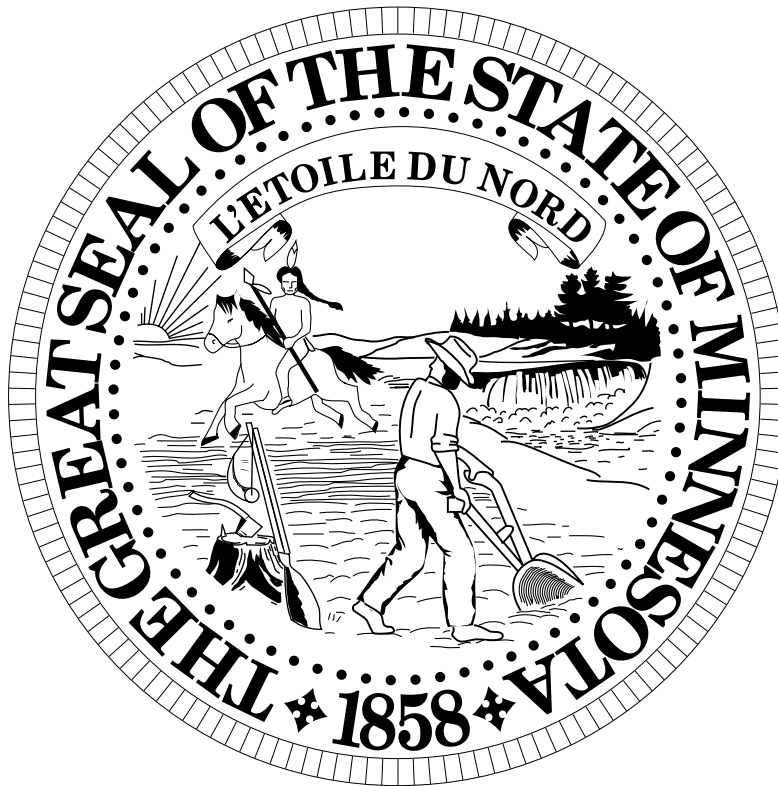


State of Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Monday 6 May 2002

Volume 26, Number 46

Pages 1467-1502

State Register

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

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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$12.20 per tenth of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
 - *Solicitation Announcements* (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
 - **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
 - **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

Printing Schedule and Submission Deadlines

Vol. 26 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
#46	Monday 6 May	Noon Wednesday 24 April	Noon Tuesday 30 April
#47	Monday 13 May	Noon Wednesday 1 May	Noon Tuesday 7 May
#48	Monday 20 May	Noon Wednesday 8 May	Noon Tuesday 14 May
#49	TUESDAY 28 MAY	Noon Wednesday 15 May	Noon Tuesday 21 May

Copyright © 2002 Communications Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630 (ISSN 0146-7751)

THE STATE REGISTER IS PUBLISHED by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

Jesse Ventura, Governor (651) 296-3391	Mike Hatch, Attorney General (651) 297-4272	Mary Kiffmeyer, Secretary of State (651) 296-2079
Mae Schunk, Lt. Governor (651) 296-3391	Judi Dutcher, State Auditor (651) 297-3670	Carol Johnson, State Treasurer (651) 296-7091
Department of Administration:	Communications Media Division:	Robin PanLener, Editor (651) 297-7963
David F. Fisher, Commissioner (651) 296-1424	Mary Mikes, Director (651) 297-3979	Jane Schmidley, Assistant Editor (651) 296-4273
Kirsten Cecil, Deputy Commissioner (651) 296-4398	Chris Schanus, Manager (651) 282-2974	Jessie Rahmeyer, Subscriptions (651) 297-8774

Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146
State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office - Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces140.html

Minnesota State Court System

Court Information Office (651) 296-6043
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155
Website: www.courts.state.mn.us

Minnesota Rules: Amendments & Additions	
Volume 26, Issues #41-46	1470
Exempt Rules	
Labor and Industry Department	
Proposed exempt permanent rules relating to occupational safety and health; standard industrial classification list for AWAIR	1471
Expedited Emergency Rules	
Natural Resources Department	
Adopted Expedited Emergency Game and Fish Rules - Waters with restrictions on taking fish; designated special management waters; taking fish on Minnesota-Canada boundary waters	1488
Official Notices	
Health Department	
Minnesota Children with Special Health Needs cost-sharing schedule	1492
Historical Society, Minnesota	
State Review Board regular meeting	1493
Pollution Control Agency	
Intent to issue for the National Pollutant Discharge Elimination System (NPDES) / State Disposal System (SDS) permit MN G640000	1493
Pollution Control Agency Agriculture Department	
Update of the Permanent List of Priorities among releases or threatened releases of hazardous substances or pollutants or contaminants	1494
Retirement Association, Public Employees	
Board of Trustees meeting Thursday 9 May 2002 incorporating Legislative Committee meeting.....	1496
Transportation Department	
Petition of the City of Plymouth for a variance from state aid procedural and administrative requirements.....	1496
State Contracts	
Administration Department	
Building codes and Standards Division requests proposals to contract for inspection services	1496
Colleges and Universities, Minnesota State (MnSCU)	
Rochester Community and Technical College exclusive cold beverage partnership	1497
Employee Relations Department	
Hazardous materials information service request for proposal	1497
Human Services Department	
Brainerd Regional Human Services request for proposals for services of a clinical nurse specialist/advanced practice nurse	1498
Public Safety Department	
Grantee technical assistance and training request for proposal.....	1499
Transportation Department	
Professional / technical contract opportunities	1499
Non-State Contracts & Grants	
Metropolitan Council	
Request for proposals for architectural / engineering services for the L-65 improvements	1500
Metropolitan Council - Metro Transit	
Sealed bids requested for bus shelters	1500
Sealed bids sought for secondary power connections.....	1501
University of Minnesota	
Bid Information Service (BIS) available for all potential vendors	1501

Commodity, Service, and Construction contracts are published Tuesday and Friday in a bulletin, the *Solicitation Announcements*. Award results are available from the Materials Management Helpline (651) 296-2600. **Website:** www.mmd.admin.state.mn.us

Individual copies and subscriptions or the *State Register* and *Solicitation Announcements* are available through Minnesota's Bookstore, (651) 297-3000, or (800) 657-3757.

Minnesota Rules: Amendments and Additions

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

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

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

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

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

Volume 26, Issues # 41-46

Agriculture Department

1520.0400; .0500; .1300; 1540.0010; .0020; 1545.0220; .0240; .0340; .0420; .0640; 1550.3210; .3250; 1555.6680 (proposed).....	1415
1540.0010 s.3 (proposed repealer)	1415
1540.0590; .2030; .2470; .2870; .3030; .3530; .4455; .4460; .4480; .4490; 1545.0200; .0300; .0310; 1555.6660 (proposed).....	1419
1540.0580; .1390; .2460; .3140 -.3410; .3510; .3580; .3590; .3650 -.3690; .3710 -.3750; .3770; .3790 -.3940; .4130; .4160 -.4180; .4230 -.4260; .4280; .4310; .4380 -.4440; 1545.0010 -.0140; .0240; .0330 -.0350; .0420 -.0770; .1480; .1730; .1800 -.1850; .2080; .2090; .2100 -.2720; .2740 -.2830; 1550.0050; .0070; .0210 -.0270; .0300; .0310; .0340; .0390; .0610; .0620; .0860; .0990; .1640; .2110; 1555.6330 -.6650; .6670 -.6710 (proposed repealer).....	1419
1540.0590; .2030; .2470; .2870; .3030; .3530; .4455; .4460; .4480; .4490; 1545.0200; .0300; .0310; 1555.6660 (proposed withdrawn).....	1306
1540.0580; .1390; .2460; .3140 -.3410; .3510; .3580; .3590; .3650 -.3690; .3710 -.3750; .3770; .3790 -.3940; .4130; .4160 -.4180; .4230 -.4260; .4280; .4310; .4380 -.4440; 1545.0010 -.0140; .0240; .0330 -.0350; .0420 -.1480; .1730; .1800 -.1850; .2080 -.2720; .2740 -.2830; 1550.0050; .0070; .0210 -.0270; .0300; .0310; .0340; .0590; .0610; .0620; .0860; .0990; .1640; .2110; 1555.6330 -.6650; .6670 -.6710 (proposed repealer withdrawn).....	1306

Architecture, Engineering, Land Surveying, Landscape

Architecture, Geoscience and Interior Design Board	
1800.0300; .0800; .0900; .3505; .3600; .3700 (proposed).....	1389
1800.3500 (proposed repealer)	1389

Arts Board

1900.1510; .1910; .2010; .2610 (adopted).....	1301
---	------

Abstractors Board - Revenue Department

1950.1000; .1010; .1020; .1030; .1040; .1050; .1060; .1070; .1080; .1090 (adopted)	1334
1950.1000, s.2, 14, 16 (repealed).....	1334

Electricity Board

3800.3780 (proposed)	1331
----------------------------	------

Environmental Quality Board

4401.0100; .0200; .0300; .0400; .0450; .0460; .0470; .0500; .0550; .0600; .0610; .0620; .0700; .0800 (adopted).....	1394
---	------

Campaign Finance and Public Disclosure Board

4503.1450; 4505.0900; 4511.0100; .0200; .0400; .0500; 4525.0200 (adopted)	1363
4515.0700; 4520.0700 (repealed)	1363

Health Department

4717.8000; .8050; .8100; .8150; .8200; .8250; .8300; .8350; .8400; .8450; .8500; .8550; .8600 (errata).....	1395
---	------

Higher Education Services Office

4850.0011; .0014; .0016; .0017 (proposed).....	1333
4850.0011 s.28 (proposed repealer)	1333

Labor and Industry Department

5208.1500 (proposed exempt).....	1471
----------------------------------	------

Natural Resources Department

6262.0550; 6264.0400; 6266.0700 (adopted expedited emergency)	1488
6262.0550 s.2, 4; 6264.0400 s.4; 6266.0700 s.2 (repealed expedited emergency)	1488

