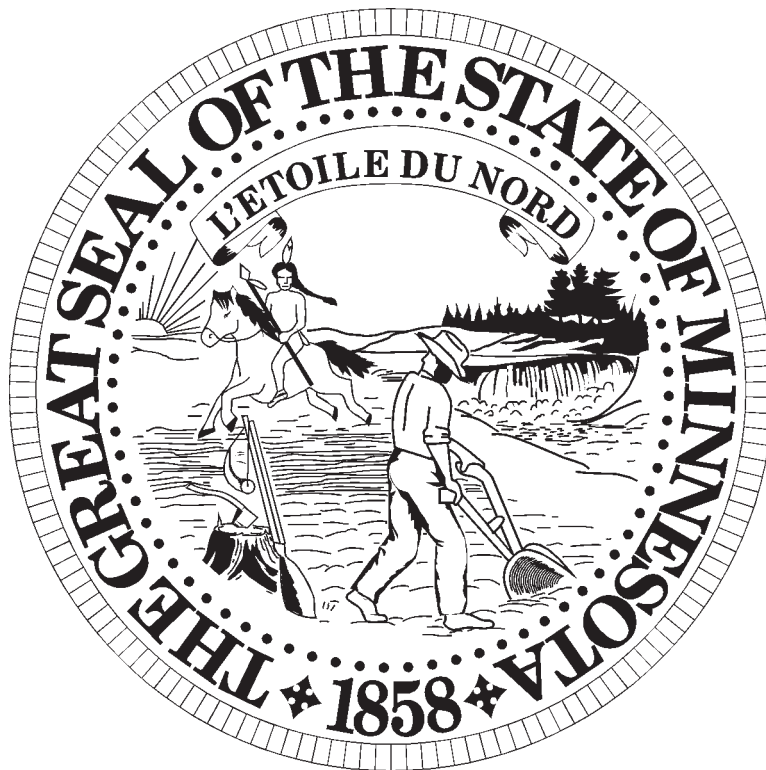


State of Minnesota

State Register



**Rules, Executive Orders, Appointments,
Commissioners' Orders, Revenue Notices, Official Notices, Grants,
State Contracts & Loans, Non-State Bids, Contracts & Grants**
Published every Monday (Tuesday when Monday is a holiday)

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State Register

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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:

- rules of state agencies
- commissioners' orders
- state grants and loans
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- contracts for professional, technical and consulting services
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# 36	Monday 3 March	Noon Tuesday 26 February	Noon Wednesday 20 February
# 37	Monday 10 March	Noon Tuesday 4 March	Noon Wednesday 27 February
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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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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

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

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Minnesota Pollution Control Agency Municipal Division - Local Government Assistance Unit Proposed Permanent Rules Relating to Solid Waste Planning

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Amendments to the Rules Governing the Development, Adoption and Implementation of Solid Waste Management Plans in Greater Minnesota, *Minnesota Rules*, Parts 9215.0500 to 9215.0880, Repealing Parts 9215.0570 & 9215.0810

Introduction. The Minnesota Pollution Control Agency (MPCA) intends to adopt amendments to rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until 4:30 p.m. on March 26, 2008.

MPCA Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Hank Fisher at the Minnesota Pollution Control Agency, 525 Lake Avenue South, Suite 400, Duluth, Minnesota, 55802. Telephone: (218) 529-6265 or 1-800-657-3861; Fax: (218) 723-4727, E-mail: henry.fisher@pca.state.mn.us

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<mailto:henry.fisher@pca.state.mn.us>. TTY users may call the MPCA teletypewriter at 651-282-5332.

Subject of Rules. The proposed amendments are to MPCA rules governing the development, adoption and implementation of solid waste management plans in greater Minnesota. The current solid waste management planning rules were adopted in 1986 and subsequently amended in 1992. Since then, county solid waste management systems have matured, making some of the existing rule requirements obsolete and not as effective as they could be. In 2003, the Legislature revised *Minnesota Statutes* § 115A.46 changing the requirement that counties submit a solid waste management plan at least every 5 years to every 10 years. Another change is the addition of the following language: “[r]ules that regulate plan content under [*Minnesota Statutes* § 115A.46] subdivision 2 must reflect demographic, geographic, regional, and solid waste system differences that exist among the counties.” This latter amendment is the principal reason for repealing *Minnesota Rules* pts. 9215.0570 & 9215.0810 because they required the planning entity to analyze and explore alternative technologies to landfilling such as solid waste incineration or mixed municipal solid waste composting regardless of expense and practical application given existing demographic, geographic, regional and solid waste system constraints. As such, the existing rule has been, for some, very burdensome creating an unnecessary step in the planning process.

These proposed rule amendments also reflect current solid waste management practices; eliminate rule requirements that are redundant or no longer needed; encourage regional planning where viable and beneficial to those counties involved; and provide counties more flexibility in choosing waste abatement strategies and integrated solid waste management systems that reflect demographic, geographic, regional and solid waste system differences that exist in greater Minnesota.

Statutory Authority. The MPCA’s statutory authority to adopt and implement these rule revisions is set forth in various sections. *Minnesota Statutes* § 115A.42 provides, “The program under sections 115A.42 to 115A.46 is administered by the commissioner pursuant to rules promulgated under chapter 14, except in the metropolitan area where the program is administered by the commissioner pursuant to section 473.149. *Minnesota Statutes* § 115A.06, subd. 2, authorizes the commissioner to “promulgate rules in accordance with chapter 14 to implement this chapter.” In addition, *Minnesota Statutes* § 116.07, subd. 4, provides:

Pursuant and subject to the provisions of chapter 14, and the provisions hereof, the Pollution Control Agency may adopt, amend and rescind rules and standards having the force of law relating to any purpose within the provisions of *Laws 1969*, chapter 1046, for the collection, transportation, storage, processing, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution.

Under these statutes, the MPCA has the necessary authority to adopt the proposed rule amendments (revisions). All statutory authority was adopted and effective before January 1, 1996, therefore *Minnesota Statutes* § 14.125 does not apply.

Rule Availability. The proposed changes to *Minnesota Rules*, parts 9215.0500 to 9215.0880, are published in the State Register or they can be viewed on the MPCA Web site at <http://www.pca.state.mn.us/oea/lc/rulechange.cfm>. A free copy of the proposed rules is available upon request by contacting Hank Fisher at (218) 529-6265 or 1-800-657-3861, by mail at the address stated above in the MPCA Contact Person section of this Notice, or by E-mail: henry.fisher@pca.state.mn.us <mailto:henry.fisher@pca.state.mn.us>. Only one copy will be sent per request.

Comments. You have until 4:30 p.m. on March 26, 2008 to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comments must be in writing and received by the MPCA contact person by the due date. Comments are encouraged. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that MPCA hold a hearing on the rules. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on March 26, 2008. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the MPCA will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25,

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

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

Modifications. The MPCA may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the MPCA encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness (SONAR) contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The SONAR is now available from the MPCA Contact Person, Hank Fisher. You may review or obtain copies of the SONAR at the cost of reproduction by contacting Hank Fisher at the telephone number, mailing address, and Email address listed in the MPCA Contact Person section of this Notice. In addition, the SONAR can be viewed on the MPCA Web site at <http://www.pca.state.mn.us/oea/lc/rulechange.cfm>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

Request to Have the MPCA Citizens' Board Make the Decision on Adoption of the Rules if No Hearing is Required. If a hearing is required, the MPCA Citizens' Board will make the final decision on whether to adopt the proposed rules. However, even if a hearing is not required, you may submit a request to the MPCA Commissioner or an MPCA Citizens' Board member to have the MPCA Citizens' Board make the decision on whether to adopt the proposed rule amendments. Your request must be in writing, must state to whom it is directed, and must be received by the MPCA contact person by 4:30 p.m. on March 26, 2008. Under *Minnesota Statutes* § 116.02, when a public hearing is not required, the MPCA Citizens' Board will only make the decision on adoption of the rules if the MPCA Commissioner grants your request or if an MPCA Citizens' Board member makes a timely request that the decision be made by the MPCA Citizens' Board.

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

Dated: January 10, 2008

Brad Moore, Commissioner
Minnesota Pollution Control Agency

9215.0500 PURPOSE.

The purpose of this chapter is to:

A. establish requirements for the preparation and implementation of solid waste management plans, ~~plan updates~~, and plan amendments by counties and solid waste management districts and multicounty areas outside of the seven-county metropolitan area. The plans, ~~plan updates~~, and plan amendments must be approved by the Pollution Control Agency;

B. encourage regional planning; and

C. reflect demographic, geographic, regional, and solid waste system differences that exist among the counties.

9215.0510 DEFINITIONS.

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

Subp. 3a. Construction debris. "Construction debris" has the meaning given under *Minnesota Statutes*, section 115A.03, subdivision 7.

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

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Subp. 5. **Demolition debris.** “Demolition debris” means solid waste resulting from the demolition of buildings, roads, and other ~~artificial~~ structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos wastes.

[For text of subps 6 to 8, see M.R.]

Subp. 8a. **Electronic products.** “Electronic products” means devices containing complex circuitry, circuit boards, or signal processing capabilities for processing or displaying information. Electronic products include, but are not limited to, computer monitors, computers, televisions, photocopiers, facsimile machines, video monitors and equipment, telephones and telecommunications equipment, cordless rechargeable appliances, and audio equipment.

Subp. 8b. **Feasible.** “Feasible” refers to an alternative that is consistent with sound engineering and environmental practices, is economically affordable, is legally possible, and has supportive governance that can be successfully put into practice to accomplish the task.

Subp. 8c. **Integrated solid waste management system.** “Integrated solid waste management system” means a solid waste management system that is composed of some or all of the preferred solid waste management practices under *Minnesota Statutes*, section 115A.02.

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

Subp. 11a. **Motor vehicle fluids.** “Motor vehicle fluids” means motor oil, brake fluid, power steering fluid, transmission fluid, or antifreeze.

Subp. 11b. **Multicounty area.** “Multicounty area” means a geographical area consisting of two or more counties, all of which are outside the metropolitan area.

[For text of subps 12 to 14, see M.R.]

Subp. 15. **Plan amendment.** “Plan amendment” means a document that is submitted to the Minnesota Pollution Control Agency by a county ~~or~~, district, or multicounty area when required by this chapter.

Subp. 16. [See repealer.]

Subp. 16a. **Prudent.** “Prudent” refers to an alternative that is selected with care and sound judgment.

[For text of subps 17 to 21, see M.R.]

Subp. 21a. **Source-separated compostable materials.** “Source-separated compostable materials” has the meaning given under *Minnesota Statutes*, section 115A.03, subdivision 32a.

Subp. 21b. **Source-separated organic materials.** “Source-separated organic materials” has the same meaning as source-separated compostable materials.

[For text of subps 22 to 24, see M.R.]

9215.0520 APPLICABILITY.

This chapter applies to all counties ~~and~~, districts, and multicounty areas outside of the metropolitan area.

9215.0530 OBLIGATIONS OF COUNTIES ~~AND~~, DISTRICTS, ~~AND~~ MULTICOUNTY AREAS.

Subpart 1. **Implementation.** Each county ~~or~~, district, or multicounty area shall maintain and implement a solid waste management plan that has been approved by the agency.

Subp. 2. **Sanctions.** A county ~~or~~, district, or multicounty area that fails to gain approval and maintain and implement an approved solid waste management plan is in violation of *Minnesota Statutes*, section 115A.46, and this chapter.

9215.0540 CONTENTS OF PLANS, ~~UPDATES~~, AND AMENDMENTS.

County ~~and~~, district, or multicounty area solid waste management plans, including ~~updates and~~ amendments, when necessary, must describe solid waste management programs for a ten-year period immediately following plan approval and must contain the information

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required by parts 9215.0550 to 9215.0790. A plan must reflect demographic, geographic, regional, and solid waste system differences that exist among the counties.

9215.0550 EXECUTIVE SUMMARY.

A plan must include an executive summary that provides an overview of the county's or, district's, or multicounty area's integrated solid waste management system proposed in the plan.

9215.0560 BACKGROUND INFORMATION.

Subpart 1. **Scope.** A plan must contain narrative descriptions and numeric estimates described in this part that identify demographic, geographic, and regional characteristics that exist within each county, district, or multicounty area.

Subp. 2. **Demographic, geographic, and regional information.** The plan must include demographic, geographic, and regional information that relates to or directly to impacts the generation or management of solid waste in the county or, district, including current population distribution, population projections for the next ten years, land use, employment, local economic conditions, and median household income, or multicounty area, to include:

A. current population distribution and population projections for the next ten years;

B. current and projected land use patterns;

C. current and projected employment and wages;

D. local and regional economic conditions and median household income; and

E. a summary of demographic, geographical, and regional constraints and opportunities that either have impacted or may impact the existing or proposed integrated solid waste management system.

Subp. 3. **Solid waste collection and generation.** The plan must include the following solid waste collection and generation information:

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

E. a description of the composition of the overall solid waste generated in the county or, district, or multicounty area; and

F. an estimate of the annual percentage of solid waste from residential and commercial/industrial waste generators; and

G. a summary of solid waste collection and generation constraints and opportunities that either have impacted or may impact the existing or proposed integrated solid waste management system.

Subp. 4. **Construction and demolition debris.** The plan must include an estimate of the quantity of construction and demolition debris generated annually in the county or, district, or multicounty area.

Subp. 5. **Major solid waste generators.** The plan must include identification of the major commercial, industrial, and institutional solid waste generators in the county or, district, or multicounty area, including estimates of the volumes and types of solid waste generated annually.

Subp. 6. **Solid waste planning history.** The plan must describe the history of solid waste planning in the county or, district, or multicounty area for the previous five years and must:

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

9215.0575 EXISTING INTEGRATED SOLID WASTE MANAGEMENT SYSTEM.

Subpart 1. **Content.** The plan must include an overview described in this part on the existing integrated solid waste management system in the county, district, or multicounty area.

