) dieldrin;
- (26) 2,4-dimethylphenol;
- (27) 2,4-dinitrophenol;
- (28) 2,6-dinitrotoluene;

- ~~(29)~~ (27) 2,4-dinitrotoluene;
- ~~(30)~~ ~~p-dioxane~~;
- ~~(31)~~ (28) 1,2-diphenylhydrazine;
- ~~(32)~~ (29) endosulfan I;
- ~~(33)~~ (30) endosulfan II;
- ~~(34)~~ (31) endosulfan sulfate;
- ~~(35)~~ (32) endrin;
- ~~(36)~~ (33) endrin aldehyde;
- ~~(37)~~ ~~ethyl ether~~;
- ~~(38)~~ (34) heptachlor;
- ~~(39)~~ (35) heptachlor epoxide;
- ~~(40)~~ (36) hexachlorobenzene;
- ~~(41)~~ (37) hexachlorobutadiene;
- ~~(42)~~ (38) hexachlorocyclopentadiene;
- ~~(43)~~ (39) hexachloroethane;
- ~~(44)~~ (40) isophorone;
- ~~(45)~~ (41) 2-Methyl-4,6-dinitrophenol;
- ~~(46)~~ ~~methyl ethyl ketone~~;
- ~~(47)~~ (42) nitrobenzene;
- ~~(48)~~ (43) 2-nitrophenol;
- ~~(49)~~ (44) 4-nitrophenol;
- ~~(50)~~ (45) N-nitrosodi-n-propylamine;
- ~~(51)~~ (46) N-nitrosodimethylamine;
- ~~(52)~~ (47) N-nitrosodiphenylamine;
- ~~(53)~~ (48) polycyclic aromatic hydrocarbons (PAHs):
- (a) acenaphthene;
 - (b) acenaphthylene;
 - (c) anthracene;
 - (d) benzo(a)anthracene;
 - (e) benzo(a)pyrene;
 - (f) benzo(b)fluoranthene;
 - (g) benzo(g,h,i)perylene;
 - (h) benzo(k)fluoranthene;
 - (i) chrysene;
 - (j) dibenzo(a,h)anthracene;
 - (k) fluoranthene;
 - (l) fluorene;

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

- (m) indeno(1,2,3-cd)pyrene;
- (n) naphthalene;
- (o) phenanthrene; and
- (p) pyrene;
- ~~(54)~~ (49) PCB-1016;
- ~~(55)~~ (50) PCB-1221;
- ~~(56)~~ (51) PCB-1232;
- ~~(57)~~ (52) PCB-1242;
- ~~(58)~~ (53) PCB-1248;
- ~~(59)~~ (54) PCB-1254;
- ~~(60)~~ (55) PCB-1260;
- ~~(61)~~ (56) pentachlorophenol;
- ~~(62)~~ (57) phenol;
- ~~(63)~~ (58) phthalates:
 - (a) benzylbutyl phthalate;
 - (b) di(2-ethylhexyl) phthalate;
 - (c) di-n-butyl phthalate;
 - (d) di-n-octyl phthalate;
 - (e) diethyl phthalate; and
 - (f) dimethyl phthalate;
- ~~(64)~~ (59) toxaphene;
- ~~(65)~~ (60) 1,2,4-trichlorobenzene; and
- ~~(66)~~ (61) 2,4,6-trichlorophenol.

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

C. Analytes eligible for certification under the Resource Conservation and Recovery Program are:

- ~~(1)~~ acetone;
- ~~(2)~~ acrylamide;
- ~~(3)~~ (2) benzidine;
- ~~(4)~~ (3) benzoic acid;
- ~~(5)~~ (4) beta-BHC;
- ~~(6)~~ (5) gamma-BHC (lindane);
- ~~(7)~~ (6) 1,1'-biphenyl;
- ~~(8)~~ (7) bis(2-chloroisopropyl) ether;
- ~~(9)~~ carbon disulfide;
- ~~(10)~~ (8) chlorpyrifos;
- ~~(11)~~ (9) dalapon;
- ~~(12)~~ (10) 2,4-D (2,4-dichlorophenoxyacetic acid);
- ~~(13)~~ (11) 4,4'-DDT;
- ~~(14)~~ (12) dinoseb;
- ~~(15)~~ p-dioxane;
- ~~(16)~~ (13) 1,2-diphenylhydrazine;
- ~~(17)~~ (14) endrin;

- ~~(18)~~ ethyl ether;
- ~~(19)~~ (15) MCPA;
- ~~(20)~~ methyl ethyl ketone;
- ~~(21)~~ methyl isobutyl ketone;
- ~~(22)~~ (16) methyl parathion;
- ~~(23)~~ (17) 2-methyl phenol;
- ~~(24)~~ (18) 3-methyl phenol;
- ~~(25)~~ (19) PCB;
- (20) PCB in oil;
- (21) n-nitrosodi-n-butylamine;
- ~~(26)~~ (22) polycyclic aromatic hydrocarbons (PAHs):
 - (a) benzo(a)anthracene;
 - (b) benzo(a)pyrene;
 - (c) benzo(b)fluoranthene;
 - (d) benzo(j)fluoranthene;
 - (e) benzo(k)fluoranthene;
 - (f) dibenzo(a,h)anthracene;
 - (g) fluoranthene;
 - (h) indeno(1,2,3-cd)pyrene; and
 - (i) pyrene;
- ~~(27)~~ (23) pentachlorobenzene;
- (24) toxicity characteristic leaching procedure (TCLP) extraction;
- ~~(28)~~ (25) phthalates:
 - (a) benzylbutyl phthalate;
 - (b) di-n-butyl phthalate;
 - (c) di(2-ethylhexyl) phthalate; and
 - (d) dimethyl phthalate;
- ~~(29)~~ (26) pronamide;
- ~~(30)~~ (27) 1,2,4,5-tetrachlorobenzene;
- ~~(31)~~ (28) 2,3,4,6-tetrachlorophenol;
- ~~(32)~~ (29) toxaphene;
- ~~(33)~~ (30) 2,4,5-T; and
- ~~(34)~~ (31) 2,4,5-TP.

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

INCORPORATIONS BY REFERENCE:

Part 4740.2030, subpart 1: Wisconsin Department of Natural Resources PUBL-SW-141, "Modified DRO Method for Determining Diesel Range Organics" (September 1995), and PUB-SW-140, "Modified GRO Method for Determining Gasoline Range Organics" (September 1995). Available through the Minitex interlibrary loan system.