Pollution Control Agency

7005.0100; 7007.0150; .0300; .0500; .1115; .1120; .1125; .1130; .1300; 7008.0050; .0100; .0200; .0300; .2000; .2100; .2200; .2250; .4000; .4100; 7011.0850; .0865; .0870 (proposed).....	1351
7011.0850 s. 2,3,4,5, and 7011.0860 (proposed repealer).....	1351
7050.0150; .0210; .0222; .0470 (proposed).....	1425
7080.0020; 0060; .0130; .0150; .0170; .0305; .0310 (proposed)	1422

Public Utility Commission

7810.2500; .8100; .8200; .8500; .8635; 7820.2800; 7825.3400; 7849.0010; 7851.0200; 7853.0030; .0200; .0210; .0220; .0230; .0300; .0310; .0320; .0330; .0340; .0400; .0440; 7855.0200 (adopted)	1438
7810.3400, s.2; .8625 s.5; .8630 s.6; .8740; .8745; .8750; .8755; .8800; .8900; .8905; .8910; .8915; .8920; .8925; .8930; .8935; .8940; 7827.0100; .0200; .0300; .0400; .0500; .0600; 7829.2200; 7853.0010 s.13; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790 (repealed).....	1438

Minnesota Rules: Amendments and Additions

Racing Commission

7871.0050; .0150; 7873.0110; .0195; .0199; .0210; 7877.0170;
7883.0100; 7890.0100; .0140 (adopted)..... 1438
7871.0150 s.3,4,4a; 7873.0186; .0192; .0198 (repealed)..... 1438

Human Services Department

9500.4350; .4355; .4360; .4365; .4370; .4375; .4380; .4385
(adopted exempt)..... 1302

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 Occupational Safety and Health Division

Proposed Exempt Permanent Rules Relating to Occupational Safety and Health; Standard Industrial Classification List for AWAIR

NOTICE IS HEREBY GIVEN that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA), proposes to adopt the following amendments to the Department of Labor and Industry, Occupational Safety and Health Rules. Statutory authority to adopt these amendments is in *Minnesota Statutes* § 182.655 (2000).

This notice proposes the adoption of modification to *Minnesota Rules* 5208.1500 "Standard Industrial Classification List" which lists the standard industrial classifications of employers that must comply with the provisions of *Minnesota Statutes* § 182.653, subdivision 8, also known as "A Workplace Accident and Injury Reduction Act" or "AWAIR." Subdivision 8a of *Minnesota Statutes* § 182.653, required the commissioner to adopt this list of standard industrial classifications and to update the list every two years.

All interested or affected persons have 30 days from the date this notice is published in the *State Register* to submit, in writing, data and views on the proposed amendments to the rule. Comments in support of or in opposition to the proposed amendments are encouraged. Each comment should identify the portion of the proposed amendment addressed, the reason for the comment, and any change proposed. The comment period will close on June 5, 2002.

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections, and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is

Exempt Rules

required, the Department will proceed according to the provisions of *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5210.0010 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307.

Shirley I. Chase
Commissioner

SUMMARY OF CHANGES

The following is a brief summary of the proposed changes. The complete text of the proposed revisions follows this summary.

“A Workplace Accident and Injury Reduction Act” (AWAIR) was passed by the Minnesota Legislature during the 1990 session (*Laws of Minnesota, 1990*, Chapter 508). That legislation amended the Occupational Safety and Health Act of 1973 (*Minnesota Statutes* Chapter 182) by adding new subdivisions 8, 8a, and 8b to § 182.653. Subdivision 8 requires each employer to develop a written workplace safety and health program that explains how managers, supervisors and employees are responsible for implementing the program and how the continued participation of management will be established, measured and maintained; the methods used to identify, analyze and control new or existing hazards, conditions, and operations; how the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls; how workplace accidents will be investigated and corrective action implemented; and how safe work practices and rules will be enforced.

Subdivision 8a of § 182.653 requires the Commissioner of Labor and Industry to adopt a list of standard industrial classifications (SICs) of employers who must comply with subdivision 8. The list must be based on the safety record or worker’s compensation record of the industries. Employers within the standard industrial classifications on the list must comply with subdivision 8 within six months following the date the SIC that applies to them is placed on the adopted list.

To meet the mandate of § 182.653, subdivision 8a, the department reviewed Minnesota and national injury and illness statistics. The proposed revisions to the list are based on the “Minnesota Occupational Injuries and Illnesses Survey, 2000” which was conducted by the Minnesota Department of Labor and Industry in cooperation with the Bureau of Labor Statistics (BLS). Because the Minnesota survey did not include injury and illness rates for all industries, national BLS survey data, as reported in the Bureau of Labor Statistics for 2000, was also used.

The survey results are reported as occupational injuries and illnesses incidence rates by industry (SIC). For all industries combined, the 2000 Minnesota survey results indicate an injury and illness incidence rate (recordable injuries and illnesses per 100 full-time workers) of 6.8 and a lost workday incidence rate (lost workday cases per 100 full-time workers) of 3.4. These rates reflect the combined or “average” rates for all reporting industries, including state and local government. Those industries (SICs) with an incidence rate higher than 6.8 or a severity rate higher than 3.4 are considered to have a higher-than-average rate of injuries and illnesses and, therefore, are required to comply with the AWAIR Act.

The proposed amendments to 5208.1500 include the addition of those industries with an incidence rate at or above 6.8 or a severity rate at or above 3.4 on the 2000 Minnesota survey. Those industries not reported on the Minnesota survey that appear in the 2000 national survey with rates above the Minnesota averages of 6.8 or 3.4 are also added to the list of industries that must comply with AWAIR. Industries on the existing list but whose 2000 rates fell below the 2000 average rates of 6.8 or 3.4 are proposed for deletion from the SIC list. SICs that are not on the proposed list may be added to the list in two years if the incidence or severity rates for the industry go above the Minnesota average rates for that year. Updates to this list will be based on the most current injury and illness data available at the time of the update.

The inclusion of a Standard Industrial Classification Code on the AWAIR list is determined strictly on the basis of BLS reported data for the industry; jurisdictional issues are not considered when adding or deleting an industry from the list. However, Minnesota OSHA does observe jurisdictional boundaries when conducting inspections and will enforce AWAIR only in those areas of an operation that fall within the jurisdiction of Minnesota OSHA. Operations under the sole jurisdiction of another government regulatory agency will not be affected.

5208.1500 STANDARD INDUSTRIAL CLASSIFICATION LIST FOR AWAIR.

Employers in the standard industrial classifications listed in this part must comply with *Minnesota Statutes*, section 182.653, subdivision 8. The standard industrial classifications in this part are those defined by the Office of Management and Budget published in the Standard Industrial Classification Manual, 1987 edition.

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

B. Agricultural production, livestock:

[For text of subitems (1) to (12), see M.R.]

(13) 0272, horses and other equines;

- ~~(13)~~ (14) 0273, animal aquaculture;
- ~~(14)~~ (15) 0279, animal specialties, not elsewhere classified; and
- ~~(15)~~ (16) 0291, general farms, primarily animal.

C. Agricultural services:

- (1) 0711, soil preparation services;
- (2) 0721, crop planting and protecting;
- (3) 0722, crop harvesting;
- ~~(3)~~ (4) 0723, crop preparation services for market;
- ~~(4)~~ (5) 0724, cotton ginning;
- ~~(5)~~ (6) 0741, veterinary services for livestock;
- ~~(6)~~ (7) 0742, veterinary services, specialties;
- ~~(7)~~ (8) 0751, livestock services, except veterinary;
- ~~(8)~~ (9) 0752, animal specialty services;
- ~~(9)~~ (10) 0761, farm labor contractors;
- ~~(10)~~ (11) 0762, farm management services;
- ~~(11)~~ (12) 0781, landscape counseling and planning;
- ~~(12)~~ (13) 0782, lawn and garden services; and
- ~~(13)~~ (14) 0783, ornamental shrub and tree services.

D. Forestry:

- (1) 0811, timber tracts;
- (2) 0831, forest products; and
- (3) 0851, forestry services.

~~D.~~ E. Coal mining:

- (1) 1221, bituminous coal and lignite, surface;
- (2) 1222, bituminous coal, underground;
- (3) 1231, anthracite mining; and
- (4) 1241, coal mining services.

~~E.~~ F. Nonmetallic minerals, except fuels:

- (1) 1411, dimension stone; and
- (2) 1499, miscellaneous nonmetallic minerals.

~~F.~~ G. General building contractors:

- (1) 1521, single-family housing construction;
- (2) 1522, residential construction, not elsewhere classified;
- (3) 1531, operative builders;
- (4) 1541, industrial buildings and warehouses; and
- (5) 1542, nonresidential construction, not elsewhere classified.

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

~~G.~~ H. Heavy construction, except building:

- (1) 1611, highway and street construction;
- (2) 1622, bridge, tunnel, and elevated highway;
- (3) 1623, water, sewer, and utility lines; and
- (4) 1629, heavy construction, not elsewhere classified.

~~H.~~ I. Special trade contractors:

- (1) 1711, plumbing, heating, air-conditioning;
- (2) 1721, painting and paper hanging;
- (3) 1731, electrical work;
- ~~(4)~~ (4) 1741, masonry and other stonework;
- ~~(5)~~ (5) 1742, plastering, drywall, and insulation;
- ~~(6)~~ (6) 1743, terrazzo, tile, marble, and mosaic work;
- ~~(7)~~ (7) 1751, carpentry work;
- ~~(8)~~ (8) 1752, floor laying and floor work, not elsewhere classified;
- ~~(9)~~ (9) 1761, roofing, siding, and sheet metal work;
- ~~(10)~~ (10) 1771, concrete work;
- ~~(11)~~ (11) 1781, water well drilling;
- ~~(12)~~ (12) 1791, structural steel erection;
- ~~(13)~~ (13) 1793, glass and glazing work;
- ~~(14)~~ (14) 1794, excavation work;
- ~~(15)~~ (15) 1795, wrecking and demolition work;
- ~~(16)~~ (16) 1796, installing building equipment, not elsewhere classified; and
- ~~(17)~~ (17) 1799, special trade contractors, not elsewhere classified.