Subp. 2. **Existing system.** The county, district, or multicounty area shall describe in summary form its existing integrated solid waste management system, to include:

A. policy and goals;

B. the history of the development of the system to the present;

C. a description of existing resource recovery programs or facilities presently in use;

D. a description of land disposal facilities in use;

E. the costs associated with operating and maintaining the system; and

F. a summary of the achievements, opportunities, challenges, or problems with the existing system, including, but not limited to,

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market and economic conditions, availability of resource recovery programs or facilities, and the availability of local and state funding resources.

9215.0577 PROPOSED INTEGRATED SOLID WASTE MANAGEMENT SYSTEM.

Subpart 1. **Content.** The plan or plan amendment must include information described in this part on the proposed integrated solid waste management system that will be developed and implemented in the county, district, or multicounty area. Each system shall be designed to achieve the most feasible and prudent reduction in the need for and practice of land disposal of mixed municipal solid waste.

Subp. 2. **Goals.** The county, district, or multicounty area shall develop and describe the goals of its proposed integrated solid waste management system over the ten-year planning period. The goals shall be consistent with the policy contained in *Minnesota Statutes*, section 115A.02, paragraph (a).

Subp. 3. **Objectives.** The county, district, or multicounty area shall describe the specific and quantifiable means, including policies and programs, that will be implemented to achieve the goals developed and described under subpart 2. Means or methods to be used are described in parts 9215.0580 to 9215.0700.

Subp. 4. **Landfill disposal system.** Systems, plans, or plan amendments proposing land disposal as the primary management method must include a description of the technical, financial, demographic, geographic, regional, and solid waste system constraints or barriers that limit the county's, district's, or multicounty area's ability to achieve greater independence from land disposal. The information must demonstrate that there are no solid waste system alternatives that are more feasible and prudent than the proposed land disposal system.

9215.0580 SOLID WASTE REDUCTION.

Subpart 1. **Content.** The plan must include the information on solid waste reduction programs and practices in the county or district, or multicounty area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the solid waste reduction policies and goals established by the county, district, or multicounty area including the annual amount or quantity of solid waste to be reduced.

Subp. 3. **Existing solid waste reduction practices.** The plan must describe existing public and private sector solid waste reduction programs in place in the county or district, or multicounty area.

Subp. 4. **Specific ~~solid waste reduction~~ programs to be developed.** The plan must describe ~~the any new or existing~~ solid waste reduction programs that the county or district, or multicounty area proposes to maintain, expand, or implement in the next ten years, including the responsible persons and annual staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must identify annual costs that will be incurred by the county or district, or multicounty area in implementing and managing solid waste reduction programs.

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

9215.0590 SOLID WASTE EDUCATION.

Subpart 1. **Content.** The plan must include the information regarding the solid waste education programs and practices in the county or district, or multicounty area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the solid waste education policies and goals that the county or district, or multicounty area has established and must describe the promotional program that includes publishing quarterly articles pursuant to *Minnesota Statutes*, section 115A.552, subdivision 3, paragraph (a).

Subp. 3. **Existing solid waste education practices.** The plan must describe existing public and private sector solid waste education programs including solid waste education providers and annual financial and staff commitment in the county or district, or multicounty area.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ solid waste education programs that the county or district, or multicounty area proposes to maintain, expand, or implement, including the responsible persons and estimated staff time necessary to implement and manage each program.

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Subp. 5. **Program budget.** The plan must include the projected annual costs incurred by the county ~~or~~ district, or multicounty area for implementing and managing the solid waste education program, including staff time, advertising or publicity materials, and other associated costs, and annual costs for the next ten years.

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

9215.0600 RECYCLING.

Subpart 1. **Content.** The plan must include the information on the recycling programs and practices in the county ~~or~~ district, or multicounty area described in this part.

Subp. 2. **Policies and goals.** The plan must contain a description of the recycling goals and policies that the county ~~or~~ district, or multicounty area has established to meet or exceed the recycling goal requirements in *Minnesota Statutes*, section 115A.551, subdivision 2, the opportunity to recycle requirements in *Minnesota Statutes*, section 115A.552, and the organized collection requirements of *Minnesota Statutes*, section 115A.94, if a county has organized collection.

Subp. 3. **Existing recycling practices.** The plan must:

A. describe the existing public and private sector recycling system in the county ~~or~~ district, or multicounty area, including collection, processing, and marketing, including the number of haulers operating in the county ~~or~~ district, or multicounty area and collection or processing facilities used by haulers in the county ~~or~~ district, or multicounty area; and

B. identify the annual recycling tonnages collected, processed, and marketed by sector or program, for the last ~~two~~ five years, if available, the county's annual financial and staff commitment, and local market conditions for recyclable materials.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ recycling programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years. The description shall include the annual recycling tonnages to be collected, processed, and marketed and the responsible persons and estimated annual staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~ district, or multicounty area in implementing and managing recycling programs over the next ten years, including itemized capital and operating costs such as staff time, land, buildings, equipment, redemption costs, and other associated costs.

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

9215.0610 YARD WASTE PROGRAMS.

Subpart 1. **Content.** The plan must include the information on the yard waste management programs and practices in the county ~~or~~ district, or multicounty area described in this part.

Subp. 2. **Policies and goals.** The plan must:

A. contain a description of the yard waste separation and composting goals and policies that the county ~~or~~ district, or multicounty area has established;

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

Subp. 3. **Existing yard waste management programs.** The plan must describe existing public and private sector yard waste management programs in the county ~~or~~ district, or multicounty area. The plan must also include an estimated level of backyard composting, the yard waste collection system including licensed haulers, if any; number of county, district, and municipal composting sites; tonnages collected for the last ~~two~~ five years, if available; the county's ~~or~~ district's, or multicounty area's financial and staff commitment; and local market conditions for finished yard waste compost.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ yard waste programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the annual yard waste tonnage to be collected, processed, and marketed and the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~ district, or multicounty area in implementing and managing yard waste programs over the next ten years, including itemized capital and operating costs.

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

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Subp. 7. **Environmental risks impacts of yard waste management.** The plan must briefly describe any odor problems, leachate generation, or other impacts of yard waste management that have occurred in the county or district, or multicounty area.

9215.0615 SOURCE-SEPARATED ORGANIC MATERIALS COMPOSTING.

Subpart 1. **Content.** Counties, districts, or multicounty areas proposing to develop, implement, or use source-separated organic materials composting programs must include in the plan information on the source-separated organic materials composting programs that are being used or proposed to be used to manage all or a portion of the organic materials generated in the county, district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the county, district, or multicounty area goals and policies on source-separated organic materials composting.

Subp. 3. **Existing source-separated organic materials composting programs.** The plan must contain a description of the existing collection system used to collect source-separated organic materials, the amount and types of source-separated organic material collected annually, the generators of the material, the location of the composting facility, the composting methods employed, the financial and staff commitment, and the finished compost marketing efforts.

Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts. The plan must include a proposed course of action to alleviate those impacts. For existing facilities, the results of compost testing must be used to evaluate the quality of the finished compost and propose methods to reduce contaminant levels. The plan must include a history of the results of inspections and monitoring by the appropriate state regulatory agency and an assessment of the operational safety at the facility during the past five years.

Subp. 5. **Specific programs to be developed.** The plan must describe any new or existing source-separated organic materials composting programs that the county, district, or multicounty area proposes to maintain, expand, or implement in the next ten years, including a description of the proposed collection system used to collect source-separated organic materials, the amount and types of source-separated organic material to be collected annually, the generators of the material, the location of the proposed composting facility, the composting methods to be employed, the finished compost marketing strategy, and the responsible persons and estimated annual staff time necessary to implement and manage the programs.

Subp. 6. **Program budget.** The plan must estimate the annual cost to be incurred by the county, district, or multicounty area in implementing and maintaining source-separated organic materials composting programs, including itemized capital, operating, and maintenance costs.

Subp. 7. **Schedule of implementation.** The plan must include a schedule for implementation of the proposed source-separated organic materials composting programs described in this part.

9215.0620 MIXED MUNICIPAL SOLID WASTE COMPOSTING.

Subpart 1. **Content.** The plan must include the information in this part on mixed municipal solid waste composting facilities if used or proposed to be used to manage all or a portion of the county's or district's mixed municipal solid waste. Counties, districts, and multicounty areas proposing to develop, implement, or use mixed municipal solid waste composting must include in the plan information described in this part.

Subp. 2. **Policies and goals.** The plan must describe the county's or district's, or multicounty area's goals and policies on mixed municipal solid waste composting.

Subp. 3. **Existing mixed municipal solid waste composting facilities.** The plan must:

A. describe the mixed municipal solid waste composting facility or facilities where the county's or district's, or multicounty area's mixed municipal solid waste is managed; and

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

Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts and propose a course of action to alleviate those impacts. The plan must include results of compost testing, results of inspection and monitoring by the appropriate state regulatory agency, and assessment of operational safety at the facility during the

past ~~two~~ five years.

Subp. 5. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ mixed municipal solid waste composting facilities and programs that the county ~~or~~, district, or multicounty area proposes to maintain, expand, implement, or participate in during the next ten years, including the annual amount or quantity of waste to be composted and the responsible persons and estimated staff time necessary to implement ~~or and~~ manage each program.

Subp. 6. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~, district, or multicounty area in implementing and maintaining the mixed municipal solid waste composting programs during the next ten years, including itemized capital and operating costs.

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

9215.0630 SOLID WASTE INCINERATION AND ENERGY RECOVERY.

Subpart 1. **Content.** ~~The plan must include the information in this part on solid waste incineration and energy recovery facilities if used or proposed to be used to manage all or a part of the county's or district's mixed municipal solid waste. Counties, districts, and multicounty areas proposing to develop, implement, or use solid waste incineration and energy recovery must include in the plan information described in this part.~~

Subp. 2. **Policies and goals.** The plan must describe the county's ~~or~~, district's, or multicounty area's goals and policies on solid waste incineration and energy recovery.

Subp. 3. **Existing solid waste incineration and energy recovery facilities.** The plan must:

A. describe the facility or facilities where the county's ~~or~~, district's, or multicounty area's mixed municipal solid waste is or will be managed; and

B. include information on the operational history, removal of problem wastes, facility management, volumes managed for the past ~~two~~ five years, and energy marketing.

Subp. 4. **Environmental and public health impacts.** The plan must consider and evaluate known and potential environmental and public health impacts and propose a course of action to alleviate those impacts. The plan must include results of ash and emissions testing, results of inspection and monitoring by the appropriate state regulatory agency, and assessment of operational safety at each facility during the past ~~two~~ five years. The plan must include the plans and programs for reducing the toxicity and quantity of incinerator ash.

Subp. 5. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ energy recovery facilities and programs that the county ~~or~~, district, or multicounty area proposes to maintain, expand, implement, or participate in during the next ten years, including the annual amount or quantity of waste to be incinerated, energy and recyclables to be recovered, and the responsible persons and estimated staff time necessary to implement ~~or and~~ manage each program.

Subp. 6. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~, district, or multicounty area in implementing and maintaining the energy recovery programs during the next ten years, including itemized capital and operating costs.

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

9215.0640 LAND DISPOSAL OF MIXED MUNICIPAL SOLID WASTE.

Subpart 1. **Content.** ~~The plan Counties, districts, and multicounty areas proposing to develop, implement, or use land disposal facilities must include in the plan information on land disposal facilities described in this part if they are being used or proposed for use to manage all or part of the county's or district's mixed municipal solid waste.~~

Subp. 2. **Policies and goals.** The plan must describe the county's ~~or~~, district's, or multicounty area's goals and policies on land disposal.

Subp. 3. **Existing land disposal facilities.** The plan must:

A. identify and discuss the status of closed landfills within the county ~~or~~, district, or multicounty area and whether the county ~~or~~, district, or multicounty area is implementing any programs for mitigating the environmental effects of past disposal practices;

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B. describe the land disposal facility or facilities where the county's ~~or~~ district's, or multicounty area's mixed municipal solid waste is managed;

C. include a table indicating the amount received, processed, and disposed during the previous ~~two~~ five years; and

D. include information on the operational history, removal of problem wastes, and facility management.

Subp. 4. **Environmental and public health impacts.** The plan must evaluate known and potential environmental and public health impacts of operating and proposed disposal facilities and propose a course of action to alleviate those impacts. The plan must include information summarizing the results of recent inspections by the appropriate state agency, report on the results of ground and surface water monitoring at the facilities, and assess operational safety at each facility during the past ~~two~~ five years.

Subp. 5. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ land disposal facilities and programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, implement, or participate in during the next ten years, including:

A. the annual amount or quantity of waste to be landfilled;

~~B.~~ the responsible persons and estimated staff time necessary to implement ~~or~~ and manage each program; and

~~B.~~ C. the following information about mixed municipal solid waste land disposal programs and practices in the county ~~or~~ district, or multicounty area:

(1) permitting schedule;

(2) schedule of phase development;

(3) status of financial assurance; and

(4) status of leachate treatment.

Subp. 6. **Program budget.** The plan must estimate the annual costs that will be incurred by the county ~~or~~ district, or multicounty area in implementing and managing the land disposal programs during the next ten years, including itemized capital and operating costs.

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

9215.0650 WASTE TIRE DISPOSAL AND RECOVERY.

Subpart 1. **Content.** The plan must include the information in this part on waste tire recovery programs and practices in the county ~~or~~ district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the waste tire disposal goals and policies that the county ~~or~~ district, or multicounty area has established that comply with *Minnesota Statutes*, section 115A.914, subdivision 3.

Subp. 3. **Existing waste tire practices.** The plan must describe existing public and private sector waste tire disposal programs and practices in place throughout the county ~~or~~ district, or multicounty area. The description must include the waste tire management system including permitted storage and processing facilities, location of known unpermitted tire dumps, transportation and disposal system used by local collectors, annual amount or quantity of waste tires recovered, current end uses of the waste tires, and status of any county solid waste ordinance relative to waste tire management.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ waste tire programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the annual amount or quantity of waste tires to be recovered and the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~ district, or multicounty area in implementing or maintaining the waste tire programs during the next ten years, including itemized capital and operating costs.