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.

Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

Department of Labor and Industry

Adopted Exempt Rules Relating to Occupational Safety and Health; Adoption of Federal Standards by Reference; Technical Changes

The rules proposed and published at *State Register*, Volume 22, Number 18, pages 687-689, November 3, 1997 (22 SR 687) and Volume 22, Number 19, page 717, November 10, 1997 (22 SR 717), are adopted as proposed.

Environmental Protection —

Videos & Training Material

Transport Packaging: Reducing Waste & Saving Money — Video **New!**

Video shows how business can eliminate waste and increase profits with reusable and source-reduced transport packaging. Includes *Reusable Transport Packaging Directory*. (color, 12 minutes, 1997) Stock No. 4-22 \$9.50

Source Reduction: How to Implement a Source Reduction Program — Video **New!**

Video and resource manual *Source Reduction* Now demonstrates how to set up a source reduction program in a commercial, industrial or institutional organization. (color, 12 minutes, 1997) Stock No. 4-21 \$9.50

Motor Vehicle Salvage Facility Environmental Compliance Manual & Video

Durable manual and color video *Salvage Yards & the Environment: The Next Generation*, AND 3 work-aids posters. Convenient tabs guide you through general operating procedures, draining, dismantling & storage practices, waste handling, storage and disposal practices, PLUS a quick reference table for handling hazardous waste. 220pp. with VHS. (PCA, 1994) Stock No. 10-9 \$35.00

Hazardous Waste: Identification & Evaluation — Video

Find out how to determine if a waste is hazardous, and what basic steps to take to evaluate wastes. Fact sheets on F-listed wastes are included with video. (color, 9.5 minutes, 1995) Stock No. 4-7 \$18.00

Blue Ribbon Task Force Report

Findings and recommendations of task force examining the funding of Minnesota's water quality programs. 76pp. (PCA, 1995) Stock No. 10-6 \$19.95

Common Automotive Wastes — Video

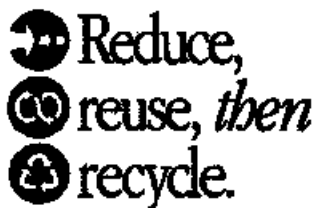
Video covers eight sections on hazardous wastes most commonly found in vehicle maintenance and collision-repair operations (antifreeze, lead acid batteries, sludges and residues, parts washer solvents & cleaners, towels, wipes and sorbents, used oil and paint-related wastes). Includes management options for each plus a 'Used Oil' fact sheet. (color, 17.6 minutes, 1995) Stock No. 4-8 \$10.00

Hazardous Waste Storage — Video

Learn how to choose the right container, close and mark it correctly, plus proper care when moving it off-site. Also includes handy storage poster and fact sheet on labeling and storing hazardous waste correctly. (color, 12.5 minutes, 1994) Stock No. 4-6 \$10.00

MPCA Point-Source Final Report **New!**

Phase 2 of *Blue Ribbon Task Force Report* features Improvement Initiative. 142pp. (PCA, 1996) Stock No. 10-1 \$10.95



Housing Finance Agency

Correction to Deadline Date for Comments for Proposed Permanent Rules to Home Improvement Grants and Rehabilitation Loans; Income and Loan Ceilings

The date comments are due has been extended one week to January 27, 1998 for the above titled rules which appeared in Vol 22, #26 *Sate Register*, page 1125 (cite 22 S.R. 1125), published Monday 29 December 1997

 Executive Orders

Office of the Governor

Executive Order # 97-20: Providing for the Creation of a Workplace Mediation Pilot Project

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, workplace disputes disrupt the ability of agencies to fulfill their missions; and

WHEREAS, unresolved disputes can undercut workplace morale, interpersonal relationships, and hence, productivity; and

WHEREAS, many disputes fall outside of established grievance procedures and could be resolved before rising to the level of a formal complaint; and

WHEREAS, the best resolution to a dispute is often one fashioned by the disputants; and

WHEREAS, mediation assists the disputants in finding a resolution to their dispute in a non-adversarial setting; and

WHEREAS, a mediation program that uses trained state employees to help resolve disputes within state agencies would be easily accessible and economic; and

WHEREAS, the use of mediation can mitigate or reduce the reliance on or trend toward litigation as a means of resolving employee disputes; and

WHEREAS, the Office of Dispute Resolution has developed and administered mediation programs for state agencies; and

WHEREAS, the departments of Employee Relations and Finance, the Minnesota Association of Professional Employees, Association of Federal, State, County and Municipal Employees, Middle Managers Association, Minnesota Government Engineers's Council, and Minnesota Nursing Association have all worked with the Bureau of Mediation Services and Office of Dispute Resolution to fashion a shared neutrals mediation program for state agencies;

NOW, THEREFORE, I hereby order that:

1. There be established in the Bureau of Mediation Services, through its Office of Dispute Resolution, a workplace mediation pilot project.
2. The Office of Dispute Resolution assumes the following responsibilities:
 - A. Coordinate the recruitment, selection and training of mediators.
 - B. Assist agencies in publicizing the workplace mediation pilot project.
 - C. Implement the pilot project, which includes, but is not limited to, these duties:
 - 1) maintain phone access during normal working hours;
 - 2) contact parties requesting mediation or are requested to mediate their disputes;
 - 3) contact mediators, assign them to cases and provide them with relevant information;
 - 4) provide appropriate materials, and collect, evaluate and summarize evaluation forms; and
 - 5) debrief mediators.
 - D. Maintain a base of available mediators sufficiently large to accommodate the requests for mediation.
 - E. Maintain and conduct regular mediator training updates as needed.
 - F. Supervise the professional department of the mediators and implement corrective action as needed.
 - G. Provide technical assistance to parties inquiring about the workplace mediation pilot project and consult with appropriate state employees and bargaining units.

Official Notices

3. Executive branch agencies assume the following responsibilities:
 - A. Encourage managers, supervisors and employees to use the pilot project and guarantee release time for employees to participate in mediations through the project.
 - B. By January 30, 1998, recommend potential mediators to the Office of Dispute Resolution.
 - C. Pay for the training and approve release time for training and up to 20 hours a year to conduct mediation for those chosen for the roster.
 - D. By February 27, 1998, appoint a workplace mediation pilot project coordinator to work with the Office of Dispute Resolution, employees and bargaining units.
 - E. During December 1998, participate in evaluation of the pilot project.