~~I.~~ J. Food and kindred products:

- (1) 2011, meat packing plants;
- (2) 2013, sausages and other prepared meats;
- (3) 2015, poultry slaughtering and processing;
- (4) 2021, creamery butter;
- (5) 2022, cheese, natural and processed;
- (6) 2023, dry, condensed, evaporated products;
- (7) 2024, ice cream and frozen desserts;
- (8) 2026, fluid milk;
- ~~(9)~~ (9) 2032, canned specialties;
- ~~(10)~~ (10) 2033, canned fruits and vegetables;
- ~~(11)~~ (11) 2034, dehydrated fruits, vegetables, and soups;
- ~~(12)~~ (12) 2035, pickles, sauces, and salad dressings;
- ~~(13)~~ (13) 2037, frozen fruits and vegetables;
- ~~(14)~~ (14) 2038, frozen specialties, not elsewhere classified;
- ~~(15)~~ (15) 2051, bread, cake, and related products;
- ~~(16)~~ (16) 2052, cookies and crackers;
- ~~(17)~~ (17) 2053, frozen bakery products, except bread;
- ~~(18)~~ (18) 2061, raw cane sugar;

- ~~(14)~~ (19) 2062, cane sugar refining;
- ~~(15)~~ (20) 2063, beet sugar;
- ~~(16)~~ (21) 2064, candy and other confectionery products;
- ~~(17)~~ (22) 2066, chocolate and cocoa products;
- ~~(18)~~ (23) 2067, chewing gum;
- ~~(19)~~ (24) 2068, salted and roasted nuts and seeds;
- ~~(20)~~ (25) 2074, cottonseed oil mills;
- ~~(21)~~ (26) 2075, soybean oil mills;
- ~~(22)~~ (27) 2076, vegetable oil mills, not elsewhere classified;
- ~~(23)~~ (28) 2077, animal and marine fats and oils;
- ~~(24)~~ (29) 2079, edible fats and oils, not elsewhere classified;
- ~~(25)~~ (30) 2082, malt beverages;
- ~~(26)~~ (31) 2083, malt;
- ~~(27)~~ (32) 2084, wines, brandy, and brandy spirits;
- ~~(28)~~ (33) 2085, distilled and blended liquors;
- ~~(29)~~ (34) 2086, bottled and canned soft drinks;
- ~~(30)~~ (35) 2087, flavoring extracts and syrups, not elsewhere classified;
- ~~(31)~~ (36) 2091, canned and cured fish and seafoods;
- ~~(32)~~ (37) 2092, fresh or frozen prepared fish;
- ~~(33)~~ (38) 2095, roasted coffee;
- ~~(34)~~ (39) 2096, potato chips and similar snacks;
- ~~(35)~~ (40) 2097, manufactured ice;
- ~~(36)~~ (41) 2098, macaroni and spaghetti; and
- ~~(37)~~ (42) 2099, food preparations, not elsewhere classified.

~~J~~ **K.** Textile mill products:

- ~~(1)~~ 2221, broad woven fabric mills, manmade;
- ~~(2)~~ (1) 2241, narrow fabric mills;
- ~~(3)~~ (2) 2252, hosiery, not elsewhere classified;
- ~~(4)~~ 2254, knit underwear mills;
- ~~(5)~~ (3) 2257, weft knit fabric mills;
- ~~(6)~~ (4) 2261, finishing plants, cotton;
- ~~(7)~~ (5) 2262, finishing plants, manmade;
- (6) 2269, finishing plants, not elsewhere classified;
- (7) 2282, throwing and winding mills;
- (8) 2295, coated fabrics, not rubberized;
- (9) 2296, tire cord and fabrics;
- (10) 2297, nonwoven fabrics;

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

- ~~(10)~~ (11) 2298, cordage and twine; and
- ~~(11)~~ (12) 2299, textile goods, not elsewhere classified.

~~K.~~ L. Apparel and other textile products:

- (1) ~~2324~~ 2311, men's and boys' ~~shirts~~ suits and coats;
- (2) 2322, men's and boys' underwear and nightwear;
- (3) 2323, men's and boys' neckwear;
- (4) 2325, men's and boys' trousers and slacks;
- (5) 2326, men's and boys' work clothing;
- (6) 2329, men's and boys' clothing, not elsewhere classified;
- ~~(6)~~ (7) 2353, hats, caps, and millinery;
- ~~(7)~~ (8) 2391, curtains and draperies;
- (9) 2392, house furnishings, not elsewhere classified;
- ~~(8)~~ (10) 2393, textile bags;
- (11) 2394, canvas and related products;
- ~~(9)~~ (12) 2396, automotive and apparel trimmings;
- ~~(10)~~ (13) 2397, schiffli machine embroideries; and
- ~~(11)~~ (14) 2399, fabricated textile products, not elsewhere classified.

~~L.~~ M. Lumber and wood products:

- (1) 2411, logging;
- (2) 2421, sawmills and planing mills, general;
- (3) 2426, hardwood dimension and flooring mills;
- (4) 2429, special product sawmills, not elsewhere classified;
- (5) 2431, millwork;
- (6) 2434, wood kitchen cabinets;
- (7) 2435, hardwood veneer and plywood;
- (8) 2436, softwood veneer and plywood;
- (9) 2439, structural wood members, not elsewhere classified;
- (10) 2441, nailed wood boxes and shook;
- (11) 2448, wood pallets and skids;
- (12) 2449, wood containers, not elsewhere classified;
- (13) 2451, mobile homes;
- (14) 2452, prefabricated wood buildings;
- (15) 2491, wood preserving;
- (16) 2493, reconstituted wood products; and
- (17) 2499, wood products, not elsewhere classified.

~~M.~~ N. Furniture and fixtures:

- (1) 2511, wood household furniture;
- (2) 2512, upholstered household furniture;
- (3) 2514, metal household furniture;
- (4) 2515, mattresses and bedsprings;
- (5) 2517, wood television and radio cabinets;
- (6) 2519, household furniture, not elsewhere classified;

- (7) 2521, wood office furniture;
- (8) 2522, office furniture, except wood;
- (9) 2531, public building and related furniture;
- (10) 2541, wood partitions and fixtures;
- (11) 2542, partitions and fixtures, except wood;
- (12) 2591, drapery hardware and blinds and shades; and
- (13) 2599, furniture and fixtures, not elsewhere classified.

O. Paper and allied products:

- (1) 2652, setup paperboard boxes;
- (2) 2653, corrugated and solid fiber boxes;
- (3) 2655, fiber cans, drums, and similar products;
- (4) 2656, sanitary food containers; and
- (5) 2657, folding paperboard boxes.

~~**N.**~~ **P.** Printing and publishing:

- (1) 2721, periodicals;
- (2) 2731, book publishing;
- (3) 2732, book printing;
- (4) 2741, miscellaneous publishing;
- (5) 2752, commercial printing, lithographic;
- (6) 2754, commercial printing, gravure;
- (7) 2759, commercial printing, not elsewhere classified;
- (8) 2761, manifold business forms;
- (9) 2771, greeting cards;
- (10) 2782, blankbooks and looseleaf binders;
- (11) 2789, bookbinding and related work;
- (12) 2791, typesetting; and
- (13) 2796, platemaking services.

~~**O.**~~ **Q.** Petroleum and coal products:

- (1) 2951, asphalt paving mixtures and blocks; and
- (2) 2952, asphalt felts and coatings.

~~**P.**~~ **R.** Rubber and miscellaneous plastics products:

- (1) 3011, tires and inner tubes;
- (2) 3021, rubber and plastics footwear;
- (3) 3052, rubber and plastics hose and belting;
- (4) 3053, gaskets, packing, and sealing devices;
- (5) 3061, mechanical rubber goods;
- (6) 3069, fabricated rubber products, not elsewhere classified;

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

- (7) 3081, unsupported plastics film and sheet;
- (8) 3082, unsupported plastics profile shapes;
- (9) 3083, laminated plastics plate and sheet;
- (10) 3084, plastics pipe;
- (11) 3085, plastics bottles;
- (12) 3086, plastics foam products;
- (13) 3087, custom compound purchased resins;
- (14) 3088, plastics plumbing fixtures; and
- (15) 3089, plastics products, not elsewhere classified.

~~Q. S.~~ Leather and leather products:

- (1) 3111, leather tanning and finishing;
- (2) 3131, footwear cut stock;
- (3) 3142, house slippers;
- (4) 3143, men's footwear, except athletic;
- (5) 3144, women's footwear, except athletic;
- (6) 3149, footwear, except rubber, not elsewhere classified; ~~and~~
- (7) 3151, leather gloves and mittens;
- (8) 3161, luggage;
- (9) 3171, women's handbags and purses; and
- (10) 3172, personal leather goods, not elsewhere classified.

~~R. T.~~ Stone, clay, and glass products:

- (1) 3211, flat glass;
- (2) 3221, glass containers;
- (3) 3229, pressed and blown glass, not elsewhere classified;
- (4) 3231, products of purchased glass;
- (5) 3241, cement, hydraulic;
- (6) 3251, brick and structural clay tile;
- (7) 3253, ceramic wall and floor tile;
- (8) 3255, clay refractories;
- (9) 3259, structural clay products, not elsewhere classified;
- (10) 3261, vitreous plumbing fixtures;
- (11) 3262, vitreous china table and kitchenware;
- (12) 3263, semivitreous table and kitchenware;
- (13) 3264, porcelain electrical supplies;
- (14) 3269, pottery products, not elsewhere classified;
- (15) 3271, concrete block and brick;
- (16) 3272, concrete products, not elsewhere classified;
- (17) 3273, ready-mixed concrete;
- (18) 3274, lime;
- (19) 3275, gypsum products;
- (20) 3281, cut stone and stone products;
- (21) 3291, abrasive products;

- (22) 3292, asbestos products;
- (23) 3295, minerals, ground or treated;
- (24) 3296, mineral wool;
- (25) 3297, nonclay refractories; and
- (26) 3299, nonmetallic mineral products, not elsewhere classified.