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

9215.0655 ELECTRONIC PRODUCTS.

Subpart 1. **Content.** The plan must include the information described in this part on electronic products management programs and practices in the county, district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the electronic products management goals and policies that the county, district, or multicounty area has established to comply with *Minnesota Statutes*, section 115A.9565.

Subp. 3. **Existing electronic products management practices.** The plan must describe the existing public and private sector

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electronic products management programs in the county, district, or multicounty area. The description must indicate the process used by the county, district, or multicounty area to comply with applicable state, federal, and local regulations for disposal of used electronic products and capture of hazardous waste contained in the products. The description must also include the annual amount or quantity of electronic products recovered; public education efforts; and collection options for processing, recycling, and disposal.

Subp. 4. **Specific programs to be developed.** The plan must describe any new or existing electronic products management programs that the county, district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the annual amount or quantity of electronic products recovered; public education efforts; collection options for processing, recycling, and disposal; and the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county, district, or multicounty area in implementing or managing the electronic products management programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a time schedule for implementation of the proposed electronic products management programs described in this part.

9215.0660 MAJOR APPLIANCE MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on major appliance management programs and practices in the county ~~or~~, district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the major appliance management goals and policies that the county ~~or~~, district, or multicounty area has established that comply with *Minnesota Statutes*, sections 115A.552, subdivision 1, and 115A.9561.

Subp. 3. **Existing appliance management practices.** The plan must describe the existing public and private sector major appliance management programs in the county ~~or~~, district, or multicounty area. The description must indicate the process used by the county ~~or~~, district, or multicounty area to comply with applicable state, federal, and local regulations for disposal of used appliances and capture of hazardous wastes contained in the appliances. The description must also include the annual amount or quantity of major appliances recovered.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ major appliance management programs that the county ~~or~~, district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the annual amount or quantity of major appliances to be recovered and the responsible persons, estimated staff time, and education campaigns necessary to implement ~~or~~ and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~, district, or multicounty area in implementing or managing the major appliance management programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a time schedule for the implementation of the proposed major appliance management programs described in this part.

9215.0670 ~~USED MOTOR OIL~~ AUTOMOTIVE MERCURY SWITCHES, MOTOR VEHICLE FLUIDS AND FILTERS, AND LEAD-ACID AND DRY CELL BATTERIES MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on ~~used motor oil~~ automotive mercury switches, motor vehicle fluids and filters, and lead-acid and dry cell battery management programs and practices in the county ~~or~~, district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the ~~used motor oil~~ automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery management goals and policies that the county ~~or~~, district, or multicounty area has established that comply with *Minnesota Statutes*, sections 115A.915, 115A.9155, and 115A.916.

Subp. 3. **Existing ~~used motor oil~~ automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery programs and practices.** The plan must describe the existing public and private sector ~~used motor oil~~ automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery management programs and practices in the county ~~or~~, district, or

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multicounty area, including the amount or quantity of materials recovered by type, public education, collection options, processing, recycling, and disposal.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the specific used motor oil~~ any new or existing automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the amount or quantity of materials to be recovered by type and the responsible persons and estimated staff time necessary to implement and manage each program.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~ district, or multicounty area in implementing and maintaining the ~~used motor oil~~ automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery management programs during the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed ~~used motor oil~~ automotive mercury switch, motor vehicle fluids and filters, and lead-acid and dry cell battery management programs described in this part.

9215.0680 HOUSEHOLD HAZARDOUS WASTE MANAGEMENT.

Subpart 1. **Content.** The plan must include the information described in this part on the household hazardous waste management programs and practices in the county ~~or~~ district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the household hazardous waste goals and policies established by the county ~~or~~ district, or multicounty area that comply with the requirements in Minnesota Statutes, section 115A.96, subdivision 6.

Subp. 3. **Existing programs and practices.** The plan must describe existing household hazardous waste management programs including collection, separation from mixed municipal solid waste, the amount or quantity of materials recovered, and education and promotion to reduce the use of household hazardous waste.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ household hazardous waste programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the amount or quantity of materials to be recovered and the responsible persons and estimated staff time necessary to develop and manage each program. These programs must include a broad-based public education component, a strategy for reduction of household hazardous waste, and a strategy for separation of household hazardous waste from mixed municipal solid waste and the collection, storage, and proper management of that waste.

Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county ~~or~~ district, or multicounty area in implementing and maintaining the household hazardous waste management programs during the next ten years, including itemized capital and operating costs.

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

9215.0690 CONSTRUCTION AND DEMOLITION DEBRIS.

Subpart 1. **Content.** The plan must include the information described in this part on construction and demolition debris management programs and practices in the county ~~or~~ district, or multicounty area.

Subp. 2. **Policies and goals.** The plan must contain a description of the construction and demolition debris management goals and policies that the county ~~or~~ district, or multicounty area has established.

Subp. 3. **Existing construction and demolition debris practices.** The plan must describe existing construction and demolition debris practices and programs, including the amount or quantity of materials recovered and disposed of and private and public sector Pollution Control Agency permitted facilities.

Subp. 4. **Specific programs to be developed.** The plan must describe ~~the any new or existing~~ construction and demolition debris programs that the county ~~or~~ district, or multicounty area proposes to maintain, expand, or implement during the next ten years, including the amount or quantity of materials to be recovered and disposed of and the responsible persons and estimated staff time necessary to implement and manage each program.

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Subp. 5. **Program budget.** The plan must estimate the annual costs to be incurred by the county or district, or multicounty area for construction and demolition debris programs for the next ten years, including itemized capital and operating costs.

Subp. 6. **Schedule of implementation.** The plan must include a schedule for the implementation of the proposed construction and demolition debris programs described in this part.

9215.0700 SOLID WASTE ORDINANCE.

Subpart 1. **Content.** The plan must include the information described in this part on the solid waste management ordinance in the county or district, or multicounty area.

Subp. 2. **Status of solid waste ordinance.** The plan must describe the status of the county's or district's, or multicounty area's solid waste ordinance. The plan must list any problems with implementing or enforcing the current ordinance. The plan must include a copy of the county or district, or multicounty area solid waste ordinance as an appendix item in the plan.

Subp. 3. **Ordinance amendments.** The plan must describe any planned amendments to the county, district, or multicounty area solid waste ordinance. The description must include the responsible persons and estimated staff time necessary annually to monitor or enforce the ordinance.

9215.0710 SOLID WASTE STAFF.

Subpart 1. **Content.** The plan must include the information described in this part regarding the county or district, or multicounty area solid waste staff.

Subp. 2. **Existing county or district, or multicounty area solid waste staff.** The plan must describe existing levels of staffing for solid waste programs in place throughout the county or district, or multicounty area.

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

9215.0720 SOLID WASTE PROGRAM FUNDING.

Subpart 1. **Content.** The plan must include the information described in this part regarding the county or district, or multicounty area solid waste program funding.

Subp. 2. **Policies and goals.** The plan must contain a description of the future solid waste program funding goals and policies that the county or district, or multicounty area has established.

Subp. 3. **Existing solid waste funding practices.** The plan must include a description of the county's or district's, or multicounty area's existing solid waste management financing mechanisms. The plan must indicate the current year and future projected amounts and sources of funding for solid waste programs including:

A. tipping fees at solid waste transfer, processing, and disposal facilities; and

B. governmental subsidies of waste management.

9215.0730 PLAN REVIEW AND ~~FIVE-YEAR UPDATE~~ TEN-YEAR PLAN.

The plan must contain a description of the process and timelines for developing the county's or district's ~~five-year update, or~~ multicounty area's ten-year plan.

9215.0740 GOAL-VOLUME TABLE.

The plan must include a numeric presentation of the county's or district's, or multicounty area's goals and the volumes of solid waste to be managed for a ten-year period immediately following plan approval. It must include the recycling goal as required in *Minnesota Statutes*, section 115A.551; an estimate of land disposal capacity needed for the ten-year period in acre feet, tons, and cubic yards; and an estimate of remaining capacity at land disposal facilities that will be used. The table must be ~~on~~ in a format approved by the commissioner.

9215.0750 ITEMIZED SOLID WASTE BUDGET.

The plan must include a projected ten-year county or district, or multicounty area solid waste budget. The budget must include itemized capital and operating costs for each major solid waste program and the annual cost per ton and cost per household. The budget

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must be in a format approved by the commissioner. A narrative discussion of the financial assumptions used in development of the budget shall be included.

9215.0760 ALTERNATIVES TO PROPOSED SYSTEM.

The plan must include a description of the process that the county ~~or~~, district, or multicounty area will use to evaluate, identify, and implement alternatives to the proposed system if the system described in parts ~~9215.0620~~ 9215.0580 to ~~9215.0640~~ 9215.0700 is not developed or has major operational difficulties.

9215.0770 ENVIRONMENTAL RISKS AND PUBLIC HEALTH IMPACTS.

Subpart 1. **Content.** In addition to the discussion of environmental and public health impacts required in parts 9215.0610 to 9215.0640, the plan must address the county's ~~or~~, district's, or multicounty area's plans and programs for mitigating the environmental risks and public health impacts associated with each item identified.

Subp. 2. **On-site disposal.** The plan must describe plans and programs for mitigating impacts to land, air, surface water, and groundwater and avoiding nuisance conditions from the on-site disposal of mixed municipal solid waste at farms or households.

Subp. 3. **Illegal disposal.** The plan must describe plans and programs for mitigating impacts to land, air, surface water, and groundwater from the practice of illegal disposal.

9215.0790 PUBLIC PARTICIPATION.

Subpart 1. **Documentation.** The plan must explain the methods for documenting public participation during the development and implementation of the solid waste management plan. The plan must include the location of where documentation of public input by interested parties including citizens, public advisory committees, regional authorities, adjacent counties or districts, local units of government, and waste service companies conducting business within the county ~~or~~, district, or multicounty area is kept.

Subp. 2. **Ongoing public input.** The county ~~or~~, district, or multicounty area shall describe a process to ensure the ongoing involvement of and consultation with persons who are concerned with solid waste management including those listed in subpart 1.

9215.0800 REGIONAL MULTICOUNTY PLANNING.

Multicounty plans prepared by two or more counties are encouraged. A joint plan, ~~plan update~~, or plan amendment may be submitted by a regional planning group formed through a joint powers agreement multicounty area. It must:

- A. indicate how each county ~~or~~, district, or multicounty area in the region will comply with the county or district goals or responsibilities prescribed in statute or rule;
- B. be adopted by each participating county ~~and~~, district, or multicounty area; and
- C. delineate the responsibility of each county ~~or~~, district ~~and the Joint Powers Board~~, or multicounty area with respect to implementation of the joint plan, ~~plan update~~, or plan amendment.

9215.0820 SUBMITTAL OF PLANS, ~~PLAN UPDATES~~, AND PLAN AMENDMENTS FOR APPROVAL.

Subpart 1. **Draft Plan.** A county ~~or~~, district, or multicounty area seeking approval of a solid waste management plan shall submit its draft plan to the commissioner. The draft plan must contain the information required in parts 9215.0540 to 9215.0790. The county, district, or multicounty area shall also provide:

- A. an evaluation of the progress that has been made since approval of the plan to achieve the goals and policies of the programs proposed in the existing plan;
- B. a discussion of the problems that have been encountered by the county, district, or multicounty area in implementing the existing plan and the solutions established;
- C. a discussion of the changes in the draft plan from the existing plan; and
- D. information required by new statutes or rules that have been adopted since the existing plan was approved.

Subp. 2. [See repealer.]

Subp. 3. **Plan amendment.** A county ~~or~~, district, or multicounty area seeking approval of a plan amendment shall submit the amendment to the commissioner. The county ~~or~~, district, or multicounty area shall include the following information in its amendment:

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

Proposed Rules

E. an updated itemized solid waste budget for the county or, district, or multicounty area as required in part 9215.0750;

F. updated implementation information relevant to the changes proposed by the county or, district, or multicounty area as required in parts 9215.0570 9215.0575 to 9215.0800;

G. updated information on environmental risk and public health impacts as required in part 9215.0770 and updated waste facility siting information as required by part 9215.0780 if new information relating to planned activities has been developed since approval of the plan or plan update amendment; and

H. for amendments that would result in an increase in the previously certified need for land disposal, documentation that the revised system is now the most feasible and prudent for the county or, district, or multicounty area.

Subp. 4. **Format.** A county or, district, or multicounty area submitting a plan, ~~plan update~~, or plan amendment to the commissioner for approval shall submit two copies of the plan and accompanying information. The plan must be ~~in a three-ring binder~~, single-spaced; and printed on both sides ~~if possible~~. An electronic copy of the plan in a format approved by the commissioner may also be submitted with the paper copy.

9215.0830 TIMING OF SUBMITTAL.

Subpart 1. [See repealer.]

Subp. 2. **Submittal of plan ~~update~~.** Each county or, district, or multicounty area shall submit a plan ~~update~~ to the agency when six months ~~remains remain~~ on the approval of the latest plan.

Subp. 3. **Submittal of plan amendment.** Each county or, district, or multicounty area shall submit a plan amendment according to items A to C.

A. Each county or, district, or multicounty area shall submit an amendment to the approved plan when the county or, district, or multicounty area is proposing to make substantial changes in its solid waste management system from what was contained in the approved plan.

B. If the commissioner determines that an amendment to the plan is required due to substantial changes in solid waste management in the county or, district, or multicounty area, including, but not limited to, an increase in the amount of waste needing land disposal, the commissioner shall notify the county or, district, or multicounty area in writing of the need to amend its plan. The county or, district, or multicounty area shall have six months from the receipt of notice to submit an amendment to the commissioner.

C. If changes in statute or rule require plans to be amended on a schedule other than indicated in plan approval, the county or, district, or multicounty area shall submit a plan amendment in accordance with statutory and rule requirements.