Pursuant to *Minnesota Statutes* 1996, section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1996, section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-third day of December, 1997.

Arne H. Carlson
Governor

Filed According to Law:
Joan Anderson Growe
Secretary of State

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and mat-

Department of Administration

Governor's Council on Developmental Disabilities

Notice of Meeting Schedule for Calendar Year 1998

The Minnesota Governor's Council on Developmental Disabilities holds regular meetings on the first Wednesday of the even numbered months, beginning at 9:30 a.m. at Earle Brown Center, University of Minnesota Campus, 1890 Buford Avenue, St. Paul, Minnesota 55108. The meeting schedule for Calendar Year 1998 is as follows: February 4, 1998; April 1, 1998; June 3, 1998; August 5, 1998; October 7, 1998; and December 2, 1998.

The mission of the Council is to work toward assuring that persons with developmental disabilities receive the necessary support to achieve increased independence, productivity, and integration into the community.

For further information, please contact the Council office at (612) 296-4018 voice, (612) 296-9962 TTY, or e-mail admin.dd@state.mn.us.

Department of Agriculture

Agronomy & Plant Protection Division

Notice of re-scheduling of Minnesota Agricultural Chemical Response Compensation Board Meeting

The regular meeting of the Agricultural Chemical Response Compensation Board (ACRRA Board) for January 21, 1998 has been re-scheduled. The next meeting will be *January 14, 1998*. This meeting will be held at the *Minnesota Department of Agriculture*, 90 West Plato Boulevard, St. Paul, Minnesota, first floor Conference Room at 9:00 a.m. Please call the ACRRA Program, 297-3490, should you require additional information.

Health Care Consumer Advisory Board (HCCAB)

Notice of Meeting of the Board

HCCAB will meet Jan. 13, 1998, from 1:00 p.m. until 4:30 p.m., Merriam Park Library, 1831 Marshall Avenue, St. Paul.

Department of Labor and Industry

Labor Standards Division

Notice of Correction to Prevailing Wage Rates

Corrections have been made to Commercial Prevailing Wage Rates certified 10/20/97 due to errors in calculation for power equipment operators in the following counties and groups of equipment:

Group 1 only:	Beltrami, Blue Earth, Brown, Cass, Clay, Crow Wing, McLeod, Meeker, Nicollet, Sherburne, Stevens, Swift, Traverse, Wadena, Watonwan, and Wilken.
Groups 1 and 6:	Aitkin, Itaska, Jackson, Martin, Mower, Olmsted, Renville, Scott, and Wright.
Groups 1 and 2:	Lincoln.
Group 2 only:	Pennington, Isanti, Polk, Red Lake, and Marshall.
Group 4 only:	Douglas.
Group 6 only:	Chippewa, Steele, and Wabasha.
Groups 2 and 6:	Faribault, Nobles, Rock, and Waseca.
Groups 4 and 6:	Kittson.
Groups 1, 2, and 6:	Carver, Mille Lacs, Dodge, Pipestone, and LeSueur.
Groups 2, 4, and 6:	Todd.
Groups 1, 2, 3, and 6:	Anoka, Cottonwood, Ramsey.
Groups 1, 2, 4, and 6:	Carlton, Hennepin, Pine, Murray, Lyon, Redwood, Sibley, and Yellow Medicine.
Groups 1, 2, 3, 4, and 6:	Goodhue and Rice.
Groups 1, 2, 3, 5, and 6:	Chisago.
Groups 1, 2, 4, 5, and 6:	Cook, Lake, St. Louis, and Koochiching.
Groups 1, 2, 3, 4, 5, and 6:	Dakota and Washington.

Additional corrections have been made to Commercial Prevailing Wage Rates certified 10/20/97 for Chisago County and Mahnommen County:

Chisago:	Code 104 (Flag Person)
Mahnommen:	Code 407 (Electrician)

Official Notices

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (612) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.50 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich
Commissioner

Metropolitan Council

Notice of Public Hearings on Proposed Transit Service Changes in St. Croix Valley Area

The Metropolitan Council will hold public hearings on Jan. 29, 1998 on plans to redesign transit service in Bayport, Oak Park Heights and Stillwater. The goal is to work cooperatively with communities to provide service that more closely matches the needs of local residents.

Proposed changes in transit service are part of the Council's "transit redesign" initiative to provide more transit options for local residents. The service plan, which would go into effect in September 1998, calls for a combination of big buses and small buses that provide residents with a range of service options, including express service and neighborhood circulators.

Copies of the public hearing draft of the proposed Transit Redesign Service Plan for the St. Croix Valley area will be available beginning Jan. 22 at city halls in Bayport, Oak Park Heights and Stillwater. They also will be available at the St. Paul Transit Store in the First Star Center on the Skyway Level or by calling the Metropolitan Council's Regional Data Center at 602-1140.

The proposed service plan recommends continuing rush-hour express service with a new park-and-ride lot, adding midday express service, and improving the small bus circulator service serving local neighborhoods.

The public hearings will be held:

Thursday, Jan. 29, 1998

12 Noon

**Washington County Government Center
14900 - 61st Street
Stillwater**

Thursday, Jan. 29, 1998

6 p.m.

**Washington County Government Center
14900 - 61st Street
Stillwater**

All interested persons are encouraged to attend the hearings and provide comments.

Comments, which must be received by Thursday, Feb. 12, 1998, may also be submitted as follows:

- Send written comments to: Elaine Bauer at the Metropolitan Council Transportation Division, 230 East 5th Street, St. Paul, MN 55101.
- FAX comments to Elaine Bauer at 602-1739.
- Record comments on the Council's Public Comment Line at 602-1500.
- E-mail comments to data.center@metc.state.mn.us.
- Send TTY comments to Elaine Bauer's attention at 291-0904.

The redesign of transit services in east Washington County is one in a series of initiatives throughout the region to better meet the needs of customers and make the best possible use of limited transit resources. Similar changes were made in south Washington County in September 1997 to provide residents with more transit options.

The Metropolitan Council is the regional planning organization in the seven-county metropolitan area that runs the regional bus system, collects and treats wastewater and manages water resources preservation, oversees development, plans regional parks and administer funds that provide housing opportunities for low- and moderate-income families.