S. U. Primary metal industries:

- (1) 3312, blast furnaces and steel mills;
- (2) 3313, electrometallurgical products;
- (3) 3315, steel wire and related products;
- (4) 3316, cold finishing of steel shapes;
- (5) 3317, steel pipe and tubes;
- (6) 3321, gray and ductile iron foundries;
- (7) 3322, malleable iron foundries;
- (8) 3324, steel investment foundries;
- (9) 3325, steel foundries, not elsewhere classified;
- (10) 3331, primary copper;
- (11) 3334, primary aluminum;
- (12) 3339, primary nonferrous metals, not elsewhere classified;
- (13) 3341, secondary nonferrous metals;
- (14) 3351, copper rolling and drawing;
- (15) 3353, aluminum sheet, plate, and foil;
- (16) 3354, aluminum extruded products;
- (17) 3355, aluminum rolling and drawing, not elsewhere classified;
- (18) 3356, nonferrous rolling and drawing, not elsewhere classified;
- (19) 3357, nonferrous wire-drawing and insulating;
- (20) 3363, aluminum die castings;
- (21) 3364, nonferrous die casting except aluminum;
- (22) 3365, aluminum foundries;
- (23) 3366, copper foundries;
- (24) 3369, nonferrous foundries, not elsewhere classified;
- (25) 3398, metal heat treating; and
- (26) 3399, primary metal products, not elsewhere classified.

T. V. Fabricated metal products:

- (1) 3411, metal cans;
- (2) 3412, metal barrels, drums, and pails;
- (3) 3421, cutlery;
- (4) 3423, hand and edge tools, not elsewhere classified;

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

- (5) 3425, saw blades and handsaws;
- (6) 3429, hardware, not elsewhere classified;
- (7) 3431, metal sanitary ware;
- (8) 3432, plumbing fixture fittings and trim;
- (9) 3433, heating equipment, except electric;
- (10) 3441, fabricated structural metal;
- (11) 3442, metal doors, sash, and trim;
- (12) 3443, fabricated plate work (boiler shops);
- (13) 3444, sheet metal work;
- (14) 3446, architectural metal work;
- (15) 3448, prefabricated metal buildings;
- (16) 3449, miscellaneous metal work;
- (17) 3451, screw machine products;
- (18) 3452, bolts, nuts, rivets, and washers;
- (19) 3462, iron and steel forgings;
- (20) 3463, nonferrous forgings;
- (21) 3465, automotive stampings;
- (22) 3466, crowns and closures;
- (23) 3469, metal stampings, not elsewhere classified;
- (24) 3471, plating and polishing;
- (25) 3479, metal coating and allied services;
- (26) 3482, small arms ammunition;
- (27) 3483, ammunition, except for small arms, not elsewhere classified;
- (28) 3484, small arms;
- (29) 3489, ordnance and accessories, not elsewhere classified;
- ~~(26)~~ (30) 3491, industrial valves;
- ~~(27)~~ (31) 3492, fluid power valves and hose fittings;
- ~~(28)~~ (32) 3493, steel springs, except wire;
- ~~(29)~~ (33) 3494, valves and pipe fittings, not elsewhere classified;
- ~~(30)~~ (34) 3495, wire springs;
- ~~(31)~~ (35) 3496, miscellaneous fabricated wire products;
- ~~(32)~~ (36) 3497, metal foil and leaf;
- ~~(33)~~ (37) 3498, fabricated pipe and fittings; and
- ~~(34)~~ (38) 3499, fabricated metal products, not elsewhere classified.

~~U. W.~~ Industrial machinery and equipment:

- (1) 3511, turbines and turbine generator sets;
- (2) 3519, internal combustion engines not elsewhere classified;
- (3) 3523, farm machinery and equipment;
- (4) 3524, lawn and garden equipment;
- (5) 3531, construction machinery;
- (6) 3532, mining machinery;
- (7) 3533, oil and gas field machinery;

- (8) 3534, elevators and moving stairways;
- (9) 3535, conveyors and conveying equipment;
- (10) 3536, hoists, cranes, and monorails;
- (11) 3537, industrial trucks and tractors;
- (12) 3541, machine tools, metal cutting types;
- (13) 3542, machine tools, metal forming types;
- (14) 3543, industrial patterns;
- (15) 3544, special dies, tools, jigs, and fixtures;
- (16) 3545, machine tool accessories;
- (17) 3546, power-driven hand tools;
- (18) 3547, rolling mill machinery;
- (19) 3548, welding apparatus;
- (20) 3549, metalworking machinery, not elsewhere classified;
- (21) 3552, textile machinery;
- (22) 3553, woodworking machinery;
- (23) 3554, paper industries machinery;
- (24) 3555, printing trades machinery;
- (25) 3556, food products machinery;
- (26) 3559, special industry machinery, not elsewhere classified;
- (27) 3561, pumps and pumping equipment;
- (28) 3562, ball and roller bearings;
- (29) 3563, air and gas compressors;
- (30) 3564, blowers and fans;
- (31) 3565, packaging machinery;
- (32) 3566, speed changers, drives, and gears;
- (33) 3567, industrial furnaces and ovens;
- (34) 3568, power transmission equipment, not elsewhere classified;
- (35) 3569, general industrial machinery, not elsewhere classified;
- (36) 3581, automatic vending machines;
- (37) 3582, commercial laundry equipment;
- (38) 3585, refrigeration and heating equipment;
- (39) 3586, measuring and dispensing pumps;
- (40) 3589, service industry machinery, not elsewhere classified;
- (41) 3592, carburetors, pistons, rings, and valves;
- (42) 3593, fluid power cylinders and actuators;
- (43) 3594, fluid power pumps and motors
- (44) 3596, scales and balances, except laboratory; and

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

(45) 3599, industrial machinery, not elsewhere classified.

X. Electronic and Other Electric Equipment:

(1) 3671, electron tubes;

(2) 3672, printed circuit boards;

(3) 3674, semiconductors and related devices;

(4) 3675, electronic capacitors;

(5) 3676, electronic resistors;

(6) 3677, electronic coils and transformers;

(7) 3678, electronic connectors; and

(8) 3679, electronic components, not elsewhere classified.

~~W.~~ Y. Transportation equipment:

(1) 3711, motor vehicles and car bodies;

(2) 3713, truck and bus bodies;

(3) 3714, motor vehicle parts and accessories;

(4) 3715, truck trailers;

(5) 3716, motor homes;

(6) 3721, aircraft;

(7) 3724, aircraft engines and engine parts;

(8) 3728, aircraft parts and equipment, not elsewhere classified;

(9) 3731, ship building and repairing;

(10) 3732, boat building and repairing;

(11) 3743, railroad equipment;

(12) 3751, motorcycles, bicycles, and parts;

(13) 3761, guided missiles and space vehicles;

(14) 3764, space propulsion units and parts;

(15) 3769, space vehicle equipment, not elsewhere classified;

(16) 3792, travel trailers and campers;

(17) 3795, tanks and tank components; and

(18) 3799, transportation equipment, not elsewhere classified.

~~W.~~ Z. Miscellaneous manufacturing industries:

(1) 3911, jewelry, precious metal;

(2) 3914, silverware and plated ware;

(3) 3915, jewelers' materials and lapidary work;

(4) 3931, musical instruments;

(5) 3942, dolls and stuffed toys;

(6) 3944, games, toys, and children's vehicles;

(7) 3949, sporting and athletic goods, not elsewhere classified;

(8) 3951, pens and mechanical pencils;

(9) 3952, lead pencils and art goods;

(10) 3953, marking devices;

(11) 3955, carbon paper and inked ribbons;

(12) 3961, costume jewelry;

- (13) 3965, fasteners, buttons, needles, and pins;
- (14) 3991, brooms and brushes;
- (15) 3993, signs and advertising specialties;
- (16) 3995, burial caskets;
- (17) 3996, hard surface floor coverings, not elsewhere classified; and
- (18) 3999, manufacturing industries, not elsewhere classified.

AA. Local and interurban passenger transit:

- (1) 4111, local and suburban transit;
- (2) 4119, local passenger transportation, not elsewhere classified;
- (3) 4121, taxicabs;
- (4) 4131, intercity and rural bus transportation;
- (5) 4141, local bus charter service;
- (6) 4142, bus charter service, except local;
- (7) 4151, school buses; and
- (8) 4173, bus terminal and service facilities.

~~BB.~~ **BB. Trucking and warehousing:**

- (1) 4212, local trucking without storage;
- (2) 4213, trucking, except local;
- (3) 4214, local trucking with storage;
- (4) 4215, courier services, except by air;
- (5) 4221, farm product warehousing and storage;
- (6) 4222, refrigerated warehousing and storage;
- (7) 4225, general warehousing and storage;
- (8) 4226, special warehousing and storage, not elsewhere classified; and
- (9) 4231, trucking terminal facilities.

~~CC.~~ **CC. Water transportation:**

- (1) 4412, deep sea foreign transportation of freight;
- (2) 4424, deep sea domestic transportation of freight;
- (3) 4432, freight transportation on the Great Lakes;
- (4) 4449, water transportation of freight, not elsewhere classified;
- (5) 4481, deep sea passenger transportation, except ferry;
- (6) 4482, ferries;
- (7) 4489, water passenger transportation, not elsewhere classified;
- ~~(8)~~ (8) 4491, marine cargo handling;
- ~~(9)~~ (9) 4492, towing and tugboat service;
- ~~(10)~~ (10) 4493, marinas; and
- ~~(11)~~ (11) 4499, water transportation services, not elsewhere classified.