9215.0840 REVIEW BY POLLUTION CONTROL AGENCY.

Subpart 1. **Preliminary review.** On receipt of a draft plan, ~~plan update~~, or plan amendment, the commissioner shall review the draft and notify the county or, district, or multicounty area of any part of the submittal that requires redrafting and resubmittal. The agency shall complete its review of the draft plan, ~~plan update~~, or plan amendment within 45 days of receipt.

Subp. 2. **Supplemental information.** If advised by the agency that a redraft and resubmittal are necessary, the county or, district, or multicounty area shall submit its redraft to the commissioner within 90 days of the commissioner's request for a redraft. The redraft shall be reviewed according to the procedures in subpart 1.

Subp. 3. **Preliminary decision to approve plan.** The commissioner shall make a preliminary decision to approve a plan, ~~plan update~~, or plan amendment within 90 days of the county's or, district's, or multicounty area's submittal of a draft and all additional information required by the commissioner. When the commissioner makes a preliminary decision to approve a plan, ~~plan update~~, or plan amendment, the commissioner shall provide public notice of the preliminary decision and an opportunity for public comment in accordance with parts 9215.0850 and 9215.0860.

Subp. 4. **Preliminary decision to disapprove plan.** If the county or, district, or multicounty area does not resubmit a redraft and other additional information in response to a request by the commissioner for the information, the commissioner shall notify the county or, district, or multicounty area that the commissioner intends to disapprove the plan, ~~plan update~~, or plan amendment.

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9215.0850 PUBLIC NOTICE AND PUBLIC COMMENT.

Subpart 1. **Public notice.** The commissioner shall prepare and issue a public notice of the commissioner's preliminary decision to approve a plan, ~~plan update~~, or plan amendment. The public notice must include, at a minimum:

A. the business address and telephone number of the county ~~or~~, district ~~chair~~, or multicounty area, the address and telephone number of the agency, and a statement that additional information may be obtained at these offices;

B. a brief description of the solid waste management plan ~~or plan update~~ or plan amendment, the duration of the approval, and any conditions of the approval;

C. a brief description of the procedures the ~~agency commissioner~~ will use to reach a final decision on approval of the plan ~~or plan update~~ or plan amendment, including procedures for requesting that the ~~county or district commissioner~~ hold a public informational meeting; and

D. a statement that during the public comment period a person may submit comments to the agency on the plan, ~~plan update~~, or plan amendment, a statement of the dates on which the public comment period begins and ends, and a statement of the information a person is required to include in the comments.

Subp. 2. **Distribution of public notice.** The commissioner shall distribute the public notice by:

A. making a copy of the public notice available at the agency;

B. mailing a copy of the public notice to the chair of the county ~~or~~, district, or multicounty area whose plan is subject to approval ~~and to the Pollution Control Agency~~; and

C. by posting the notice in a building or buildings used by the general public in the county ~~or~~, district, or multicounty area whose plan, ~~plan update~~, or plan amendment is subject to approval, and by placing an advertisement containing the information required in subpart 1 in one or more newspapers of general circulation in the county ~~or~~, district, or multicounty area.

Subp. 3. **Public comments.** The public shall have a minimum of 30 days to comment on the commissioner's preliminary decision to approve a plan, ~~plan update~~, or plan amendment. All comments shall be submitted in writing. Comments must include the following:

A. a statement of the person's interest in the plan, ~~plan update~~, or plan amendment;

B. a statement of the action the person wishes the commissioner to take, including specific references to the plan, ~~plan update~~, or plan amendment that the person believes should be changed; and

C. the reasons for the person's position, stated with sufficient specificity to allow the commissioner to assess the merits of the person's statements.

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

9215.0860 PUBLIC INFORMATIONAL MEETING.

Subpart 1. **Request.** A person may request the commissioner to hold a public informational meeting on a plan, ~~plan update~~, or plan amendment. A person requesting a public informational meeting shall submit the following information as part of the request:

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

Subp. 2. **Decision to hold public informational meeting.** If the commissioner determines that a public informational meeting would help clarify and resolve issues regarding the plan ~~or plan update~~ or plan amendment, the commissioner shall hold a public informational meeting. The commissioner may decide to hold a public informational meeting without receiving a request from the public.

Subp. 3. **Location of meeting.** The commissioner must hold the public informational meeting in the geographical area of the county ~~or~~, district, or multicounty area included in the plan, ~~plan update~~, or plan amendment.

Subp. 4. **Notice of public informational meeting.** The commissioner shall prepare a notice of the public informational meeting. The notice must contain a reference to the public notice of the preliminary approval of the plan, ~~plan update~~, or plan amendment, including the dates of issuance of the public notice; the date, time, and location of the public informational meeting; a concise description of the manner in which the public informational meeting will be conducted; and the issues to be discussed.

Subp. 5. **Distribution of notice.** The commissioner shall publish the notice in a newspaper of general circulation in the geographical area of the plan ~~or plan update~~ or plan amendment, and shall mail a copy of the notice to the county ~~or~~, district, or multicounty area and all other persons determined by the commissioner to have an interest in the plan, ~~plan update~~, or plan amendment.

Subp. 6. **Joint meeting.** If the commissioner determines that no person would be adversely affected by consolidating two or more plans, ~~plan updates~~, or plan amendments into one public informational meeting, the commissioner may elect to do so.

9215.0870 FINAL DECISION.

Subpart 1. **Record.** The commissioner shall consider all information submitted by the county ~~or~~, district, or multicounty area in seeking approval of its plan, ~~plan update~~, or plan amendment ~~and~~, all information received from the public during the public comment period, and all information submitted during the public informational meeting if one was held in making a final decision on the plan, ~~plan update~~, or plan amendment.

Subp. 2. **Notification.** The commissioner shall notify the county ~~or~~, district, or multicounty area and all persons who submitted public comments or participated in a public informational meeting of the final decision on the plan, ~~plan update~~, or plan amendment.

Subp. 3. **Approval of plan.** The commissioner shall approve those plans, ~~plan updates~~, and plan amendments that meet the requirements of parts 9215.0540 to 9215.0790 ~~and 9215.0810~~. The commissioner's approval shall remain in effect for ~~five~~ ten years unless the commissioner determines that a shorter period of time is required to ensure that the county ~~or~~, district, or multicounty area implements the plan.

Subp. 4. **Approval of amendment.** The approval of a plan amendment shall not change the due date of the county's ~~or~~, district's, or multicounty area's next plan update unless the commissioner determines in the decision approving the amendment that the amendment eliminates the need to update submit the next plan. If so, the commissioner shall determine when the next update plan will be required.

Subp. 5. **Resolution.** Before final approval of the plan, ~~plan update~~, or plan amendment, the commissioner shall request the county ~~or~~, district, or multicounty area to submit a certified copy of a resolution, passed by the county ~~or~~, district, or multicounty area, that approves the plan, ~~plan update~~, or plan amendment as the county's ~~or~~, district's, or multicounty area's solid waste management plan. No approval by the commissioner of a plan, ~~plan update~~, or plan amendment shall be final until a resolution is received by the agency.

Subp. 6. **Submittal of final plan.** On final approval of a plan, ~~plan update~~, or plan amendment, the county ~~or~~, district, or multicounty area shall submit two copies of the final plan to the commissioner. The plan must be ~~submitted in a three-ring binder, must be~~ single-spaced; and must be printed on both sides of the page ~~if possible~~. An electronic copy of the plan or plan amendment in a format approved by the commissioner may also be submitted with the paper copy.

9215.0880 REVOCATION OF APPROVAL.

Subpart 1. **Failure to implement.** The commissioner shall require the county ~~or~~, district, or multicounty area to amend its plan pursuant to part 9215.0820, subpart 3, if the commissioner determines that a county ~~or~~, district, or multicounty area has failed to implement substantial programs contained in the plan as approved.

Subp. 2. **Failure to amend.** The commissioner shall revoke the approval of a plan if the commissioner determines that a county ~~or~~, district, or multicounty area has failed to submit a plan amendment within six months of being notified by the commissioner that an amendment is required.

REPEALER. Minnesota Rules, parts 9215.0510, subpart 16; 9215.0570; 9215.0810; 9215.0820, subpart 2; 9215.0830, subpart 1, are repealed.

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Department of Natural Resources Classification of the Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota with Respect to Motor Vehicle Use

NOTICE IS HEREBY GIVEN that the Commissioner of Natural Resources orders the classification of the Mississippi Headwaters State Forest as "limited" with respect to motor vehicle use. The classification of state forest lands with respect to motor vehicle use is pursuant to *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950.

WHEREAS:

1. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950, require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
2. The Department of Natural Resources published its proposed motor vehicle use classification and forest road and trail designations for state forest lands in Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota in a draft plan in November 2007.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable laws and rules have been met.
4. The state forest classification is both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that approximately 8,790 acres of state forest land in the Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota be classified as "limited" with respect to motor vehicle use, pursuant to authority vested in me by Minnesota law.

IT IS FURTHER ORDERED that state forest lands within the area depicted in *Exhibit A* be designated as areas with limitations on off-trail and non-designated trail use pursuant to *Minnesota Statutes*, Section 84.926, Subd. 5. This area includes approximately 5061 acres of state forest lands.

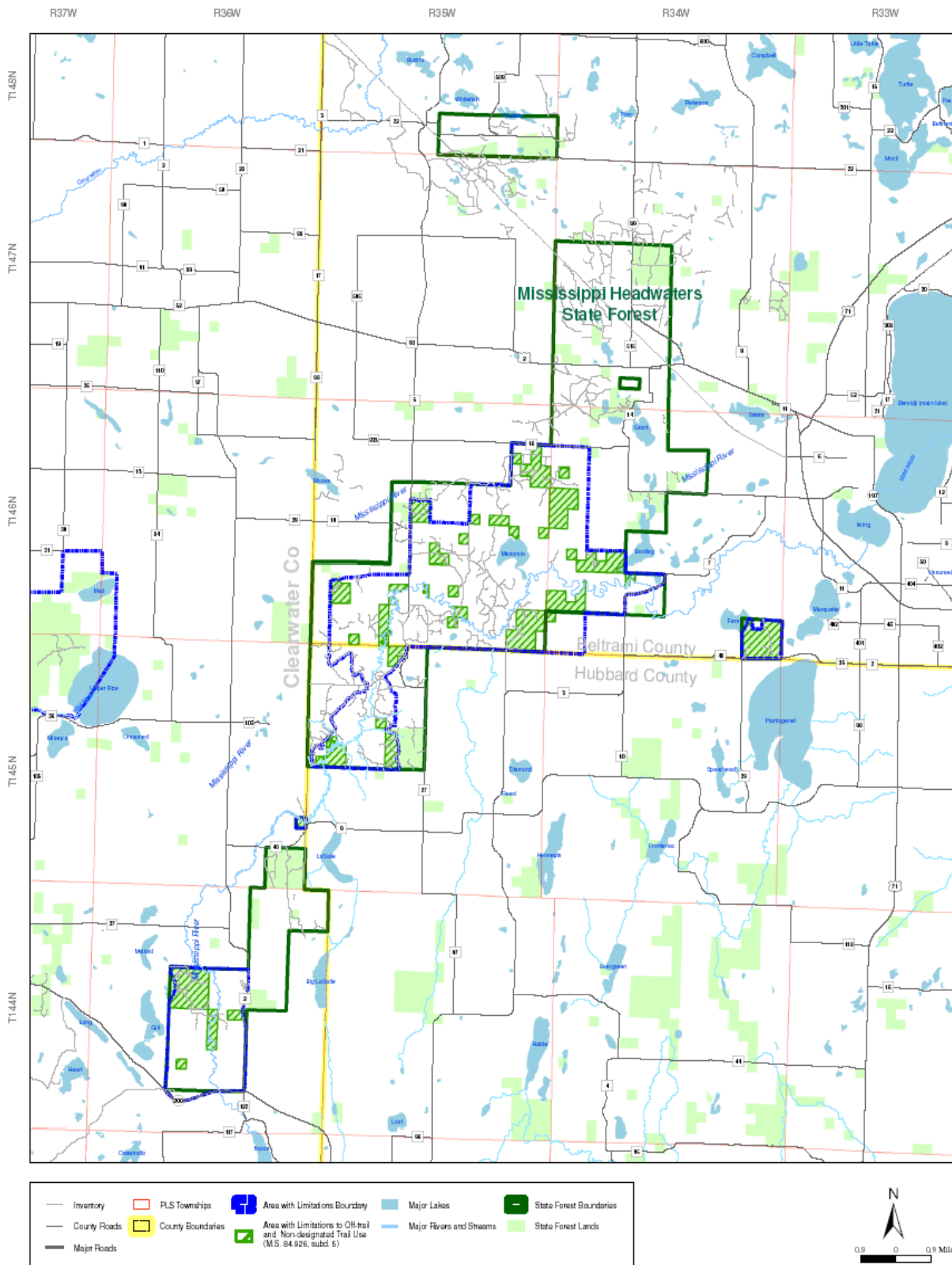
IT IS FURTHER ORDERED that the above motor vehicle use classification and areas with limitations on off-trail and non-designated trail use shall become effective on December 31, 2008.

Dated: February 12, 2008

Mark Holsten, Commissioner
Minnesota Department of Natural Resources

Commissioner's Orders

Exhibit A - Area with Limitations on Off-Trail and Non-Designated Trail Use (M.S. 84.926, subd. 5)



Commissioners' Orders

Minnesota Department of Natural Resources

Designation of Forest Trails in Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota

NOTICE IS HEREBY GIVEN that the Commissioner of Natural Resources orders the designation of forest trails located within the Mississippi Headwaters State Forest. These designations, pursuant to *Minnesota Statutes*, Section 89.19, Subd. 2, are for specified recreational purposes.