Pollution Control Agency

Air Quality Division

Public Notice Regarding Measurement Methodologies for Determining Compliance with the Ambient Air Quality Standards for Hydrogen Sulfide

NOTICE IS HEREBY GIVEN that the Commissioner of the Minnesota Pollution Control Agency (MPCA) has approved the following two methods pursuant to *Minnesota Rules* 7009.0060 for measuring concentrations of hydrogen sulfide in the ambient air. It should be noted that both methods must be operated in a continuous fashion so as to capture as valid data at least 75 percent of all possible 30 minute periods in one year. The 30 minute periods will start at the beginning of the hour and the half-hour and averaged as 30 minute blocks.

Option 1: The use of an ambient air quality monitor for sulfur dioxide, approved by the United States Environmental Protection Agency (EPA), as set forth in the *Code of Federal Regulations*, Volume 40, part 53, operating with a designated full scale range of 500 parts per billion or less, together with a thermal oxidizer to convert reduced sulfur gases to sulfur dioxide. Before making the measurement, the person seeking to make the measurements must develop and receive MPCA approval of a Quality Assurance Plan that provides operational procedures for each of the activities described in *Code of Federal Regulations*, title 40, part 58, appendix A.2.2. The following operational checks must be performed on a periodic basis as part of the Quality Assurance Plan:

- (1) The thermal oxidizer must be demonstrated by the user to operate at an efficiency of 98 percent or better in the conversion of hydrogen sulfide to sulfur dioxide in an ambient air matrix at the operational flow rate of the monitor. This conversion efficiency must be demonstrated at a hydrogen sulfide input of at least 80 percent of full scale.
- (2) A scrubber for the removal of ambient sulfur dioxide must be incorporated ahead of the thermal oxidizer. This scrubber must be shown to remove at least 98 percent of sulfur dioxide input up to 80 percent of full scale without affecting the concentration of hydrogen sulfide in the incoming sample stream.

A list of EPA-approved sulfur dioxide monitors, "The EPA list of Designated Reference and Equivalent Methods," is available from the EPA or the MPCA upon request. Commercial vendors for thermal oxidizers with sulfur dioxide scrubbers are also available, but the user is responsible for the demonstration of the performance of the equipment, as described above.

Option 2: The use of MDA Scientific "Chemcassette[®]" Model 7100 or Model SPM for hydrogen sulfide. MDA Scientific is part of Zellweger Analytics, Inc. Both models utilize the same sensitized paper tape principle of operation. Model SPM has a range of detection from 3 to 90 parts per billion as 15 minute averages and may be unsuitable for recovery of 75 percent of all possible 30 minute periods in one year where high levels of hydrogen sulfide may be present. Model 7100 has a detection range from 3 to 5000 parts per billion.

These monitors must utilize the manufacturer's "low level" hydrogen sulfide paper tape cartridge with the instrument programmed for a minimum detection limit of at least 3 parts per billion for an averaging period of 15 minutes. Before making the measurement, the person seeking to make the measurements must develop and receive MPCA approval of a Quality Assurance Plan that provides operational procedures for each of the activities described in *Code of Federal Regulations*, title 40, part 58, appendix A.2.2. As recommended by the manufacturer, the Quality Assurance Plan should take into consideration the possible need for a sample stream humidification for this method if the ambient air is very dry, such as it is in winter.

Any continuous monitor using the sensitized paper tape method which the Commissioner finds is sufficiently similar in performance to the MDA Scientific "Chemcassette[®]" models described above may also be used.

For questions regarding the approved methods and to obtain a copy of the Technical Support Document which explains the development of the recommendations please contact:

Dean Fundine
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(612) 296-7338

Peder A. Larson
Commissioner

Pollution Control Agency

Water Quality Division

Notice of Proposed Reallocation of Federal Clean Water Act (CWA) Section 604b Funds Provided to Minnesota for Water Quality Management Planning through Section 205j(1) of CWA: Solicitation of Comments in Consultation with Regional Public Comprehensive Planning Organizations

Background

The Minnesota Pollution Control Agency (MPCA) annually receives Section 604b funds provided to Minnesota through Section 205j(1) of the CWA. Since 1987, under Section 205j3, the CWA has required that at least 40 percent of 604b funds be allocated ("passed-through") to regional public comprehensive planning organizations to undertake comprehensive water quality management planning. For Federal Fiscal Year 1997, the MPCA has received a pass-through allocation of \$115,709.

Due in part to the absence of a comprehensive statewide water quality management planning initiative into which local efforts could be integrated, the pass-through projects funded through Section 205j3 have not proven to be a significant vehicle for accomplishing statewide comprehensive water quality management planning. Instead they have tended to address specific, limited or local issues or provide educational as opposed to planning initiatives. While these projects have been useful, they have generally been only tangentially related to the overall CWA goal of comprehensive statewide water quality management planning.

The MPCA now proposes to allocate Federal Fiscal Year 1997 Section 205j3 funds to accelerate its statewide basin planning initiative. This is allowed under the CWA with the approval of the U.S. Environmental Protection Agency Regional Administrator, and after the Governor has consulted with regional public comprehensive planning organizations. The Governor must determine that the allocation of these funds to such organizations will not result in significant participation by such organizations in water quality management planning and not significantly assist in development and implementation of the comprehensive water quality management planning goals of the CWA.

The MPCA's basin planning initiative is a cogent and comprehensive approach to water quality management. It focuses on the state's major hydrologic units and addresses regional water quality planning by providing a much needed comprehensive framework for the integration of local water quality planning initiatives into a basin-wide and statewide plan. The basin planning initiative addresses both point and nonpoint sources of pollution and their interrelationships.

Solicitation of Comments

The MPCA now requests comments, input, and consolidation with all interested regional public comprehensive planning organizations regarding water quality management under the Clean Water Act.

Information may be submitted in writing or verbally. Written statements should be addressed to:

Mr. James R. Anderson
Watershed Assistance Section
Water Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
Saint Paul, Minnesota 55155-4194

Oral statements will be received during regular business hours over the telephone at (612) 296-8140 or toll-free 1-800-657-3864, and in person at the above address.

Such information shall be accepted up until 5:00 p.m. on February 5, 1998.

Minnesota Amateur Sports Commission

Public Ice Arena Survey

Since 1995, the Minnesota Legislature has allocated over \$14 million for the Mighty Ducks Ice Arena Grant Program. This program provides grants of up to \$250,000 per sheet for communities seeking to construct new indoor ice arenas or \$50,000 per sheet for the renovation of existing ice facilities. The Minnesota Amateur Sports Commission (MASC) is required to provide the 1998 State Legislature with information on projected ice arena construction and renovation projects throughout the state. The MASC is seeking responses from cities, counties, and school districts planning to construct new arenas or renovate existing arenas in the next five years. Please respond to the MASC by January 15, 1998.