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

~~Z.~~ DD. Transportation by air:

- (1) 4512, air transportation, scheduled;
- (2) 4513, air courier services;
- (3) 4522, air transportation, nonscheduled; and
- (4) 4581, airports, flying fields, and services.

EE. Transportation services:

- (1) 4783, packing and crating;
- (2) 4785, inspection and fixed facilities; and
- (3) 4789, transportation services, not elsewhere classified.

~~AA.~~ FF. Electric, gas, and sanitary services:

- (1) 4911, electric services;
- (2) 4922, natural gas transmission;
- (3) 4923, gas transmission and distribution;
- (4) 4924, natural gas distribution;
- (5) 4925, gas production and/or distribution;
- (6) 4931, electric and other services combined;
- (7) 4932, gas and other services combined;
- (8) 4939, combination utilities, not elsewhere classified;
- (9) 4941, water supply;
- (10) 4952, sewerage systems;
- (11) 4953, refuse systems;
- (12) 4959, sanitary services, not elsewhere classified;
- (13) 4961, steam and air conditioning supply; and
- (14) 4971, irrigation systems.

~~BB.~~ GG. Wholesale trade, durable goods:

- (1) 5012, automobiles and other motor vehicles;
- (2) 5013, motor vehicle supplies and new parts;
- (3) 5014, tires and tubes;
- (4) 5015, motor vehicle parts, used;
- (5) 5031, lumber, plywood, and millwork;
- (6) 5032, brick, stone, and related materials;
- (7) 5033, roofing, siding, and insulation; and
- (8) 5039, construction materials, not elsewhere classified;
- ~~(9) 5082, construction and mining machinery;~~
- ~~(10) 5083, farm and garden machinery;~~
- ~~(11) 5084, industrial machinery and equipment;~~
- ~~(12) 5085, industrial supplies;~~
- ~~(13) 5087, service establishment equipment; and~~
- ~~(14) 5088, transportation equipment and supplies.~~

~~CC.~~ HH. Wholesale trade, nondurable goods:

- (1) 5111, printing and writing paper;
- (2) 5112, stationery and office supplies;

- (3) 5113, industrial and personal service paper;
- (4) 5122, drugs, proprietaries, and sundries;
- (5) 5131, piece goods and notions;
- (6) 5136, men's and boys' clothing;
- (7) 5137, women's and children's clothing;
- (8) 5139, footwear;
- (9) 5141, groceries, general line;
- (10) 5142, packaged frozen foods;
- (11) 5143, dairy products, except dried or canned;
- (12) 5144, poultry and poultry products;
- (13) 5145, confectionery;
- (14) 5146, fish and seafoods;
- (15) 5147, meats and meat products;
- (16) 5148, fresh fruits and vegetables;
- (17) 5149, groceries and related products, not elsewhere classified;
- (18) 5153, grain and field beans;
- (19) 5154, livestock;
- (20) 5159, farm-product raw materials, not elsewhere classified;
- (21) 5162, plastics materials and basic shapes;
- (22) 5169, chemicals and allied products, not elsewhere classified;
- (23) 5171, petroleum bulk stations and terminals;
- (24) 5172, petroleum products, not elsewhere classified;
- (25) 5181, beer and ale;
- (26) 5182, wine and distilled beverages;
- (27) 5191, farm supplies;
- (28) 5192, books, periodicals, and newspapers;
- (29) 5193, flowers and florists' supplies;
- (30) 5194, tobacco and tobacco products;
- (31) 5198, paints, varnishes, and supplies; and
- (32) 5199, nondurable goods, not elsewhere classified.

~~DD. Building materials and garden supplies:~~

- ~~(1) 5211, lumber and other building materials;~~
- ~~(2) 5231, paint, glass, and wallpaper stores;~~
- ~~(3) 5251, hardware stores;~~
- ~~(4) 5261, retail nurseries and garden stores; and~~
- ~~(5) 5271, mobile home dealers.~~

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

II. General merchandise stores:

- (1) 5311, department stores;
- (2) 5331, variety stores; and
- (3) 5399, miscellaneous general merchandise stores.

~~EE. JJ.~~ Food stores:

- (1) 5411, grocery stores;
- (2) 5421, meat and fish markets;
- (3) 5431, fruit and vegetable markets;
- (4) 5441, candy, nut, and confectionery stores;
- (5) 5451, dairy products stores;
- (6) 5461, retail bakeries; and
- (7) 5499, miscellaneous food stores.

~~FF. KK.~~ Automotive dealers and service stations:

- ~~(1) 5511, new and used car dealers;~~
- ~~(2) 5521, used car dealers;~~
- ~~(3) 5531, automotive and home supply stores;~~
- ~~(4) 5541, gasoline service stations;~~
- ~~(5) 5551, boat dealers;~~
- ~~(6) 5561, recreational vehicle dealers;~~
- ~~(7) 5571, motorcycle dealers; and~~
- ~~(8) 5599, automotive dealers, not elsewhere classified.~~

~~GG. LL.~~ Hotels and other lodging places:

- (1) 7011, hotels and motels;
- (2) 7021, rooming and boarding houses;
- (3) 7032, sporting and recreational camps;
- (4) 7033, trailer parks and campsites; and
- (5) 7041, membership-basis organization hotels.

~~HH.~~ Miscellaneous repair services:

- ~~(1) 7622, radio and television repair;~~
- ~~(2) 7623, refrigeration service and repair;~~
- ~~(3) 7629, electrical repair shops, not elsewhere classified;~~
- ~~(4) 7631, watch, clock, and jewelry repair;~~
- ~~(5) 7641, reupholstery and furniture repair;~~
- ~~(6) 7692, welding repair;~~
- ~~(7) 7694, armature rewinding shops; and~~
- ~~(8) 7699, repair services, not elsewhere classified.~~

~~H.~~ MM. Amusement and recreation services:

- ~~(1) 7911, dance studios, schools, and halls;~~
- ~~(2) (1) 7922, theatrical producers and services;~~
- ~~(3) (2) 7929, entertainers and entertainment groups;~~
- ~~(4) 7933, bowling centers;~~
- ~~(5) (3) 7941, sports clubs, managers, and promoters;~~

- ~~(6)~~ (4) 7948, racing, including track operation;
- ~~(7)~~ 7991, physical fitness facilities;
- ~~(8)~~ 7992, public golf courses;
- ~~(9)~~ 7993, coin-operated amusement devices;
- ~~(10)~~ 7996, amusement parks;
- ~~(11)~~ 7997, membership sports and recreation clubs; and
- ~~(12)~~ 7999, amusement and recreation, not elsewhere classified.

~~II~~ NN. Health services:

- (1) 8051, skilled nursing care facilities;
- (2) 8052, intermediate care facilities;
- (3) 8059, nursing and personal care, not elsewhere classified;
- (4) 8062, general medical and surgical hospitals;
- (5) 8063, psychiatric hospitals;
- (6) 8069, specialty hospitals, except psychiatric;
- (7) 8071, medical laboratories;
- (8) 8072, dental laboratories;
- ~~(7)~~ (9) 8082, home health care services;
- ~~(8)~~ (10) 8092, kidney dialysis centers;
- ~~(9)~~ (11) 8093, specialty outpatient clinics, not elsewhere classified; and
- ~~(10)~~ (12) 8099, health and allied services, not elsewhere classified.

~~KK~~ OO. Social services:

- (1) 8322, individual and family services;
- (2) 8331, job training and related services;
- (3) 8351, child day care services;
- (4) 8361, residential care; and
- (5) 8399, social services, not elsewhere classified.

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.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Division of Fisheries

Adopted Expedited Emergency Game and Fish Rules; Waters with Restrictions on Taking Fish; Designated Special Management Waters; Taking Fish on Minnesota-Canada Boundary Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 2, 97C.005, 97C.395, subdivision 1, and 97C.401, subdivision 1.

Dated: 25 April 2002

Allen Garber
Commissioner of Natural Resources

6262.0550 WATERS WITH RESTRICTIONS ON TAKING FISH.

Subpart 1. Treaty lakes. The commissioner may modify seasons and limits under *Minnesota Statutes*, sections 84.027, subdivision 13, or 97A.0451 to 97A.0459, to accommodate tribal declarations for fish harvest in the 1837 Ceded Territory in compliance with the court ruling in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S.Ct. 1187 (1999). Changes shall be posted at water access sites and the Department of Natural Resources Web site. The following waters have restrictions on the possession of fish:

A. Walleye 15-inch minimum size limits. All walleye in possession while on or fishing in the following waters must be 15 inches in length or greater. All walleye less than 15 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Ann Lake</u>	<u>T.40, R.25, S.25,26,35,36;</u> <u>T.40, R.24, S.29,30;</u> <u>T.39, R.25, S.2</u>	<u>Kanabec</u>
<u>Platte Lake</u>	<u>T.43, R.29, S.36;</u> <u>T.42, R.28, S.5,6</u>	<u>Crow Wing and</u> <u>Morrison</u>
<u>Sullivan Lake</u>	<u>T.42, R.28, S.6,7,18;</u> <u>T.42, R.29, S.1,11,12,13,14</u>	<u>Morrison</u>

B. Walleye 17-inch minimum size limits. All walleye in possession while on or fishing in the following waters must be 17 inches in length or greater. All walleye less than 17 inches in length must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Goose Lake</u>	<u>T.36, R.22, S.3,4,9,10,15;</u> <u>T.37, R.22, S.34</u>	<u>Chisago</u>
<u>Green Lake</u>	<u>T.33, R.20, S.7,18,19;</u> <u>T.33, R.21, S.12,13,23,</u> <u>24,25,26</u>	<u>Chisago</u>

C. Northern pike 24-inch to 36-inch protected slot limit. All northern pike in possession while on or fishing in the following waters must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Ogechie Lake</u>	<u>T.42, R.27, S.4,5,8;</u> <u>T.43, R.27, S.33</u>	<u>Mille Lacs</u>

Expedited Emergency Rules

D. Walleye 16-inch to 20-inch protected slot. All walleye in possession while on or fishing in the following waters must be less than 16 inches in length or greater than 20 inches in length. All walleye that are 16 to 20 inches in length, inclusive, must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Chisago Lake</u>	<u>T.33, R.20, S.5,6,7,8,17</u>	<u>Chisago</u>
<u>South Lindstrom Lake</u>	<u>T.33, R.20, S.4,5;</u> <u>T.34, R.20, S.32,33</u>	<u>Chisago</u>

Subp. 2. [See repealer.]