WHEREAS:

1. *Minnesota Statutes*, Section 89.19, Subd. 2 authorizes the designation, and changes in designation, of forest trails by written order, specifying public notice and public meeting requirements that must be fulfilled prior to making such designations.
2. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950, require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
3. The agency published its proposed motor use classification and forest road and trail designations in a draft plan in November 2008. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands and roads and trails in Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota.
4. All public and procedural requirements in *Minnesota Statutes*, and other applicable rules and legal requirements, have been fulfilled.
5. The forest trail designations are both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the forest trails described below are hereby designated pursuant to authority vested in me by Minnesota law:

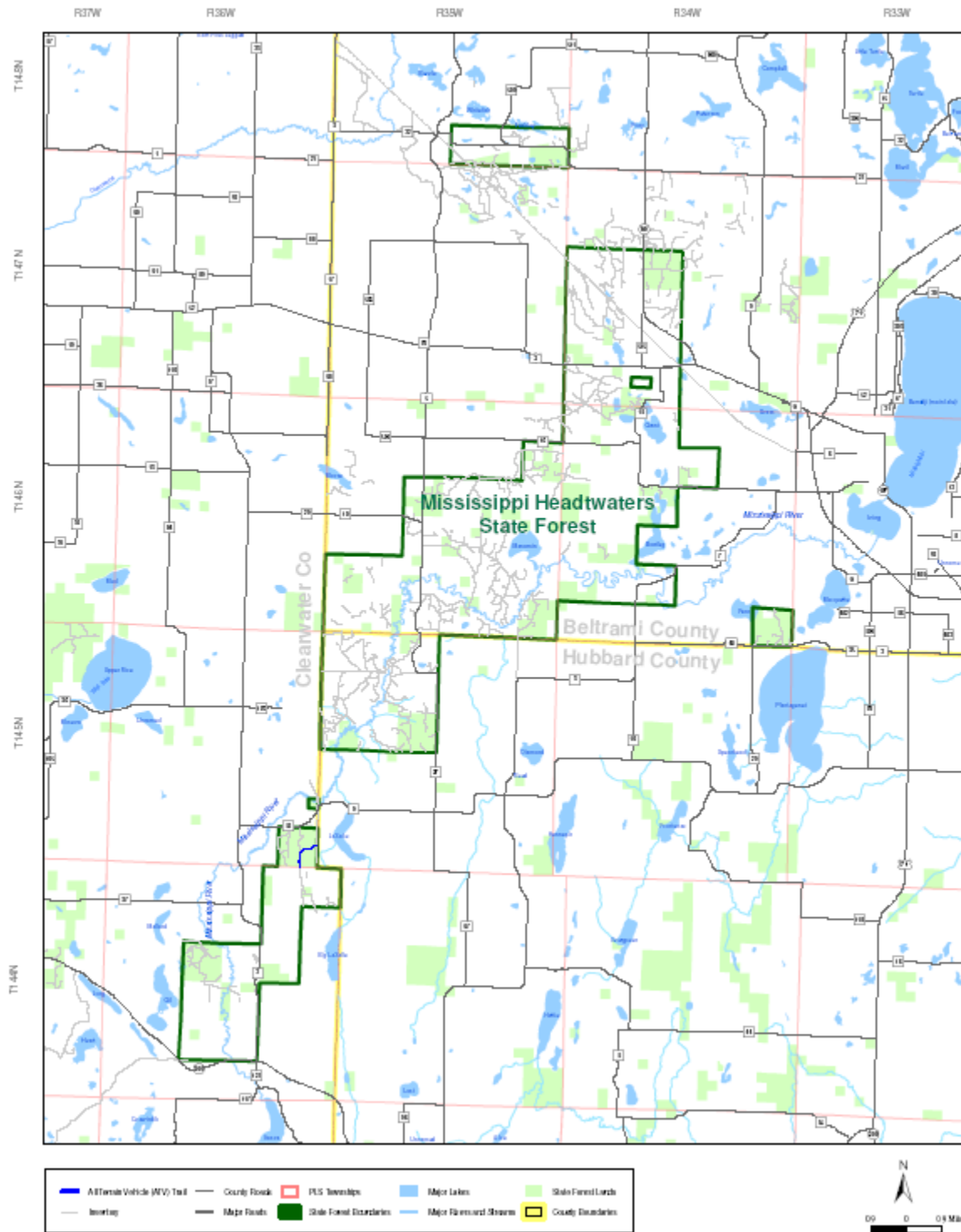
1. **All Terrain Vehicle (ATV) Trails** – The approximately 1.3 miles of trail depicted on the map labeled *Exhibit A*, attached hereto and incorporated herein, are designated as ATV/OHM Trails.
2. **Hunter Walking Trails** – The approximately 3.8 miles of trail depicted on the map labeled *Exhibit B*, attached hereto and incorporated herein, are designated Hunter Walking Trails.

IT IS FURTHER ORDERED that the designation of the forest trails identified in *Exhibits A* and *B* shall become effective on December 31, 2008.

Dated: February 12, 2008

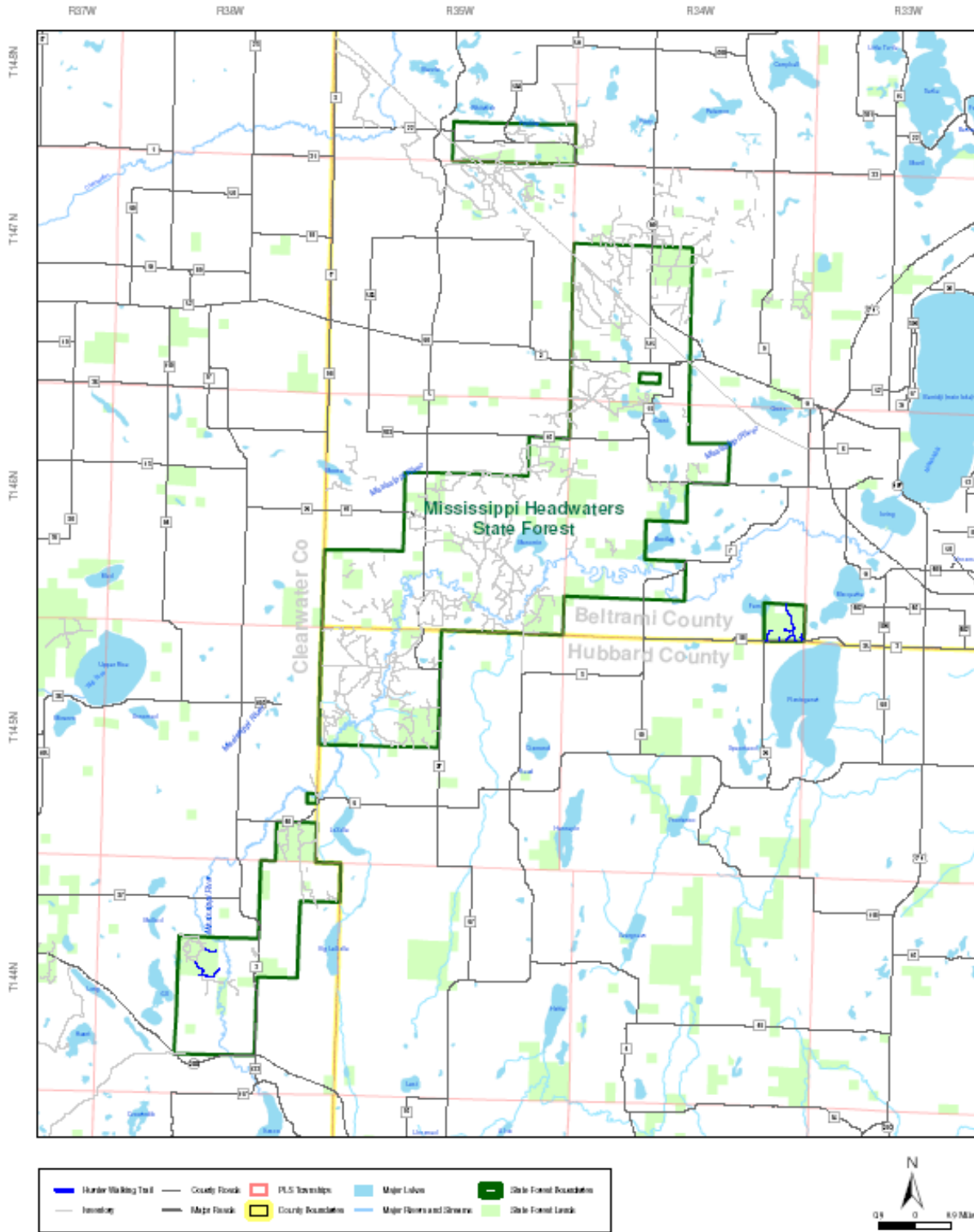
Mark Holsten, Commissioner
Minnesota Department of Natural Resources

Exhibit A - All Terrain Vehicle (ATV) Trail Designation



Commissioner's Orders

Exhibit B - Hunter Walking Trail Designation



Minnesota Department of Natural Resources Designation of Forest Roads in Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota

NOTICE IS HEREBY GIVEN that the Commissioner of Natural Resources orders the designation of forest roads located within the Mississippi Headwaters State Forest. These designations are pursuant to *Minnesota Statutes*, Section 89.71, Subd. 1.

WHEREAS:

1. *Minnesota Statutes*, Section 89.71, Subd. 1 provides that the commissioner may designate or undesignate forest roads by written order published in the *State Register*.
2. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950, require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
3. The agency published its proposed motor use classification and forest road and trail designations in a draft plan in November 2007. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands and roads and trails in Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard Counties, Minnesota.
4. All public and procedural requirements in *Minnesota Statutes*, and other applicable rules and legal requirements, have been fulfilled.
5. The forest road designations are both needed and reasonable.

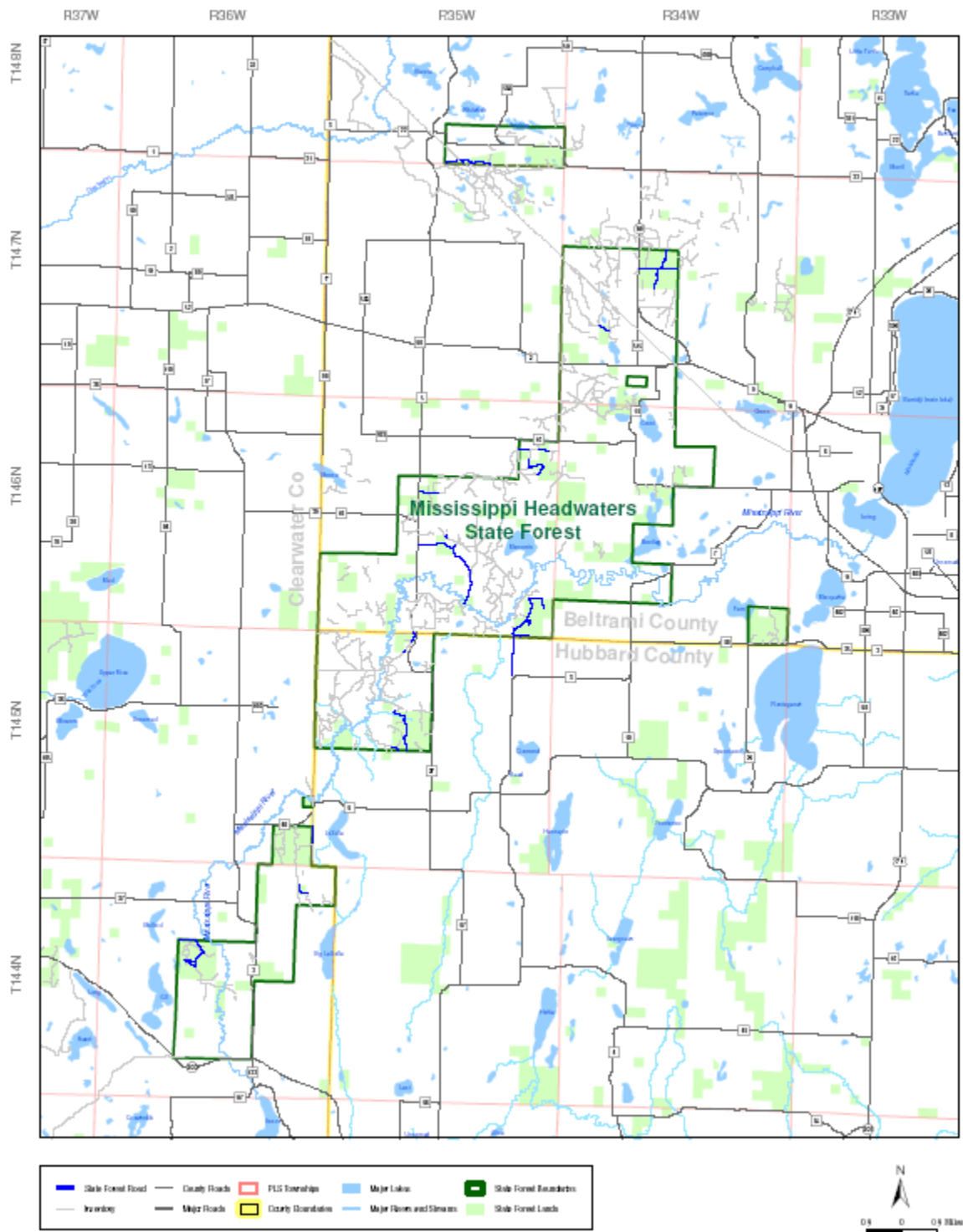
NOW THEREFORE, IT IS ORDERED that the forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

IT IS FURTHER ORDERED that the designation of the forest roads identified in *Exhibit A* shall become effective on December 31, 2008.

Dated: February 12, 2008

Mark Holsten, Commissioner
Minnesota Department of Natural Resources

Exhibit A - Forest Road Designation



Minnesota Department of Natural Resources

Classification of State Forest Lands Outside State Forests Under the Authority of the Commissioner in Southwest Beltrami County, Minnesota with Respect to Motor Vehicle Use

NOTICE IS HEREBY GIVEN that the Commissioner of Natural Resources orders the classification of state forest lands outside of state forests under the authority of the commissioner in Southwest Beltrami County as "*limited*" with respect to motor vehicle use. The classification of state forest lands with respect to motor vehicle use is pursuant to *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950.