Cities/Counties/School Districts With Existing Ice Arenas

NEW ARENA:

θ We plan to construct a new sheet of artificial ice in (circle) 1998, 1999, 2000, 2001, 2002

RENOVATION:

θ We plan to renovate our existing ice arena in (circle) 1998, 1999, 2000, 2001, 2002

Cities/Counties/School Districts With No Existing Ice Arena

NEW ARENA:

θ We plan to construct a new sheet of artificial ice in (circle) 1998, 1999, 2000, 2001, 2002

Please return by January 15, 1998 to:

Mighty Ducks Survey
Minnesota Amateur Sports Commission
1700 - 105th Avenue NE
Blaine, MN 55449-4500
Fax: (612) 785-5698

Name / Address: _____

Phone / Fax: _____

Minnesota Amateur Sports Commission

Youth Sport & Recreation Survey

The 1997 Minnesota Legislature has allocated \$800,000 for a "Mighty Kids" Youth Sport & Recreation Grant Program. The purpose of these grants are to assist Minnesota communities in the start-up or expansion of youth sport and recreation programs. The funding is provided to increase the involvement of underserved youth in before-school, after-school, and summer programming through partnerships that effectively utilize and build on existing community resources. At the present time, "Mighty Kids" grants are restricted to program development. In the future, this grant program may be expanded to include capital improvement and facility development for sport and recreation facilities. The purpose of this survey is to provide the 1998 State Legislature with an estimate of county, city, or school district interest in both program development grants and the potential capital improvement and facility development grants. Please respond by mail or fax to the MASC by January 15, 1998.

Cities/Counties/School Districts Interested in Sport Program Development

- θ We plan to expand or develop new recreational youth programs in 1998.
- θ We plan to apply for a Mighty Kids Youth Sport/Recreation Grant in 1998.

Cities/Counties/School Districts Interested in Sports Facility Development

- θ We plan to expand or develop new sport facilities in (circle) 1998, 1999, 2000, 2001, 2002.
(Please specify the type of the proposed facility development, i.e. soccer, baseball/softball, etc.)

Please return by January 15, 1998 to:

Mighty Kids Grant Program Survey
Minnesota Amateur Sports Commission
1700 - 105th Avenue NE
Blaine, MN 55449-4500
Fax: (612) 785-5698

Contact/Address: _____

Phone/Fax: _____

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

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

Department of Administration

Governor's Council on Developmental Disabilities

Notice of Cosponsorship Grants for Statewide Training Conferences

The Governor's Council on Developmental Disabilities is pleased to announce the availability of a total of \$10,000 in cosponsorship funds for Minnesota statewide training conferences that focus on leadership training and the development of personal leadership skills among people with developmental disabilities and family members. A maximum of \$1,000 may be awarded to an agency/organization that meets eligibility criteria and shows the need for financial assistance in order to conduct a statewide training conference. The Council reserves the right to award less than the maximum of \$1,000 to an applicant agency/organization, refuse to cosponsor a training conference, or withdraw the availability of funds at any time.

Preference will be given to those applicants who did not receive a cosponsorship grant during FFY 1997 (October 1, 1996 - September 30, 1997).

Training conferences must be *statewide and held between February 11 and September 30, 1998*. *Eligible applicants include:* Minnesota associations/organizations of providers, advocates, parents, self advocates, or professionals; Minnesota chapters of national organizations; or national organizations that are holding a conference in Minnesota.

For additional information or to request an application form, please contact:

Mary Jo Nichols
Governor's Council on Development Disabilities
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
(612) 282-2899 voice
(612) 296-9962 TTY
email: admin.dd@state.mn.us

Emergency Medical Services Regulatory Board

Notice of Availability of Funds to Analyze Financial Data and Develop a Financial Data Collection System for Ambulance Services

Notice of Availability of Funds to: The amount of fifty-two thousand dollars (\$52,000.00) is available to analyze financial data and develop a financial data collection system for Minnesota ambulance services.

Eligible Applicants: Organizations and individuals who are certified public accountants licensed by the State of Minnesota and who have knowledge and experience with Minnesota out-of-hospital medical transportation organization and financial models. The selected organization will work with the Emergency Medical Services Regulatory Board to develop financial products and services in cooperation with the regional EMS programs and licensed ambulance services, and other appropriate organizations and individuals.

Amount of Funding: A total of \$52,000 is available through funding from the Emergency Medical Services Regulatory Board.

Grant Period: February 2, 1998, through June 30, 1999.

Request for Proposal: Interested parties may request a copy of the *Request for Proposal*, which contains additional information about the required content and format of proposals. Proposals will be due not later than 4:00 p.m., Monday, February 2, 1998. A contract is expected to be awarded before February 20, 1998.

Description of Contract Objectives and Deliverables: Objectives of this contract are: to define various ambulance service financial models that exist in the state and develop appropriate financial data collection instrument(s); to develop instrument tutorial and other instructional methods; to collect and analyze data on not less than 10% of current licensees; and to provide the EMSRB with the analysis of the data, the instrument(s), and a written report. The instrument(s) developed must be appropriate for a defined group of services models; must have clear instructions and definitions; and must be tested for validity, precision, and comparability. Training and site visits throughout the state may be included in the data collection phase of the project. The written report must define the process, methodology, and responsibilities for implementing and continuing a financial data collection system for licensed ambulance services.

Contact: The contact address for this grant program, including the *Request for Proposal*, is:

Melody Nagy
Emergency Medical Services Regulatory Board
2829 University Ave. S.E., Suite 310
Minneapolis, MN 55414-3222
(612) 627-6000 or (800) 747-2011

Department of Children, Families and Learning

Notice of Request for Proposal Regarding Homeless Capital Grants for Education Programs Serving Homeless Pupils

Grants Are to Design, Furnish, Equip, Acquire or Construct a Facility for Providing Education and Transition Services for Homeless Pupils

School districts and nonprofit entities are invited to submit proposals to the Minnesota Department of Children, Families & Learning (DCFL), Division of Learner Options, for grants to design, furnish, equip, acquire, repair, or construct a facility for providing education and transition services for homeless pupils. To obtain a grant, a school district or nonprofit entity must submit an application to the commissioner of Children, Families & Learning in the form and manner the commissioner establishes. Grants must be matched by \$1.00 of nonstate money for every \$1.00 of grant money received. The commissioner shall take into consideration the number of concentration of homeless children served by a school district when awarding grants.