Subp. 3. [Expired.]

Subp. 4. [See repealer.]

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

Subp. 4. **Mille Lacs Lake special management regulations.**

A. While on or fishing in Mille Lacs Lake, the daily and possession limit for walleye is four. Except as provided in item B, all walleye in possession while on or fishing in Mille Lacs Lake must be from 14 inches to ~~20~~ 16 inches in length, inclusive. All walleye that are less than 14 inches or greater than ~~20~~ 16 inches in length must be immediately returned to the water. If at anytime after June 1, 2002, the projections for harvest and kill estimates for winter and open water fishing indicate that walleye harvest will not exceed the annual target of 300,000 pounds, then the size limit shall be changed to: except as provided in item B, all walleye in possession while on or fishing in Mille Lacs Lake must be from 14 inches to 17 inches in length, inclusive. All walleye that are less than 14 inches or greater than 17 inches in length must be immediately returned to the water. This new regulation shall be implemented five days after projections are calculated.

B. Notwithstanding item A, a person's possession limit may include one walleye over ~~26~~ 28 inches in length.

C. All northern pike in possession while on or fishing in Mille Lacs Lake must be less than ~~26~~ 24 inches or greater than 36 inches in length. All northern pike that are from ~~26~~ 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

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

G. While on or fishing in Mille Lacs Lake, the possession and daily limit for northern cisco (tullibee) is ten fish.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Mille Lacs</u>	<u>T.42-45, R.25-28,</u> <u>S. Various</u>	<u>Aitkin,</u> <u>Mille Lacs</u>

[For text of subps 5 to 18, see M.R.]

6266.0700 TAKING OF FISH ON MINNESOTA-CANADA BOUNDARY WATERS.

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

Subp. 2. **Species, seasons, and limits on Minnesota-Canada boundary waters.** Except as provided in part 6264.0300, subpart 56, the following applies to the species, seasons, and limits for taking fish on Minnesota-Canada boundary waters.

<u>Species</u>	<u>Open Season</u>	<u>Daily and Possession Limits</u>
A. Walleye and sauger		
(1) <u>All border waters not listed in subitems (2) to (5)</u>	Saturday two weeks prior to the Saturday of Memorial Day weekend through to April 14.	6 in the aggregate; except (i) Lake of the Woods, 14 in the aggregate, of which not more than 6 may be walleye; (ii) Rainy Lake, 12 in the aggregate, of which not more than 6 may be walleye and not more

Expedited Emergency Rules

		<p>than 1 over 19.5 inches; (iii) Rainy River, 6 in the aggregate, with not more than 1 walleye over 19.5 inches except from March 1 through April 14 2 in the aggregate and no walleye over 19.5 inches may be taken; and (iv) Saganaga Lake including Sea Gull River and Gull Lake, where the limit is 6 walleye with only 1 walleye over 19.5 inches.</p>
(2)	<p><u>Lake of the Woods</u></p>	<p><u>Saturday two weeks prior to the Saturday of Memorial Day weekend to November 30.</u></p> <p><u>December 1 to April 14.</u></p>
		<p><u>8 in the aggregate, of which not more than 6 may be walleye, and not more than 1 walleye over 19.5 inches may be taken daily.</u></p> <p><u>14 in the aggregate, of which not more than 6 may be walleye, and not more than 1 walleye over 19.5 inches may be taken daily.</u></p>
(3)	<p><u>Rainy Lake, including various Minnesota waters of Rainy Lake from the dam in International Falls to the dam in Kettle Falls and Black Bay, including Gold Portage</u></p> <p><u>Rat Root River and Rat Root Lake</u></p>	<p><u>Saturday two weeks prior to the Saturday of Memorial Day weekend to April 14.</u></p> <p><u>Saturday two weeks prior to the Saturday of Memorial Day weekend to the third Sunday in February.</u></p>
		<p><u>8 in the aggregate, of which not more than 4 may be walleye. See chapter 6264 for additional regulations.</u></p> <p><u>8 in the aggregate, of which not more than 4 may be walleye. See chapter 6264 for additional regulations.</u></p>

Expedited Emergency Rules

- | | | |
|--|---|--|
| (4) <u>Rainy River</u> | <u>Saturday two weeks prior to the Saturday of Memorial Day weekend to the last day in February.</u>
<u>March 1 to April 14.</u> | <u>6 in the aggregate, with not more than 1 walleye over 19.5 inches.</u>

<u>2 in the aggregate and no walleye over 19.5 inches may be taken.</u> |
| (5) <u>Saganaga Lake, including Sea Gull River and Gull Lake</u> | <u>Saturday two weeks prior to the Saturday of Memorial Day weekend to April 14.</u> | <u>6 walleye, with only 1 walleye over 19.5 inches.</u> |
| B <u>Sturgeon (minimum size 45 inches total length)</u> | <u>June 30 through May 15 July 1 to April 30.</u> | <u>1 per license year. All sturgeon in possession while on or fishing in Minnesota-Canada border waters must be from 45 inches to 55 inches in length, inclusive. All sturgeon that are less than 45 inches or greater than 55 inches in length must be immediately returned to the water.</u> |

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

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

REPEALER. The expedited emergency amendments to *Minnesota Rules*, part 6262.0550, subparts 2 and 4, published in the *State Register*, volume 25, page 1779, May 7, 2001, are repealed. The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 4, published in the *State Register*, volume 26, page 565, October 29, 2001, are repealed. The expedited emergency amendments to *Minnesota Rules*, part 6266.0700, subpart 2, published in the *State Register*, volume 25, page 1404, February 20, 2001, are repealed.

EFFECTIVE DATE. The expedited emergency amendments to *Minnesota Rules*, parts 6262.0550, 6264.0400, and 6266.0700, and the repealer are effective May 11, 2002.

Official Notices

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

Department of Health

Family Health Division

Minnesota Children with Special Health Needs (MCSHN)

MCSHN Cost-Sharing Schedule

The applicant's share is one percent of cost for each \$1000 or fraction of income above 60 percent of the State's gross median income for a household of the same size as the applicant's. The applicant's percent share is found on the schedule by looking under the number which corresponds with the number of members in the applicant's household shown on the far left of that income level. For each additional household "member greater than 10, add 3 percent to 144 percent for each additional household member and multiply the new percentage by the State's dollar" amount for four - person households.

Income Levels By Number of Members in Household 7/1/02-6/30/03

%	1	2	3	4	5
0	0 - 22013	0 - 28786	0 - 35559	0 - 42332	0 - 49105
1	22014 - 23013	28787 - 29786	35560 - 36559	42333 - 43332	49106 - 50105
2	23014 - 24013	29787 - 30786	36560 - 37559	43333 - 44332	50106 - 51105
3	24014 - 25013	30787 - 31786	37560 - 38559	44333 - 45332	51106 - 52105
4	25014 - 26013	31787 - 32786	38560 - 39559	45333 - 46332	52106 - 53105
5	26014 - 27013	32787 - 33786	39560 - 40559	46333 - 47332	53106 - 54105
6	27014 - 28013	33787 - 34786	40560 - 41559	47333 - 48332	54106 - 55105
7	28014 - 29013	34787 - 35786	41560 - 42559	48333 - 49332	55106 - 56105
8	29014 - 30013	35787 - 36786	42560 - 43559	49333 - 50332	56106 - 57105
9	30014 - 31013	36787 - 37786	43560 - 44559	50333 - 51332	57106 - 58105
10	31014 - 32013	37787 - 38786	44560 - 45559	51333 - 52332	58106 - 59105
11	32014 - 33013	38787 - 39786	45560 - 46559	52333 - 53332	59106 - 60105
12	33014 - 34013	39787 - 40786	46560 - 47559	53333 - 54332	60106 - 61105
13	34014 - 35013	40787 - 41786	47560 - 48559	54333 - 55332	61106 - 62105
14	35014 - 36013	41787 - 42786	48560 - 49559	55333 - 56332	62106 - 63105
15	36014 - 37013	42787 - 43786	49560 - 50559	56333 - 57332	63106 - 64105
16	37014 - 38013	43787 - 44786	50560 - 51559	57333 - 58332	64106 - 65105
17	38014 - 39013	44787 - 45786	51560 - 52559	58333 - 59332	65106 - 66105
18	39014 - 40013	45787 - 46786	52560 - 53559	59333 - 60332	66106 - 67105
%	6	7	8	9	10
0	0 - 55878	0 - 57148	0 - 58418	0 - 59688	0 - 60958
1	55879 - 56878	57149 - 58148	58419 - 59418	59689 - 60688	60959 - 61958
2	56879 - 57878	58149 - 59148	59419 - 60418	60689 - 61688	61959 - 62958
3	57879 - 58878	59149 - 60148	60419 - 61418	61689 - 62688	62959 - 63958
4	58879 - 59878	60149 - 61148	61419 - 62418	62689 - 63688	63959 - 64958

5	59879 - 60878	61149 - 62148	62419 - 63418	63689 - 64688	64959 - 65958
6	60879 - 61878	62149 - 63148	63419 - 64418	64689 - 65688	65959 - 66958
7	61879 - 62878	63149 - 64148	64419 - 65418	65689 - 66688	66959 - 67958
8	62879 - 63878	64149 - 65148	65419 - 66418	66689 - 67688	67959 - 68958
9	63879 - 64878	65149 - 66148	66419 - 67418	67689 - 68688	68959 - 69958
10	64879 - 65878	66149 - 67148	67419 - 68418	68689 - 69688	69959 - 70958
11	65879 - 66878	67149 - 68148	68419 - 69418	69689 - 70688	70959 - 71958
12	66879 - 67878	68149 - 69148	69419 - 70418	70689 - 71688	71959 - 72958
13	67879 - 68878	69149 - 70148	70419 - 71418	71689 - 72688	72959 - 73958
14	68879 - 69878	70149 - 71148	71419 - 72418	72689 - 73688	73959 - 74958
15	69879 - 70878	71149 - 72148	72419 - 73418	73689 - 74688	74959 - 75958
16	70879 - 71878	72149 - 73148	73419 - 74418	74689 - 75688	75959 - 76958
17	71879 - 72878	73149 - 74148	74419 - 75418	75689 - 76688	76959 - 77958
18	72879 - 73878	74149 - 75148	75419 - 76418	76689 - 77688	77959 - 78958

Minnesota Historical Society

State Review Board Regular Meeting

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on Tuesday, May 21, 2002, in the Cargill Commons, MacMillan Education Wing, Minnesota Historical Society History Center, St. Paul, Minnesota. The State Review Board will meet at 7:00 p.m. for an informational presentation on program activities made by the Preservation Office staff. The meeting will be called to order and consideration of the meeting's agenda will begin at 7:30 p.m. A sign language interpreter is available with one weeks notice, and auxiliary aids are available with two weeks notice. Call (651) 296-5434, or **TTY:** 1-800-627-3529. For further information contact the State Historic Preservation Office, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, (651) 296-5434.