WHEREAS:

1. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950, require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
2. The Department of Natural Resources published its proposed motor vehicle use classification and forest road and trail designations for state forest lands outside state forests under the authority of the commissioner in Southwest Beltrami County, Minnesota in a draft plan in November 2007.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable laws and rules have been met.
4. The state forest classification is both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that approximately 2,688 acres of state forest land outside state forests under the authority of the Commissioner in Southwest Beltrami County be classified as "*limited*" with respect to motor vehicle use, pursuant to authority vested in me by Minnesota law.

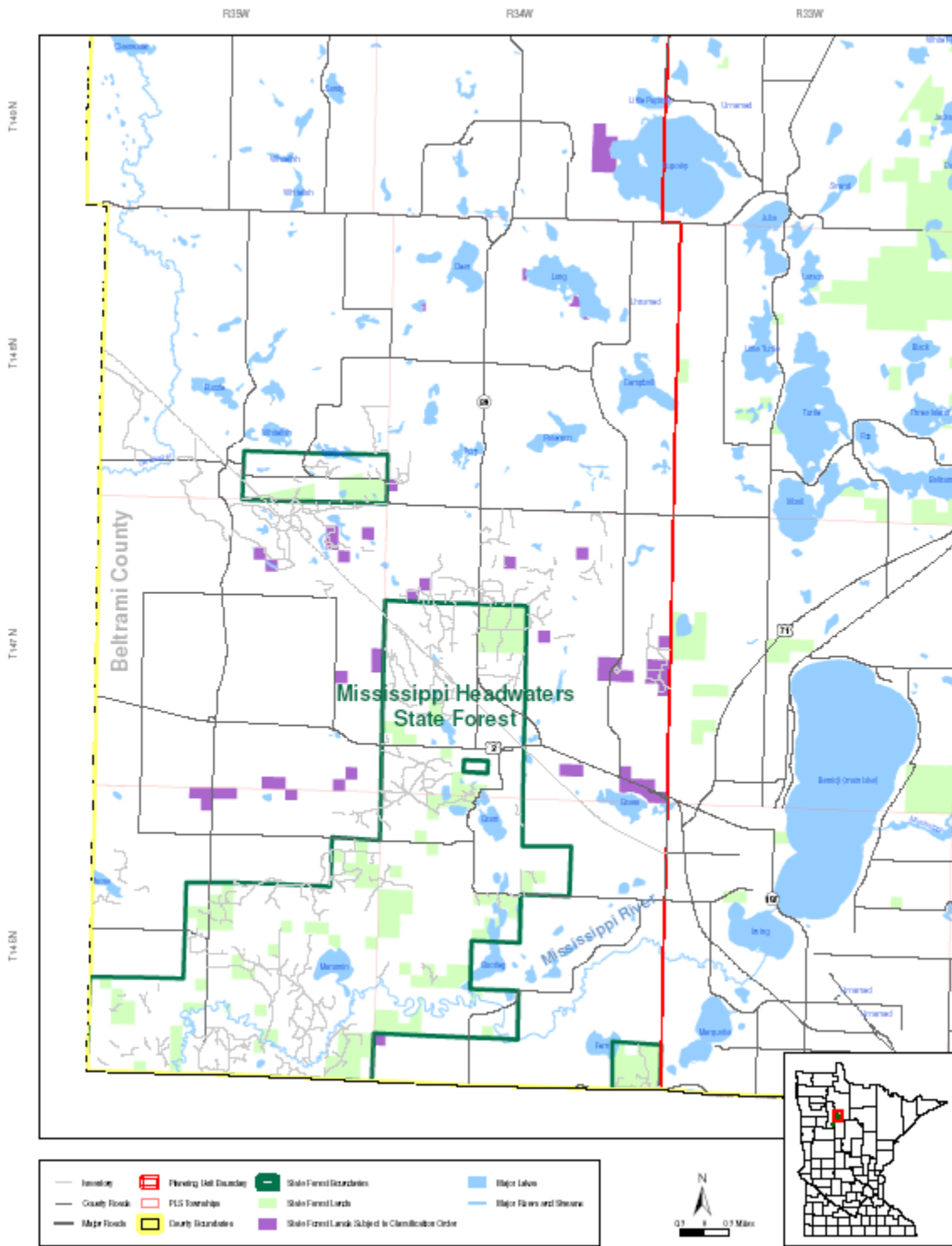
IT IS FURTHER ORDERED that the above motor vehicle use classification shall become effective on December 31, 2008.

Dated: February 12, 2008

Mark Holsten, Commissioner
Minnesota Department of Natural Resources

Commissioner's Orders

Exhibit A - Motor Vehicle Classification of State Forest Lands



Minnesota Department of Natural Resources

Designation of Forest Roads on State Forest Lands Outside State Forests Under the Authority of the Commissioner in Southwest Beltrami County, Minnesota

NOTICE IS HEREBY GIVEN that the Commissioner of Natural Resources orders the designation of forest roads located on state forest lands outside state forests under the authority of the commissioner in Southwest Beltrami County, Minnesota. These designations are pursuant to *Minnesota Statutes*, Section 89.71, Subd. 1.

WHEREAS:

1. *Minnesota Statutes*, Section 89.71, Subd. 1 provides that the commissioner may designate or undesignate forest roads by written order published in the *State Register*.
2. *Minnesota Laws 2003*, Chapter 128, Article 1, Section 167, (as amended in 2005 and 2007), and *Minnesota Rules* Chapter 6100.1950, require the Commissioner of Natural Resources to classify all state forest lands with respect to motor vehicle use.
3. The agency published its proposed motor use classification and forest road and trail designations in a draft plan in November 2007. The agency held public meetings and solicited and received written comments and submissions regarding the public's use of forest lands outside state forests under the authority of the commissioner and roads and trails in Southwest Beltrami County, Minnesota.
4. All public and procedural requirements in *Minnesota Statutes*, and other applicable rules and legal requirements, have been fulfilled.
5. The forest road designations are both needed and reasonable.

NOW THEREFORE, IT IS ORDERED that the forest roads identified in *Exhibit A*, attached hereto and incorporated herein, are hereby designated pursuant to authority vested in me by Minnesota law.

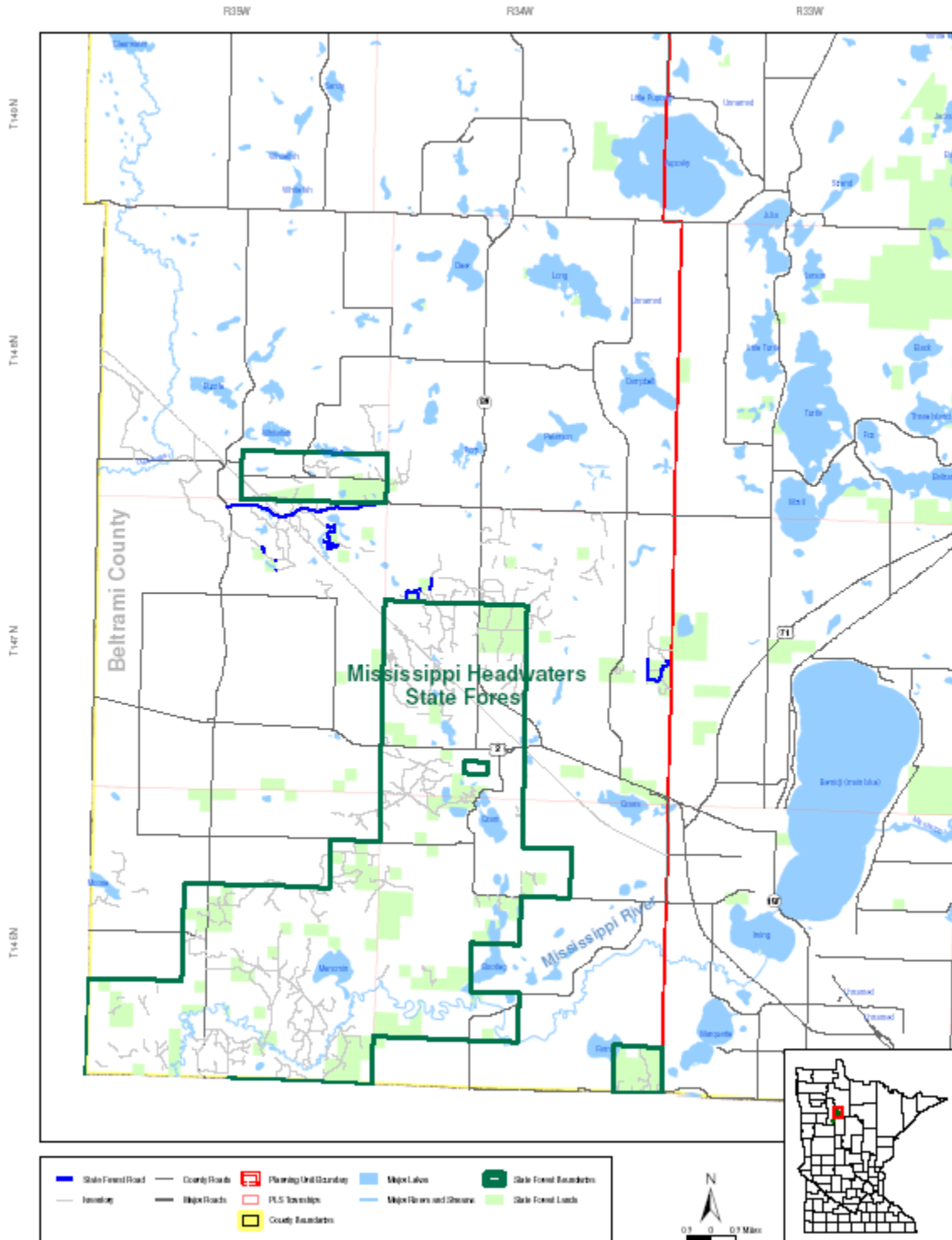
IT IS FURTHER ORDERED that the designation of the forest roads identified in *Exhibit A* shall become effective on December 31, 2008.

Dated: February 12, 2008

Mark Holsten, Commissioner
Minnesota Department of Natural Resources

Commissioner's Orders

Exhibit A - Forest Road Designation



Department of Transportation Amended Uniform Traffic Control Devices Manual ORDER NO. 90038

WHEREAS, the Commissioner of Transportation has adopted a manual (*Minnesota Manual on Uniform Traffic Control Devices*, dated May 5, 2005) establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by *Minnesota Statutes*, Section 169.06, Subdivision 1; and

WHEREAS, said manual is being revised, to be adopted and distributed during calendar year 2008; and

WHEREAS, the Commissioner may authorize and adopt amendments to the *Minnesota Manual on Uniform Traffic Control Devices*.

NOW, THEREFORE, pursuant to authority vested in my office and as provided in *Minnesota Statutes*, Section 169.06, subd. 1 (2007), I do hereby adopt and prescribe the revisions as listed on the Record of Revisions or Additions as an amendment to the *2001 Minnesota Manual on Uniform Traffic Control Devices*.

This Order amends Commissioner's Order No. 88522, dated May 5, 2005 as amended by Commissioner's Order 89453 dated January 2, 2007.

Dated at St. Paul, Minnesota, this 15th day of February, 2008.

RECORD OF REVISIONS OR ADDITIONS

Revision Number	Date Issued	Pages Revised or Added
2	2/15/08	iii, viii, ix, 1A-4, 1A-11, 1A-12, 2A-i, 2A-5 thru 2A-15, 2B-1, 2B-5, 2B-8, 2B-37, 2C-23, 2D-20, 2D-22, 2E-19, 2E-41, 2E-50, 2E-60, 2G-1, 3B-31, 4D-20, 4E-6, 6D-4, 6F-1, 6F-5, 6F-24, 6F-26, 6F-49, 6G-8 thru 6G-10, 7B-1, 7B-7, 8B-3, 8B-5, 8D-2, 9B-12, A2-8 thru A2-16, A3-4, B-1 thru B-5.

Dated this 15th day of February, 2008

/s/ **Carol Molnau**
Lt. Governor/Commissioner

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

KEY: Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

Department of Revenue

Revenue Notice # 08-04: Corporate Income Tax - Apportionment of Income; Two-Factor and One-Factor Weighted Formulas; Revocation of Revenue Notice # 02-06

This revenue notice revokes and replaces Revenue Notice # 02-06, which was published on April 29, 2002. The percentages reflected in Revenue Notice # 02-06 are obsolete due to a 2005 law change which changed the apportionment percentages in *Minnesota Statutes*, section 290.191. This revenue notice uses the apportionment percentages that are effective for taxable years beginning during calendar year 2007 to explain the two-factor weighted formula and the apportionment of income when a taxpayer only has a single factor. Because the apportionment percentages will change pursuant to the schedule contained in *Minnesota Statutes*, section 290.191, the examples are for illustrative purposes only.

This revenue notice is issued pursuant to *Minnesota Statutes*, section 290.20; the allocation of income using the three-factor formula does not fairly reflect taxable net income allocable to this state when a taxpayer does not have three factors.

Apportionment of Net Income

Apportionment of net income from a trade or business carried on partly within and partly without this state is governed by *Minnesota Statutes*, section 290.191. When a taxpayer has only one of the three factors for apportionment they may elect to use single factor apportionment or if they have two factors they may elect to use the appropriate formula below and the department will accept the calculation without the taxpayer petitioning for its use under *Minnesota Statutes*, section 290.20. Under either method, the total weight of the apportionment factors is equal to 100%.

Two-Factor Weighted Formula

For those taxpayers that only have two of the three apportionment factors the taxpayer should divide the statutory weight of the factor by the percentage that is the total of the represented factors to arrive at a new weighting percentage. Examples 1 and 2 illustrate the use of that method applied to different weighted formulas.

Example 1 - illustrates the application of the two-factor weighted formula, using as an example a taxpayer with no payroll and hence no payroll factor.

• Taxpayer has property and sales but no payroll. (The calculation would be the same if a taxpayer had payroll but no property to apportion to the State of Minnesota.)