A minimum of two grants for up to \$200,000 each will be awarded to school districts or private nonprofit agencies.

Priority must be given to proposals that document the high concentration of homeless children and youth that temporarily reside in their service area.

Priority must be given to projects already providing effective education and support services which improve the enrollment, attendance, and academic achievement of homeless pupils.

Preference will be given to projects that provide evidence of involvement and collaboration of appropriate community stakeholders.

Preference will be given to projects that include the necessary program requirements in their Proposals.

Technical Assistance is available for the homeless program information by contacting Tom Gray (612) 296-4322, or Nancy Valento at (612) 297-4832 for homeless facilities project information and requirements.

The Request for Proposal and further information regarding the process may be obtained by contacting:

Minnesota Department of Children, Families & Learning
Cherie Carlson
809 Capitol Square Building, 550 Cedar Street
St. Paul, MN 55101
(612) 296-1485

NOTE: All grant applications must be postmarked by February 19, 1998.

Department of Health

AIDS/STD Prevention Services Section

Request for Proposals for HIV/STD Prevention Programs

Purpose

The Minnesota Department of Health (MDH) has funds available for a 24 month period (January 1, 1999 - December 31, 2000) for HIV/STD prevention programming, that includes targeted outreach and intervention, within the following program categories: (1) HIV Infected Persons; (2) Injecting Drug Users; (3) Men Who Have Sex With Men; (4) Men of Color Who Have Sex With Men; (5) Gay and Bisexual Youth; (6) Youth at Risk; (7) Persons at Risk Residing in Greater Minnesota; (8) Heterosexuals at Risk; and, (9) Heterosexuals of Color at Risk. (Persons of color are described as African Americans, American Indians, Asian/Pacific Islanders and Hispanics. "Populations of Color in Minnesota, Health Status Report," Spring, 1997, The Urban Coalition and the MDH.)

All proposals submitted should include strategies that address the relationships between HIV/STD transmission and all forms of chemical dependency and chemical use within the targeted population, and should include strategies that specifically target persons who are also: possessing of feelings of lack of control and self-determination, despair and/or hopelessness; and/or low income, homeless, undocumented, jobless, speak English as a second language, and/or educated at a minimal, formal level. Proposals submitted should also include strategies that address maintenance of long-term behavior change.

State Grants & Loans

Amount

Up to \$3,506,350 (for a 24 month period).

Duration

The grant contract period is established for 24 months, January 1, 1999 - December 31, 2000. Funded programs may be eligible to apply for additional future funding through December 31, 2003. This continuation or expansion funding will be dependent upon the availability of state and federal HIV/STD prevention funds to the MDH and satisfactory program performance during the first two years. The funding may also be available to agencies submitting qualifying proposals in this competitive process that do not receive an award from MDH for January 1, 1999, nor are funded for the proposed program from any other source subsequent to this process.

Eligibility

1. Any public or private agency (not-for-profit, 501-C3) that can demonstrate administrative, organizational, programmatic, and fiscal capability to plan, develop, implement, and evaluate the proposed program. Organizations and individuals who are not registered as a 501-C3 and interested in submitting a proposal are required to identify an eligible agency to be the applicant agency, and collaborate with this agency to submit the proposal on their behalf.
2. Demonstrated evidence of, or a plan for: a) ongoing input into the program development, implementation and evaluation for the target population; b) 50% of the proposed program staff are from the target population you propose to reach; AND, c) one or more of the following: i) a minimum of 50% of the agency's board is from the target population you propose to reach; ii) a minimum of 50% of the agency's management is from the target population you propose to reach; iii) a minimum of 50% of current/expected clients are from the target population you propose to reach.

Procedure for Grant Application

Letters of Intent:

Agencies intending to submit a proposal for HIV/STD prevention programming are required to submit a *Letter of Intent* by **4:00 p.m., Monday, February 2, 1998**. A *Letter of Intent Outline* which describes the required format is available upon request.

Full Proposals

All agencies which meet the eligibility criteria outlined above and which submit a Letter of Intent by the deadline are eligible to submit a full proposal. The complete request for proposals packet is available upon request, including instructions, format, and necessary forms. Agencies seeking MDH funding for HIV/STD prevention programming are required to submit 10 copies of the completed proposal by **4:00 p.m., Friday, April 10, 1998**.

All submissions are final. Full and complete proposals not received by the deadlines outlined above will not be considered.

Letters of Intent and Full Proposals are to be submitted by the specified date and time to:

Gary Novotny
Prevention Programs Unit
AIDS/STD Prevention Services Section
Minnesota Department of Health
717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440-9441
(612) 623-5698

Housing Finance Agency

Notice of Funds Available and Request for Proposals for Rental Assistance for Family Stabilization Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of \$5.5 million dollars in rental assistance funds for the Rental Assistance for Family Stabilization (RAFS) program. RAFS is available to provide rental assistance to families who, at the time of initial eligibility are receiving public assistance, have a caretaker parent with at least one minor child and who has an approved employment plan; or for families who, at the time of initial eligibility are receiving public assistance, have an approved employment plan, and have earned income.

- Location:** The RAFS program is limited to counties in which the section 8 existing fair market rents (FMR), as determined by HUD, are in the highest one-third of the average rents in the state. (Final 1998 FMRs)
- Amount of Funds:** Five million five hundred thousand dollars in rental assistance. A maximum of \$250 per month per program participant in the 7 county metro area, excluding the cities of Hanover, Northfield, and New Prague, and a maximum of \$200 per month per program participant in Greater Minnesota, including the cities of Hanover, Northfield, and New Prague. Administrative fees may not exceed \$40 per month per program participant. A one time security deposit is available.
- Type of Assistance:** Voucher or project- based rental assistance.
- Eligible Applicants:** A local Minnesota housing organization experienced in operating a Section 8 rental assistance program, in partnership with an Employment and Training/Workforce organization and a county agency designated by the county board to implement financial assistance for the Minnesota family investment program, statewide (MFIP-S)
- Procedures:** To request application write or call: Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, St. Paul, MN 55101, Attention RAFS, Multifamily Division 297-4455, or 800-657-3647.
- Deadline:** The original and one copy of the completed application should be received at the above address by 5:00 PM on Friday, February 13, 1998.
- Selection Process:** All complete proposals which meet the basic requirements, the selection criteria of the program, and are received by the deadline will be considered.
- 1) Application for continued funding will be accepted from interested RAFS administrators who operate in counties with high average housing costs and who demonstrate that one hundred percent of current vouchers have been committed.
 - 2) New RAFS administrators applications are being solicited with preference give to housing organizations proposing to operate in counties with high average housing costs and who are not currently served by a RAFS administrator or, in counties within which need for additional administrators is demonstrated.
- Final selections should be made by the MHFA Board of Directors on Thursday, March 26, 1998. All applicants are notified of the selections.
- Disclaimer:** This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

It is the policy of the Minnesota Housing Finance Agency (MHFA) to further fair housing opportunity in all Agency programs and to administer its housing programs affirmatively, so that all Minnesotans of similar income levels have equal access to Agency programs regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to receipt of public assistance, disability, or familial status.