Minnesota Pollution Control Agency

Public Notice of Intent to Issue for the National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit MN G640000

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) proposes to reissue the National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit MNG640000 (General Permit) to cover domestic water treatment facilities of Minnesota discharging filter backwash water to waters of the state. This General Permit will provide timely reissuance without the delay of individual permit issuance procedures and will cover approximately 40 facilities. The General Permit has a duration of approximately five years. The public comment period begins May 6, 2002, and ends at 4:30 p.m. on June 6, 2002.

The authority to develop and issue a general permit is based on the 1979 Environmental Protection Agency (EPA) promulgated revisions to the NPDES Program regulations, which created a class of permits called general permits. The general permits are issued under 40 CFR § 122.28 and *Minnesota Rules* 7001.0210. General permits can be issued in NPDES approved states if the approved state program includes general permit activities. The EPA approved the General Permit Program of the MPCA on December 15, 1987.

Official Notices

This general permit regulates the discharge resulting from domestic water treatment plants being operated in the state. Coverage under the general permit will only be authorized in cases where:

1. The discharge consists of filter backwash water from water treatment plants;
2. The facility must provide a detention time of at least 24 hours before the discharge of filter backwash water to the receiving water;
3. The discharge of filter backwash water to surface water, or to ground water indirectly through seepage will not have a significant impact on water quality;
4. The discharge is not a new discharge to an outstanding resource value water (ORVW);
5. Any chemical water softening treatment plants, such as lime, alum, ferric chloride, or zinc are excluded from this General Permit;
6. The discharge does not contain a contaminant not specifically limited in the permit; and
7. The discharge will not violate water quality standards contained in *Minnesota Rules* 7050, ground water quality standards (*Minnesota Rules* 7050.0220), or air emissions of toxic pollutants (*Minnesota Statute* § 116.081, subd. 4.A.).

The General Permit establishes effluent limitations, monitoring requirements, and other conditions on facilities, which discharge filter backwash water. General conditions, which are a part of all NPDES/SDS Permits, are included as part of this General Permit. The Commissioner's determination that the general permit should be reissued is tentative. Interested persons are invited to submit written comments upon the proposed permit action.

Comments should be submitted in writing to:

Ben L. Koplin, Metro District/Regular Facilities
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

Any comments received no later than the last day of the comment period will be considered in the formulation of final determinations.

A copy of the draft permit, fact sheet and public notice are available for review at the MPCA office at the St. Paul address listed below, and may be copied between 9:00 a.m. and 3:30 p.m., Monday through Friday. If you have questions or are requesting a copy of the draft permit, fact sheet and/or public notice, or the Commissioner's preliminary determination, please contact: Ben Koplin at (651) 296-7716 or toll free at 1-800-657-3864 or **email** at: ben.koplin@pca.state.mn.us

Minnesota Pollution Control Agency

Majors and Remediation Division

Minnesota Department of Agriculture

Agronomy and Plant Protection Division

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

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

Pursuant to *Minnesota Statutes* § 115B.17 (2000) and *Minnesota Rules* 7044.0950 (1999), the MPCA and MDA are proposing the following changes to the PLP.

The MPCA is proposing to delete the following seven sites (Sites) from the PLP: Pine Lane Sanitary Landfill, Chisago County; Bemidji Gas Manufacturing Site, Bemidji, Beltrami County; Burlington Northern Car Shop - Waite Park, Stearns County; Stillwater City Dump, Stillwater, Washington County; West River Parkway Site, Minneapolis, Hennepin County; Former White House Restaurant Site, Golden Valley, Hennepin County; and Control Data Corporation/Printed Circuits Operation, St. Louis Park, Hennepin County;

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

The Pine Lane Sanitary Landfill in County is a "qualified facility" under the Landfill Cleanup Act of 1994, as amended (Act). Under authority of the Act, the state of Minnesota, through the MPCA, will assume responsibility for any necessary response actions at a "qualified facility," and will be responsible for long-term maintenance of the facility. The MPCA assumes this responsibility after issuance of a Notice of Compliance (NOC) by the Commissioner of the MPCA. A NOC has been issued for this "qualified facility," therefore MERLA funded response actions would no longer be necessary at this particular Site, and deletion of the Site from the PLP is appropriate.

The MPCA and Burlington Northern & Santa Fe Railroad (BNSF) will be entering into a Consent Order for Long Term Operation & Maintenance activities at the Burlington Northern Car Shop Site. All of the remedial actions as outlined in the Record of Decision for this site have been completed. This Consent Order specifies requirements for BNSF to comply with in order for the selected remedy to remain protective of human health and the environment. One of the requirements is a deed restriction be placed on the property. Deed restrictions will also be in place at the Bemidji Gas Manufacturing Site, the Former White House Restaurant Site and the Stillwater Dump Site.

The MPCA is also proposing to delist the Dealers Manufacturing (Dealers) Site in Fridley, Anoka County, from the PLP. This delisting is contingent on the completion of response actions currently being implemented at the Site. An agreement between the MPCA and Dealers must also be in place, which specifies long term monitoring requirements. Should the required response actions not be completed and the agreement between the MPCA and Dealers not be in place, the MPCA will postpone delisting of the Site from PLP.

The MDA is proposing to add the following site to the PLP (Hazard Ranking Score assigned pursuant to *Minnesota Rules* 7044.0350 follows the site): Kettle River Company - Creosote Plant Site, Sandstone, Pine County (35.20). This site has been assigned to Response Action Classes C and D (see *Minnesota Rules* 7044.0450). The four response action classes are defined as follows: Class A - Declared Emergency; Class B - Response Actions Completed and Operation and Maintenance/Long-Term Monitoring Ongoing; Class C - Response Actions Necessary or in Progress or First Year Operation and Maintenance at a Site; and Class D - Remedial Investigations and Feasibility Studies (RI/FS) Necessary or in Progress.

The MPCA and MDA invite members of the public to submit written comments on these proposed changes to the PLP. All written comments with regard to these proposed changes must be received no later than **4:30 p.m., June 6, 2002**.

Written comments regarding the proposed MPCA deletions should be submitted to:

Gary L. Krueger
Superfund Section
Majors and Remediation Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Written comments regarding the proposed MDA addition should be submitted to:

Robert Anderson
Incident Response Unit
Agronomy and Plant Protection Division
Minnesota Department of Agriculture
90 West Plato Boulevard
St. Paul, Minnesota 55107-2094.

Any interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt the addition to and deletions from the PLP that have been proposed by the MPCA and MDA. To be considered timely, the petition must be received by the MPCA contact person, Gary L. Krueger, **by 4:30 p.m. on June 6, 2002**. The decision whether to adopt the proposed addition to and deletions from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed addition to and deletions from the PLP.

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

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

Karen A. Studders, Commissioner
Minnesota Pollution Control Agency

Gene Hugoson, Commissioner
Minnesota Department of Agriculture

Official Notices

Public Employees Retirement Association

Notice of Meeting of the Board of Trustees

A meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, May 9, 2002, at 9:30 a.m., in the PERA offices, 60 Empire Drive, Room 117, St. Paul, Minnesota. A **Legislative Committee Meeting** will be incorporated into the Regular Meeting of the Board of Trustees.

Department of Transportation

State Aid for Local Transportation Group

Petition of the City of Plymouth for a Variance from State Aid Procedural and Administrative Requirements

NOTICE IS HEREBY GIVEN that the Plymouth City Council has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.2800 Subpart 2, for a variance from rules as they apply to the construction of a new bridge on Chershire Lane (Municipal State Aid Route 164) in the City of Plymouth, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.2800, Subpart 2, adopted pursuant to *Minnesota Statutes* Chapters 161 and 162, as they apply to project SAP 155-164-009 construction of a bridge on Chershire Lane to allow the approval of construction plans after bids are open, in lieu of the required approval of construction plans by the State Aid Engineer prior to opening of contract bids.

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

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

Dated: 30 April 2002

Julie A. Skallman
State Aid Engineer
State Aid for Local
Transportation

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration, Materials Management Division web page (www.mmd.admin.state.mn.us) and access P/T Contracts.

Formal Requests for Proposals: Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Administration

Building Codes and Standards Division

Request for Proposals to Contract for Inspection Services

NOTICE IS HEREBY GIVEN that proposals are being solicited to provide Contract Inspection Services for construction projects involving public buildings and state licensed facilities in jurisdictions that do not have inspection agreements with the Department of Administration, Building Codes and Standards Division. Inspections are to be conducted in accordance with the Minnesota State Building Code. (*Minnesota Statutes* 16B.61 Subd. 1A and 16B.62 Subd. 1.) This Request for Proposals does not obligate the state to complete the contracts. Multiple contracts will be awarded. This will be a three-year contract.