Property Factor	11%
Sales Factor	<u>78%</u>
	89%
Property Weight Divided by Total	$11\% \div 89\% = 12.4\%$
Sales Weight Divided by Total	$78\% \div 89\% = 87.6\%$
New Weighted Property Factor	12.4%
New Weighted Sales Factor	<u>87.6%</u>
Total of Weights	100%

Example 2 - illustrates the application of the two-factor weighted formula, using as an example a taxpayer with no sales and hence no sales factor.

Revenue Notices

- Taxpayer has property and payroll but no sales.

Property Factor	11%
Payroll Factor	<u>11%</u>
	22%
Property Weight Divided by Total	11% , 22% = 50%
Payroll Weight Divided by Total	11% , 22% = 50%
New Weighted Property Factor	50%
New Weighted Payroll Factor	<u>50%</u>
Total of Weights	100%

One-Factor Weighted Formula

When a taxpayer is missing two factors of any of the three apportionment factors, the department will accept 100% weighting of the single factor without the taxpayer petitioning for its use under *Minnesota Statutes*, section 290.20.

Revenue Notice # 02-06 is hereby revoked.

Publication Date: February 25, 2008

John H. Mansun, Assistant Commissioner
for Tax Policy and External Relations

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.

Aid with Official Notices

The *State Register* offers a service that indexes all the Official Notices in each volume, and the current volume as it is growing. This service is part of a subscription service to the *State Register*. You receive MORE information with a subscription to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will see a list of the growing index, and have fast access to all the indices to the *State Register*. You also receive a summarized “Contracts & Grants” section of Bids still open. Subscriptions cost \$180 a year (an \$80 savings). Here’s what you’ll get:

- **WORD SEARCH Capability**
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It’s all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber’s issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** cathy.hoekstra@state.mn.us

Official Notices

Minnesota Comprehensive Health Association Notice of Meeting of the Enrollee Appeal Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Enrollee Appeal Committee will be held at 9:30 a.m. on Thursday, February 28, 2008, at the MCHA executive office located at 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

This meeting may be closed to the public, if so requested by the appellant(s), pursuant to *Minnesota Statutes* 62E.10, subd. 4.

For additional information, please call Lynn Gruber at (952) 593-9609.

Minnesota Board of Electricity Request for Comments on Possible Amendment to Rules Governing Electrical Licensing, Registration of Unlicensed Workers, and Continuing Education, *Minnesota Rules, Chapter 3800*

Subject of Rules. The Minnesota Board of Electricity (Board) requests comments on its possible amendment to *Minnesota Rules* governing electrical licensing and registration of unlicensed workers. This includes rules that regulate the licensure or registration of electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installers, Class B installers, power limited technicians, and other persons who perform electrical work except for those individuals licensed under *Minnesota Statutes* section 326.02, subdivisions 2 and 3. The Board also requests comments on its possible amendment to *Minnesota Rules* governing continuing education. This includes rules that regulate continuing education for individuals licensed or registered as electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installers, Class B installers, power limited technicians, and other persons who perform electrical work.

The rule amendments being considered fall into the following categories. The current citation (if any) in *Minnesota Rules* is listed parenthetically:

- Definitions (3800.3500)
- Examination; minimum experience requirements for licensure; experience acceptable to board (3800.3520)
- Registration of unlicensed workers
- Requirements for securing and maintaining contractor's license (3800.3530)
- Designation of responsible master electrician or power limited technician on contractor's license application (3800.3540)
- Designation of responsible master electrician, power limited technician, licensed maintenance electrician, or electrical engineer by an employer (3800.3550)
- Advertising restrictions (3800.3560)
- Marking of contractor's vehicles (3800.3570)
- Scope of rules relating to continuing education (3800.3600)
- Definitions relating to continuing education rules (3800.3601)
- Requirements for renewal of electrician and power limited technician license (3800.3601)
- Credit for instruction (3800.3603)
- Continuing education for unlicensed workers
- Purpose of technical program approval rules (3800.3820)
- Definitions relating to technical program approval rules (3800.3825)
- Two-year electrical program (3800.3830)
- Power limited technician program (3800.3831)
- Application for program approval (3800.3840)
- Reporting and reapplication for approval (3800.3845)
- Removal of approval (3800.3850)
- Verification of completion (3800.3855)
- Two-year electrical program content (3800.3860)

- Qualifications of instructors for two-year programs (3800.3865)
- Effective date (3800.3870)
- Power limited technician program content (3800.3880)
- Qualifications of instructors for power limited technician programs (3800.3885)

Persons Affected. Persons affected by the rule amendments include electricians, electrical contractors, power limited technicians, electrical contractors, electrical engineers, other persons who perform electrical work, employers of persons who perform electrical work, and persons who wish to perform electrical work.

Statutory Authority. The authority to adopt the rules is: *Minnesota Statutes*, section 326.2415, subdivision 2, clauses 5 and 6, which give the Board the power to adopt: (a) rules that regulate the licensure or registration of electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installers, Class B installers, power limited technicians, and other persons who perform electrical work except for those individuals licensed under *Minnesota Statutes* section 326.02, subdivisions 2 and 3; and (b) rules that regulate continuing education for individuals licensed or registered as electrical businesses, electrical contractors, master electricians, journeyman electricians, Class A installers, Class B installers, power limited technicians, and other persons who perform electrical work.

Public Comment. Interested persons or groups may submit comments or information on these possible rule amendments in writing until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board hopes to publish proposed rule amendments by the end of 2008. The Board does not contemplate appointing an advisory committee to comment on the possible rule amendments.

Rules Drafts. The Board has not yet prepared a draft of the possible rule amendments. When a draft of the possible rule amendments becomes available to the public, the draft and other information about the rulemaking will be posted on the Department of Labor and Industry's rulemaking docket at: http://www.doli.state.mn.us/rulemaking_activity.html

Agency Contact Person. Written comments, questions, requests to receive a draft of the rule amendments when it has been prepared, and requests for more information on these possible rule amendments should be directed to: Annette Trnka at the Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 284-5860, **FAX:** (651) 284-5749, and **e-mail:** annette.trnka@state.mn.us. **TTY** users may call the Department at (651) 297-4198.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: February 12, 2008

James D. Freichels, Chair
Minnesota Board of Electricity

Official Notices

Executive Council

State Board of Investment

Land Exchange Board

Investment Advisory Council

Meetings on March 4 and March 10, 2008 of the Executive Council, the State Board of Investment, the Land Exchange Board, and the Investment Advisory Council

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Monday, March 10, 2008 at 1:00 P.M. in Room 318, State Capitol, St. Paul, MN.

The Investment Advisory Council will meet on Tuesday, March 4, 2008 at 2:00 P.M. at the State Board of Investment, Board Room (Main Floor), 60 Empire Drive, St. Paul, MN.

Minnesota Historical Society

State Review Board Regular Meeting March 25, 2008

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, March 25, 2008 in the Cargill Commons, MacMillan Education Wing, Minnesota Historical Society History Center, St. Paul, Minnesota. The State Review Board will meet at 6:45 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 7:00 p.m.

A sign language interpreter is available with two weeks notice, and auxiliary aids are available with two weeks notice. Call: (651) 259-3450, or TTY: (651) 282-6073. For further information contact the State Historic Preservation Office, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, (651) 259-3450.

Department of Human Services

Health Care Purchasing and Delivery Systems Division

Health Care Administration

Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), August 23, 2004 (29 SR 224-225), November 8, 2004 (29 SR 510), November 15, 2004 (29 SR 534-535), February 7, 2005 (29 SR 923-924), February 14, 2005 (29 SR 951-952), March 7, 2005 (29 SR 1038-1039), April 11, 2005 (29 SR 1174-1175), June 27, 2005 (29 SR 1607), July 18, 2005 (30 SR 49-50), August 15, 2005 (30 SR 147), August 29, 2005 (30 SR 226-227), October 17, 2005 (30 SR 402-403), November 14, 2005 (30 SR 511-512), December 12, 2005 (30 SR 617-618), January 9, 2006 (30 SR 770-771), January 30, 2006 (30 SR 833), February 13, 2006 (30 SR 884), February 27, 2006 (30 SR 926-927) March 20, 2006 (30 SR 1006-1007), April 10, 2006 (30 SR 1109), May 30, 2006 (30 SR 1249-1250), July 31, 2006 (31 SR 138-139), August 21, 2006 (31 SR 268), September 18, 2006 (31 SR 380 - 381), October 2, 2006 (31 SR 474-477), October 16, 2006 (31 SR 519-520), November 6, 2006 (31 SR 614), January 2, 2007 (31 SR 867-868), January 29, 2007 (31 SR 958-959), February 26, 2007 (31 SR 1169-1170), April 23, 2007 (31 SR 1444-1445), April 30, 2007 (31 SR 1523), June 18, 2007 (31 SR 1810-1811), July 23, 2007 (32 SR 219-220), August 6, 2007 (32 SR 301-302), August 27, 2007 (32 SR 380-381), September 24, 2007 (32 SR 572-573), October 8, 2007 (SR 32 667-668), November 5, 2007 (32 SR 811- 812), November 19, 2007 (32 SR 909-910), December 31, 2007 (32 SR 1234-1235), January 14, 2008 (32 SR 1289), January 28, 2008 (32 SR1448-1449) and February 11, 2008 (32 SR 1526).

Effective February 26, 2008 the Department will add the following outpatient prescribed drugs to the state MAC list:

Drug Name:

ALENDRONATE
TRANSDOLAPRIL
GLIPIZIDE/METFORMIN

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$19,000.00 for State Fiscal Year 2007 (July 1, 2007 through June 30, 2008).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to Kristin Young, Pharmacy and Program Manager, Health Care Purchasing and Delivery Systems Division, Health Care Administration, Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984; **phone:** (651) 431-2504 or **email:** *kristen.c.young@state.mn.us*

Minnesota Department of Labor and Industry

Construction Codes and Licensing Division

Request for Comments on Possible Rules Governing Residential Contractor Continuing Education Instructor Approval, *Minnesota Rules, 2891*

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible rules governing instructor residential contractor continuing education instructor approval. The Department is considering rules that define or clarify instructor qualifications by education, training, or experience, and their approval, and other rules as may be necessary to clarify provisions, address editorial corrections, and to coordinate the rules with other chapters within the Department's jurisdiction.

Persons Affected. The possible new rules would likely affect instructors who are currently lecturing to residential contractors, residential remodelers, or residential roofers, and their qualifying persons, those individuals that would like to become instructors of residential contracting continuing education, and residential contracting continuing education coordinators.

Statutory Authority. *Minnesota Statutes*, section 326.87, subdivision 1 (Supp. 2007), authorizes the Department to adopt rules for "continuing education requirements and course and instructor approval."

Official Notices

Minnesota Statutes, section 326B.02, subdivision 5 (Supp. 2007), states that “[t]he commissioner may, under the rulemaking provisions of chapter 14 and as otherwise provided by this chapter, adopt, amend, suspend, and repeal rules relating to the commissioner’s responsibilities under this chapter...”

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Friday, April 25, 2008. The Department has not determined whether it will appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Department does not anticipate that a draft of the possible new rules will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Ms. Carrie Rohling at the Department of Labor and Industry, 443 Lafayette Road North, Third Floor, Saint Paul, Minnesota 55155, or **FAX** (651) 284-5725.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: February 11, 2008

Steve Sviggum, Commissioner
Department of Labor and Industry

Minnesota Department of Labor and Industry Construction Codes and Licensing Division Request for Comments on Possible Amendment to Rules Governing Industrialized/Modular Buildings, *Minnesota Rules*, Chapter 1361

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to rules governing industrialized/modular buildings. The Department is considering rule amendments to update references to the Industrialized Building Commission’s (the “IBC”) Model Rules and Regulations and its Uniform Administrative Procedures, and other rules as may be necessary to clarify provisions, address editorial corrections, and to coordinate the rules with other chapters within the Department’s jurisdiction.

Persons Affected. The amendment to the rules would likely affect persons that participate in the construction, delivery, and installation of industrialized/modular buildings, electrical inspectors, and certified building officials.

Statutory Authority. *Minnesota Statutes*, section 16B.61, subdivision 1, requires the Department to adopt and amend rules establishing “a code of standards for the construction, reconstruction, alteration, and repair of buildings...”

Minnesota Statutes, section 326B.02, subdivision 5 (Supp. 2007), states that “[t]he commissioner may, under the rulemaking provisions of chapter 14 and as otherwise provided by this chapter, adopt, amend, suspend, and repeal rules relating to the commissioner’s responsibilities under this chapter...”

Minnesota Statutes, section 16B.75, ratifies and approves the Interstate Compact on Industrialized/Modular Buildings, which permits the IBC to adopt, amend, or repeal model rules (governing the design, manufacture, handling, storage, delivery, and installation of industrialized/modular buildings and building components) and uniform administrative procedures (compliance of industrialized/modular building construction with the construction standard of requirements of other compacting states, to assess the adequacy of building systems, and to verify and assure the competency and performance of evaluation and inspection agencies) that will be used by each

compacting State.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on Friday, April 25, 2008. The Department does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Department does not anticipate that a draft of the possible new rules will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Ms. Carrie Rohling at the Department of Labor and Industry, 443 Lafayette Road North, Third Floor, Saint Paul, Minnesota 55155, or FAX (651) 284-5725.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: February 11, 2008

Steve Sviggum, Commissioner
Department of Labor and Industry

Minnesota Pollution Control Agency Environmental Analysis and Outcomes Division Public Notice on Draft State Implementation Plan Revision

NOTICE IS HEREBY GIVEN that the Commissioner has determined that a State Implementation Plan (SIP) revision must be submitted to meet Minnesota's requirements under the federal Regional Haze Rule (40 CFR 51.300 - 51.309). The draft SIP revision is now available for public comment.

Background. Under the authority of Section 169(a) of the Clean Air Act (the Act), the United States Environmental Protection Agency (EPA) on July 1, 1999 promulgated visibility goals for mandatory Class I Federal areas in the federal Regional Haze Rule. The Regional Haze Rule was further amended in 2005 and 2006. Section 169(a) of the Act and the Regional Haze Rule requires each state to adopt and submit a plan to EPA that addresses the state's contribution to visibility impairment at the mandatory Class I Federal areas.