Department of Human Services

Notice of Request for Proposals to Improve The Recognition and Treatment of Chemical Abuse in the Elderly

The Chemical Dependency Division of the Department of Human Services is requesting proposals to improve and provide for adequate recognition, intervention, diagnostic and treatment of chemical abuse in the elderly. The target population shall be persons who are ages 55 and older experiencing chemical abuse problems.

Proposals are requested from agencies, both profit or nonprofit, knowledgeable in the area of elderly issues, senior services networks, social services, community organization, screening and diagnostic instruments, intervention and treatment issues for the elderly, and developing elderly-specific chemical abuse programming.

FUNDING AVAILABLE

A total of **\$215,776 from Federal appropriations is available for a 1-year period** to potentially fund **three (3)** projects to provide coordinated, comprehensive and effective intervention and treatment approaches through cooperative and collaborative efforts among the aging/chemical dependency fields and the private/public sectors in order to meet the needs of the State's elderly population with chemical abuse or dependency problems.

Projects will be funded using Federal Alcohol and Drug Abuse Block Grant funds. ***Hospital-based residential services are generally prohibited from being reimbursed under federal block grant regulations.***

Applications are to be submitted as a two-year project with separate budgets for each year and one workstatement for the two-year period. The funded agency would begin on or about **July 1, 1998**, or upon such date as the grant is executed as to encumbrance by the Commissioner of Finance, whichever occurs later, and may continue for a minimum of two years until June 30, 2000, based on satisfactory performance and the availability of funds.

Proposals in response to this RFP must be submitted on the Chemical Dependency Division (CDD) grant application form. *Pursuant to SF 597, Pine, Cass, Houston, Swift and Mahnomon Counties may complete a letter of intent in lieu of the standard application for this rfp.* Copies of the RFP and grant application form including a proposed format for the letter of intent, if applicable, can be obtained by contacting the Chemical Dependency Division, Minnesota Department of Human Services at 612/296-3991. Upon request, this information will be made available in an alternative format, such as Braille, large print or audiotape.

An original and seven copies of each proposal must be in the CDD office, 444 Lafayette Road, St. Paul, MN 55155, no later than 3:30 PM on **February 16, 1998 (NO EXCEPTIONS)**. **Late proposals and fax copies will not be accepted.**

All requests for information regarding this RFP should be directed to Ruthie M. Dallas at 612/296-3504 or at the above address.

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, and final submission date of completed contract proposal.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TTY (612) 297-5353 and ask for 296-2600].

Department of Employee Relations

Labor Relations

Notice of Request for Proposals for Professional Services to Provide Drug and Alcohol Testing Training and Administrative Services as Required by Law.

The State of Minnesota is releasing a Request for Proposal to solicit proposals from qualified respondents to provide statewide drug and alcohol testing, training and administrative services in compliance with the provisions of the Omnibus Transportation Employee Testing Act of 1991 as administered under the authority of the U.S. Department of Transportation Highway Administration 49 *Code of Federal Regulations* Parts 382 et.al.-Controlled Substances and Alcohol Use and Testing: Final Rule and 49 *Code of Federal Regulations* Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Final Rule.

The services will be for approximately 2,750 employees in safety sensitive positions who work for various state agencies and report to work sites located in all 87 counties of the State of Minnesota.

For a copy of the complete Request for Proposal contact:

Ann Maile
Labor Relations Bureau, DOER
200 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155-1603
Phone: (612) 296-2516
Fax: (612) 296-2599

Proposals are due no later than 2:30 p.m., February 2, 1998.

Department of Natural Resources

Request for Proposals to Prepare and Execute a Profile of Trail Users within Minnesota

Introduction

The Department of Natural Resources is requesting proposals from qualified firms and individuals to develop and document recreational trail user profiles of the nine user types. Presently, the nine user groups/types have been identified as bicycling, cross-country skiing, hiking, horse back riding, in-line skating, off-highway (4x4) users, motorcycling, all terrain vehicle users, and snowmobiling.

The increasing popularity of recreational trails in Minnesota has created a demand for longer distance trails and connections to existing trails. To be able to improve evaluations of future trail proposals, a better understanding of the identified trail user groups, including their needs and interests, is required. Although extensive research has been conducted for most of the user groups, few studies compare and contrast the needs and interests of each user group in a format that is easily understood by policy makers and the general public. In-line skaters pose a special challenge to decision makers who may not be as familiar with their needs as those of more traditional user groups.

This project will supplement the Border to Border Trail Study commissioned by the Legislative Commission on Minnesota Resources. The Border to Border Study will provide various tools for policy makers and elected officials to evaluate proposals while promoting dialogue between similar trail interests.

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

Professional, Technical & Consulting Contracts

Goals and Objectives

The goal of this study is to document a trail user profile for each of the identified trail user types/groups. Primarily using existing data, the trail user profiles will document group size, distribution, potential for growth, as well as desires and needs. Trends of participation for each user group are important. Of special interest are the major differences that exist within user groups. An example would be that the needs of off road bicyclists vastly differ from those of commuter bicyclists, in particular, examining the trail surface preferences of bicyclists. Limited new research may be required to inform major voids of information for the various trail uses.

A detailed bibliography is needed that can provide documentation and pertinent information to guide future decisions. Finally, it is anticipated that this study will include an appendix of the most pertinent trail-user research. Sources of information should include, but not be limited to, published research and studies completed and used by trade, academia and land administrators.