- A. Proposals will be accepted from individuals only. Any firm or corporation submitting a proposals must stipulate a specific person to perform service(s) and his/her specific experience.
- B. "Public building" means a building and its grounds the costs of which is paid for by the state or a state agency regardless of its cost, and a school district building project the cost of which is \$100,000 or more. (*Minnesota Statute* 16B.60 Subd. 6).
- C. "State licensed facilities" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, or correctional facility.

For complete details and application information contact this division at the address listed below:

Peggi White, Business Manager
Building Codes and Standards Division
408 Metro Square Building
121 7th Place East
St. Paul, Minnesota 55101
Phone: (651) 296-4626 or **TTY** Minnesota Relay Service: (651) 297-5353
TTY Greater Minnesota Relay Service: 1-800-627-3529

PLEASE NOTE ONLY MS. WHITE IS AUTHORIZED TO ANSWER QUESTIONS. Responses to this request are due in the Building Codes and Standards Division offices by 3:30 p.m., on May 31, 2002.

Colleges and Universities

Rochester Community and Technical College

Exclusive Cold Beverage Partnership

The Rochester Community and Technical College (RCTC) is announcing a Request for Proposal (RFP) for an "Exclusive Cold Beverage Partnership".

RCTC is seeking proposals from qualified suppliers to provide and aggressively support the sale of specific beverages on our campus.

Vendors with questions or wanting to request the RFP should send a letter, fax or email the questions or the requesting of the copy of the RFP.

The RFP will need to be received in the Purchasing Office, EA135 no later than noon, Monday June 17, 2002.

All inquiries should be addressed to:

June Meitzner
Rochester Community and Technical College
851 30th Avenue S.E.
Rochester, MN 55904-4999
Phone: (507) 285-7213
Fax: (507) 285-7104
Email: june.meitzner@roch.edu

Minnesota Department of Employee Relations

Hazardous Materials Information Service Request for Proposal

The Minnesota Department of Employee Relations (DOER) seeks a two (2)-year contract with a Hazard Material Information Service. Extensions may be considered by the state on a year to year basis to a total maximum contract period of five (5) years. The vendor must be able to provide the following:

- Provide hazardous material information consultation and advice.
- Provide a 24 hour-a-day, 7 day-a-week toll free hotline.

State Contracts

- Provide and maintain Material Safety Data Sheet (MSDS) databases.
- Provide Right-to-Know training by an occupational toxicologist.
- Meet with personnel from the DOER periodically.
- Provide promotional material regarding the hazardous material information service.
- Provide information to Hazardous Materials Regional Response Team Program.
- Provide monthly data analysis of hazardous material information service use.

Services under this contract will begin July 1, 2002.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Prospective responders can call or write for a full paper copy of the RFP which will be sent free of charge to interested vendors. Please direct your request for a RFP or any questions to:

Todd A. Christenson, State Safety Program Coordinator
State Safety and Industrial Hygiene Unit
Minnesota Department of Employee Relations
Employee Insurance Division
Centennial Office Building, 2nd Floor
658 Cedar Street
St. Paul, MN 55155
Phone: (651) 297-3055
TTY: (651) 297-7959
Email: todd.christenson@state.mn.us

Other personnel are NOT allowed to discuss this RFP with responders or potential vendors. Contact regarding this RFP with any personnel not listed above may result in disqualification.

All proposals must be received not later than **2:00 p.m., local time, May 31, 2002**, in the manner specified in the RFP. **Late responses will not be considered.**

Department of Human Services

Brainerd Regional Human Services

Notice of Request for Proposals for Services: Clinical Nurse Specialist/Advanced Practice Nurse

The Brainerd Regional Human Services Center, a multi-purpose treatment facility serving multiple disability groups including children and adolescents, is seeking proposals for the following service:

1. **Clinical Nurse Specialist/Advanced Practice Nurse:** Contractor will provide advanced assessment and consultation for psychiatric inpatients and outpatients within scope of physician practice agreement. It is anticipated that majority of services will be directed to patients within BRHSC's Adolescent Behavioral Health Services program. (Cost estimate: up to \$91,520 per year).

A Standard state professional/technical contract will be utilized for these services.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Anticipated Term of Contract: June 1, 2002 through June 30, 2003.

Responses must be received by **2:30 p.m. on May 20, 2002.**

Direct inquiries to:

Gary Binsfeld
Brainerd Regional Human Services Center
11800 State Highway 18 East
Brainerd, MN 56401
Phone: (218) 828-6161
Email: *Gary.Binsfeld@state.mn.us*

Department of Public Safety

Office of Drug Policy and Violence Prevention

Request for Proposal - Grantee Technical Assistance and Training

The Minnesota Department of Public Safety, Office of Drug Policy and Violence Prevention, is requesting proposals to increase the capacity of youth-focused community crime prevention grantees to measure the impact of their programs. Services are to include the provision of technical assistance and training to approximately 35 grantees. The cost of the project is not to exceed \$60,000.00. The anticipated project period is July 1, 2002 - September 30, 2003. **Proposals are due by 2:30 p.m.**, Central Daylight Time on Friday, May 31, 2002. **Late proposals will not be considered.** To receive a copy of the complete Request for Proposal contact Tricia Hummel or download from the web site below.

Tricia Hummel
Department of Public Safety
444 Cedar Street, Suite 100
St. Paul, MN 55101
Phone: (651) 284-3323
Email: *tricia.hummel@state.mn.us*
Website: *www.dps.state.mn.us/drugpol*

All questions concerning this RFP should be in writing and must be submitted only to the above address no later than **2:30 p.m. Central Daylight Time on May 17, 2002**. All answers to questions will be published on our web site. This Request for Proposals does not obligate the State to complete the proposed project and the State reserves the right to cancel the solicitation if it is considered to be in the State's best interest. All expenses incurred in responding to this RFP shall be borne by the responder.

Department of Transportation

Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

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

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

Non-State Contracts & Grants

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

Metropolitan Council

Notice of Request for Proposals (RFP) for Architectural/Engineering Services L-65 Improvements

MCES Project Number 800705, Metropolitan Council Contract Number 02P047

The Metropolitan Council is requesting Architectural/Engineering Services proposals for facility planning, design and construction support services for the L-65 Improvements Project. This project includes the evaluation of the lift station components, design of the new lift station elements including a preliminary design of a new forcemain, and construction support services until project completion. The anticipated project schedule is shown below.

<i>Issue Request for Proposals</i>	May 10, 2002
<i>Site Visit</i>	May 21, 2002, 10:00 a.m.
<i>Receive Proposals</i>	June 14, 2002, 3:00 p.m.
<i>Evaluation of Proposals and Selection of Consultant</i>	June 27, 2002
<i>Notice to Proceed</i>	August 14, 2002
<i>Facility Plan Complete</i>	February 2003
<i>Design Complete</i>	December 2003
<i>Award Construction Contract</i>	March 2004
<i>Construction Complete</i>	December 2005

All firms interested in being considered for this project and desiring to receive a RFP package are invited to submit a Letter of Interest to:

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

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

Metropolitan Council – Metro Transit

Request for Sealed Bids for Bus Shelters

The Metropolitan Council is soliciting sealed bids for Metro Transit's Bus Shelters. Bids are due at **2:00 p.m., on May 30, 2002**. Bids must be submitted in accordance with the invitation for Bids document available from:

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

Metropolitan Council – Metro Transit

Sealed Bids Sought for Secondary Power Connections

The Metropolitan Council is soliciting sealed bids for Secondary Power Connections. This purchase will provide the Council with equipment necessary to connect portable generators at each Metro Transit operating facility. Bids are due at **2:00 p.m., on May 31, 2002.**

Bids must be submitted in accordance with the Invitation for Bids document available from:

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

University of Minnesota

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

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

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

Available at Minnesota Bookstore

Order form on back page

From Rockford Publishing and Cloud Cartographics, these county plat map books are great for the hunter/adventurer or the prospective land owner seeking property sites. Includes key county government offices as well as an alphabetized business directory, city maps and an index to owners.

COUNTY	Stock No./Price	COUNTY	Stock No./Price
Aitkin County	12-66 \$35.00	Lake County	12-28 \$30.00
Becker County	12-79 \$30.00	Meeker County	12-29 \$30.00
Beltrami County	12-67 \$30.00	Mille Lacs County	12-30 \$30.00
Blue Earth County	12-20 \$25.00	Morrison County	12-31 \$30.00
Carlton County	12-68 \$30.00	Otter Tail County	12-33 \$30.00
Carver County	12-21 \$30.00	Pine County	12-73 \$40.00
Cass County	12-22 \$30.00	St. Louis Co. (North)	12-74 \$35.00
Chisago County	12-23 \$30.00	St. Louis Co. (South)	12-75 \$35.00
Cook County	12-24 \$25.00	Scott County	12-40 \$25.00
Crow Wing County	12-70 \$30.00	Sherburne County	12-41 \$30.00
Dakota County	12-80 \$35.00	Stearns County	12-42 \$25.00
Douglas County	12-81 \$30.00	Steele County	12-43 \$25.00
Fillmore County	12-25 \$30.00	Todd County	12-44 \$30.00
Freeborn County	12-78 \$25.00	Wabasha County	12-82 \$40.00
Hubbard County	12-71 \$30.00	Wadena County	12-46 \$30.00
Isanti County	12-26 \$30.00	Winona County	12-77 \$30.00
Itasca County	12-76 \$35.00		
Kanabec County	12-27 \$30.00		
Koochiching County	12-72 \$35.00		

Visit our website:
minnesotasbookstore.com

Attention Hunters!
Plat Maps

Minnesota's Bookstore offers the **most comprehensive selection of Minnesota plat map books currently available.**

651.297.3000
 800.657.3757
 Mon-Fri
 8am-5pm