Project Tasks

The following tasks are the minimum required for a successful completion of the project:

1. Prepare a final detailed work plan and submit for review, discussion and revision.
2. Schedule periodic meetings to update DNR staff/project coordinators.
3. Compile and evaluate existing research for each of the trail user types/groups.
4. Complete additional research as needed.
5. Prepare a report that includes a literature review and/or an annotated bibliography of the works used to compile existing data as well as documentation of the study methodology and data collection for any new research conducted. Deliver a computerized version (PC-format) and 10 copies of the report.
6. Orally present and discuss the report to DNR staff at a meeting.
7. Present interim findings at the Minnesota Recreation Trail Users Association meeting in Duluth, MN on April 24, 1998.
8. Present findings at the Joint Motorized Trail Conference in Brainerd area on May 27, 1998.

Respondents may propose alternative approaches, additional tasks or activities if they will substantially improve the results of the project.

Submission of Proposal

All proposals must be sent to and received by:

Diane Anderson, Trail Study Coordinator
Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4052

no later than 4:30 p.m., January 20, 1998. Late proposals will not be accepted. Proposals will be evaluated by a small group of planners and researchers within the Department. A final selection will be made by January 27, 1998.

Project Cost

The cost of this project shall not exceed \$15,000.

Project Completion Date

Study results and a report must be provided to the DNR by June 30, 1998.

Proposal Contents

The following will be considered minimum contents of the proposal:

A restatement of the objectives, goals and tasks to show/demonstrate the respondent's understanding of the study needs.

A list of the deliverables that the respondent will provide.

A description of the team member's education, research background and experience. Applicable experience in the field of outdoor recreation research and/or consumer-based research will be positively evaluated. This section must stipulate the person-weeks each team member will spend on the project. A change in personnel assigned to the project will not be permitted without the prior approval of the State's project coordinator.

Respondent will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and their costs. It should be of sufficient detail to be used as a project scheduling and managing tool, as well as the basis for final invoicing.

The proposal must clearly identify and quantify the required participation in the project by staff of the Department of Natural Resources.

Professional, Technical & Consulting Contracts

A section of the proposal must provide a detailed description of data collection techniques used during this study as well as a detailed description of any sampling methods, questionnaire designs and/or data collection for new research that may/will be conducted. Additionally, for any new research that may be conducted, the proposal must explain the methods and techniques used to design survey instruments (if used) that will elicit high response rates and minimize non-sampling errors and address the requirement for timeliness in collecting the necessary data.

At least three references for work that could have a bearing on successfully completing this project.

Further Information

For more information about the research, reports or anything else regarding this Request for Proposals, please contact:

Diane Anderson
Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4052
(612) 297-2501

Veterans Homes Board

Notice of Request for Proposals for Professional Services of Occupational Medicine and Employment Examination Providers

The Minnesota Veterans Homes, located in Minneapolis, Hastings, Luverne, Silver Bay and Fergus Falls, Minnesota are now soliciting proposals for contracts for providers to conduct pre- placement physical examinations and related services.

Contractors may submit proposals for services for all facilities or for individual facilities. The Minnesota Veterans Homes are interested in medical providers who can provide the following services for employees: pre-placement physical examinations, fitness-for-duty examinations (non workers' comp.), collection of urine samples for drug testing, x-rays to test for tuberculosis, and immunizations. Proposals may be submitted for all services (preferred) or for specific services.

These contracts may be let for a period of up to two years, beginning March 1, 1998. For details and a copy of the Request for Proposals, contact Karen McCarty at (612) 297-5252, or write to Minnesota Veterans Homes Board, Attn: Karen McCarty, 122 Veterans Services Building, 20 W. 12th Street, St. Paul, Minnesota 55155. All proposals must be received no later than 4:30 p.m. on Monday, January 26, 1998.

Non-State Public Bids, Contracts & Grants

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.

Metropolitan Council

Public Notice for Design-Build Statements Of Qualifications for Blue Lake WWTP Thickening/Dewatering Facilities MCES Project Number 910210

NOTICE IS HEREBY GIVEN that the Metropolitan Council (Council) is soliciting qualifications for Design/Builders interested in delivering thickening/dewatering facilities at the Blue Lake WWTP through a Design/Build delivery process. Interested Design/Builders will be required to submit Statements Of Qualifications. All shortlisted Design/Builders will also be requested to submit a proposal(s). Proposals will be evaluated based on life cycle cost data, technical merit, risk, and other factors in the best interest of the Council.

The proposed thickening/dewatering facilities shall process raw dewatered sewage solids using equipment provided by prequalified gravity belt thickener and dewatering centrifuge manufacturers. The project design year is 2020. Design/Builder shall be required to obtain permits, approvals and licenses. Substantial Completion of all facilities shall be within 780 days of Notice To Proceed.

The Blue Lake WWTP, located in Shakopee, MN, has an average flow of 27 mgd, provides secondary treatment using a conventional activated sludge process with nitrification, and produces approximately 25 dry tons per day (dtpd) of raw solids. The Council will be installing a vortex grit removal system prior to start-up of any thickening/dewatering facilities. The primary solids are currently thickened through a gravity thickening process, and waste activated sludge (WAS) is thickened using a gravity belt thickener. This project will replace the WAS thickening process with new gravity belt thickeners and add new centrifuges for dewatering thickened primary solids and WAS. It is projected that dewatered solids production in the year 2020 will be 13,400 dry tons per year (dtpy).

Request For Qualifications documents may be obtained from the Metropolitan Council, Attn: Jan Bevins, Mears Park Centre, 230 East 5th Street, St. Paul, MN 55101 by submitting a Letter of Interest.

A site tour of the Blue Lake WWTP will be available on Tuesday, January 20, 1998 beginning at 10:00 a.m. Those interested in the site tour are to meet in the Administration Building Conference Room at the Blue Lake WWTP, 6949 Highway 101, Shakopee, MN. A pre-Statement Of Qualifications submittal conference and general informational meeting will be held on Tuesday, January 20, 1998 at 1:00 p.m. at the Shakopee City Hall, 129 Holmes Street South, Shakopee, MN.

The tentative schedule for selecting a Design/Builder for this project is as follows:

Receive Letters of Interest	January 1998
Request For Qualifications issued	January 1998
Statement Of Qualifications received	Early February 1998
Shortlisted Design/Builders identified	Late February 1998
Request For Proposals issued	Early March 1998
Pre-proposal conference(s)	Late March 1998
Proposals due	April 1998
Evaluate and rank Design/Builders	June 1998
Negotiate final Agreement	July 1998
Notice To Proceed	August 1998

Direct inquiries to the Council's Project Manager, Bill Johnson at (612) 602-1168.