Purpose of the SIP Revision. The purpose of this SIP revision is to address visibility protection at national parks, wildernesses, and scenic areas, also referred to as mandatory Class I Federal areas. Class I areas within Minnesota are the Boundary Waters Canoe Area Wilderness and Voyageurs National Park. The SIP lays out how Minnesota intends to implement the Regional Haze Rule in order to reduce regional haze in Minnesota's Class I areas as well as those Class I Areas outside of Minnesota where visibility is impacted by emissions from Minnesota.

The SIP revision includes information on the following core requirements of the Regional Haze Rule:

- Reasonable progress goals
- Baseline and natural visibility conditions
- Long-term strategy for regional haze
- Monitoring strategy
- Best Available Retrofit Technology

Official Notices

The SIP revision also fulfills Minnesota's requirements under Section 110(a)(2) of the Act to demonstrate that emissions from Minnesota will not interfere with measures required to meet the implementation plan for any other state related to regional haze and visibility.

The MPCA will hold a public meeting about the proposed SIP revision from 6:00 pm to 8:00 pm on Thursday, April 10, 2008 at the MPCA's Duluth office, 525 Lake Avenue South, Duluth, Minnesota.

In order to facilitate the process of taking public comments during the public meeting, if you would like to speak during the public meeting, please contact the MPCA contact person identified in this notice by April 8, 2008. Those who wish to make comments at the public meeting may also sign up, prior to the start of the public meeting, to speak. If possible, please also provide a written copy of any comments you intend to make at the public meeting.

The MPCA will consider changing the contents of the proposed SIP revision based on comments received during the comment period and at the public meeting. Following the end of the comment period, the Commissioner will decide whether to submit the proposed SIP revision to the EPA unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision.

MPCA Contact Person. The MPCA contact person is Catherine Neuschler. Written comments, requests and petitions should be mailed to: Catherine Neuschler, Minnesota Pollution Control Agency, Environmental Analysis and Outcomes Division, 520 Lafayette Road North, St. Paul, MN 55155-4194, telephone number: (651) 296-7774 Voice or toll free 1-800-657-3864; facsimile number: (651) 297-8324; and email: catherine.neuschler@pca.state.mn.us. TTY users may call the MPCA at TTY (651) 292-5332 or 1-800-657-3864.

Availability of SIP. A copy of the proposed SIP revision is available on the MPCA's Web site at <http://www.pca.state.mn.us/air/regionalhaze.html>. A copy of the proposed SIP is also available upon request by contacting Catherine Neuschler at 651-296-7774, or will be mailed to any interested person upon the MPCA's receipt of a written request. Materials relating to the SIP revision are available for inspection by appointment at the MPCA St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155, and at the MPCA Duluth Office, 525 Lake Avenue South, Duluth, Minnesota, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. To examine these materials in St. Paul, or for more information, please contact Catherine Neuschler. To examine these materials in Duluth please call Patty Parker at (218) 723-4660. All MPCA offices may be reached by calling 1-800-657-3864.

Public Comment Period. Your comments must be in writing and received by Catherine Neuschler by 4:30 p.m. on April 16, 2008. Written comments may be submitted to the MPCA contact person at the address, facsimile number, or E-mail address listed above.

Request to Have MPCA Citizens' Board Make Decision. You have the right to submit a petition to the MPCA Commissioner asking that the MPCA Citizens' Board make the decision on submitting the proposed SIP revision to the EPA. Your petition must be in writing, and must be received by the MPCA contact person by 4:30 p.m. on March 28, 2008. If you submit your request in person or by facsimile, the request must be received by the MPCA by April 1. Whether the petition will be granted or denied is in the sole discretion of the MPCA Commissioner. The MPCA Citizens' Board will only make the decision on the proposed SIP revision if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

Brad Moore, Commissioner
Minnesota Pollution Control Agency

Minnesota Pollution Control Agency Public Notice for the National Pollutant Discharge Elimination System/State Disposal System General Permit for Stormwater Associated with Construction Activity

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) intends to reissue National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) General Permit No. MNR100001, under the provisions of *Minnesota Rules* 7001.0210, for persons conducting construction activity and for discharges of stormwater associated with construction activity. Com-

ments on the proposed permit are requested from affected or interested parties. Comments should be submitted in writing in accordance with the provisions of this notice. This notice is for the draft NPDES/SDS General Permit No. MNR100001, to regulate construction activity and the discharges of stormwater associated with construction activity to the waters of the state of Minnesota. This notice and permit are issued under the following authorities: Section 402, Clean Water Act, as amended, *Minnesota Statutes* Chapters 115 and 116, as amended, and *Minnesota Rules* Chapters 7001 and 7090.

Notice

The MPCA proposes to reissue NPDES/SDS General Permit No. MNR100001, with several modifications. This permit regulates construction activity and the discharges of stormwater to waters of the state associated with construction activity. Consistent with federal requirements, and *Minnesota Rules* Chapter 7090, construction activity disturbing one acre or more, including construction that is part of a common plan of development or sale disturbing one acre or more, must obtain permit coverage. This general permit covers categories with operations, emissions, activities, discharges, or facilities that are the same or substantially similar. The duration of this permit is five years.

Background

The authority to develop and issue a general permit is based in part on the 1979 United States Environmental Protection Agency (EPA) promulgated revisions to the NPDES Program regulations, 40 *Code of Federal Regulations* 122.28, which created a class of permits called general permits. General permits are also issued by the MPCA under *Minnesota Statutes* Chapters 115 and 116, and *Minnesota Rules* 7001.0210. General NPDES permits can be issued in states with NPDES authority if the state program includes general permit authority. The MPCA's general NPDES permit program was approved by the EPA on December 15, 1987. This general permit is based in part on federal requirements in 40 *Code of Federal Regulations* 122.26, and state requirements in *Minnesota Rules* 7001.0210 and *Minnesota Rules* Chapter 7090.

The NPDES/SDS General Permit No. MNR100001, regulating construction activity was first issued on September 3, 1993, and was reissued September 4, 1998. The general permit was last reissued for the period August 1, 2003, to August 1, 2008.

This draft permit is proposed to replace the existing NPDES/SDS General Permit No. MNR100001, and provides a mechanism to regulate construction activity and the discharges of stormwater associated with construction activity. Like the previous permit, this permit will require permittees to develop and implement a stormwater pollution prevention plan (SWPPP) prior to conducting construction activity to address the potential for discharge of sediment and/or other potential pollutants from the construction site. The SWPPP must be developed prior to application submittal. This general permit will provide coverage for all construction activity including clearing, grading and excavation, which disturb land of equal to or greater than one acre.

The MPCA intends to reissue NPDES/SDS General Permit No. MNR100001, proposed in this notice before the existing general permit expires on August 1, 2008. The draft permit identifies how permittees covered under the existing permit, which will not complete their ongoing construction activities prior to re-issuance of the general permit, can comply with the reissued permit. Certain permittees will need to update their SWPPPs to conform to the requirements of the reissued permit no later than 18 months after the permit issuance date, if the requirements for termination of permit coverage under the existing general permit (expiration date of August 1, 2008) have not been met.

Subject of Permit Revisions

The MPCA has modified the existing NPDES/SDS General Permit No. MNR100001, to meet federal and state requirements for impaired waters and to address several key issues the MPCA identified as needing revision and/or clarification in this permit reissuance. The draft permit includes new requirements for impaired waters covered by an EPA approved total maximum daily load (TMDL) and revised requirements for change of permit coverage, training, and temporary and permanent cover. Stakeholder input and participation at four large group meetings held by the MPCA, as well as numerous meetings with individual stakeholders to address these issues, provided valuable input into this permit revision process. Each of these revisions is briefly described below.

Discharges to impaired waters

Waters that are impaired do not meet water quality standards. These standards define how much of a pollutant can be in the water and still allow it to meet its designated uses such as drinking water or aquatic recreation. Once a water is identified as impaired on the EPA 303(d) Clean Water Act list of impaired waters, a TMDL study must be completed for the impaired water. The TMDL sets a waste load allocation and an allowable quantity of a pollutant from point sources, including discharge of stormwater associated with construction activity. Federal regulations require NPDES permits to be in compliance with TMDL waste load allocations, and to ensure that discharges

Official Notices

do not cause or contribute to a violation of a water quality standard in an impaired water for which there is not a EPA approved TMDL.

To comply with federal regulations, the draft permit includes specific requirements for discharges to impaired waters with or without an approved TMDL and waste load allocation, and additional best management practices the permittee must implement. For this permit, the MPCA has identified the following pollutants or stressors associated with construction activity: phosphorus, turbidity, dissolved oxygen, or biotic impairment. Additional information on impaired waters and TMDLs and how they relate to the construction stormwater program is available with the draft permit on the MPCA Construction Stormwater Web Site at: www.pca.state.mn.us/water/stormwater/stormwater-c.html.

Change of coverage

The requirements for changes in permit coverage (i.e. subdivision registration and notice of termination) have been revised to assist developers and builders in the change in permit coverage process on subdivided sites. The revisions clarify when permit coverage can be terminated, and better ensure that the change in permit coverage information is provided to the MPCA.

Training

An identified cause of permit noncompliance is lack of education among responsible construction and design personnel. To address this issue, the draft permit contains more specific requirements for training, including identifying the individuals who must be trained, training content that is applicable to an individual's job responsibilities relative to compliance with the permit, and training documentation.

Temporary and permanent cover

The requirements for temporary and permanent cover have been revised in order to better clarify for permittees and inspection staff when exposed soils on the project site must be stabilized. The proposed revisions also provide additional environmental protections by requiring temporary or permanent stabilization of all exposed soils when they are not actively being worked.

The draft permit and fact sheet are available for review at the MPCA office located at 520 Lafayette Road North, St. Paul, Minnesota 55155, during regular business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, and at the MPCA Regional Offices. Location information for the regional offices is available on the MPCA Web Site at: www.pca.state.mn.us/about/regions/index.html. You may also view a copy of the draft permit and fact sheet at the MPCA Construction Stormwater Web Site at:

www.pca.state.mn.us/water/stormwater/stormwater-c.html.

A free copy of the draft permit and fact sheet is also available upon request by calling (651) 296-3890 or 1-800-657-3864, or for users of Telecommunications Device for the Deaf, call (651) 297-5353. Only one copy will be sent per request.

Public Participation

There are four formal procedures for public participation in the MPCA's consideration of the permit reissuance. Interested persons may (1) submit written comments on the draft permit; (2) request that the MPCA hold a public informational meeting; (3) request that the MPCA hold a contested case hearing; and (4) submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the permit matter.

The public comment period begins: February 25, 2008
The public comment period ends: March 26, 2008

(1) Interested persons are invited to submit written comments on this draft permit. Any comments received before 4:30 p.m. on the last day of the comment period (see above) will be considered before the draft permit is finalized.

Comments on the draft permit should include the following information, pursuant to *Minnesota Rules* 7001.0110:

1. A statement of the person's interest in the draft permit;
2. A statement of the action the person would like the MPCA to take, including specific references to sections in the draft permit; and
3. The reasons supporting the person's position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of the person's position.

(2) The MPCA will hold a public information meeting on the draft permit at the MPCA offices, and the Department of Natural

Official Notices

Resources (DNR) office at the following locations on March 25, 2008, from 9:00 a.m. to 12:00 p.m., or until all attendees have had an opportunity to submit oral or written comments, whichever occurs first. Access to MPCA and DNR offices is controlled, and to attend a meeting you will be asked to sign in at the security desk and provide photo identification, such as a Minnesota driver's license. In order to help the MPCA better plan for space and seating, please RSVP by calling (651) 296-3890 or 1-800-657-3864, and let us know if you are planning to attend this meeting.

MPCA St. Paul: 520 Lafayette Road North, St Paul, Minnesota 55155
MPCA Duluth: 525 Lake Avenue South, Suite 400, Duluth, Minnesota 55802
MPCA Brainerd: 7678 College Road, Suite 105, Baxter, Minnesota 56425
MPCA Willmar: 1601 East Highway 12, Willmar, Minnesota 56201
MPCA Marshall: 1420 East College Drive, Suite 900, Marshall, Minnesota 56258
MPCA Mankato: 1230 South Victory Drive, Mankato, Minnesota 56001
MPCA Rochester: 18 Wood Lake Drive Southeast, Rochester, Minnesota 55904
MPCA Detroit Lakes: 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501
DNR St. Paul: 500 Lafayette Road North, St. Paul, Minnesota 55155

This public information meeting is meant for those wishing to make comments in person or needing clarification on the draft permit. All interested or affected persons will have an opportunity to participate by submitting either oral or written comments. Written comments may be submitted without appearing at the public information meeting.

Video conference links are provided for the convenience of the public. The public information meeting of record will occur at the MPCA office in St. Paul, Minnesota. The meeting will not be rescheduled in the event that the video conferencing links to one or more MPCA regional offices fails.

(3) Any person may submit a petition for a contested case hearing before the end of the public comment period. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7001.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information: (1) a statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and (2) a statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

(4) Any person may request that this permit be considered by the MPCA Citizens' Board prior to final permit action, in accordance with *Minnesota Statutes* 116.02, subd. 6, and *Minnesota Rules* 7000.0650. The public is entitled, and welcome, to participate in the activities of the MPCA Citizens' Board and MPCA staff.

Comments on the draft permit, requests for additional public informational meetings, or requests for a contested case hearing must be submitted in writing to:

Michael Findorff, P.E.
Minnesota Pollution Control Agency
Municipal Division
Stormwater Policy and Technical Assistance Unit
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Mr. Findorff may be contacted concerning comments or questions regarding the draft permit at (651) 296-6798 or 1-800-657-3864, or by e-mail at: michael.findorff@pca.state.mn.us.

In the absence of any requests for additional public information meetings or a contested case hearing, the final decision to issue this permit will be made by the MPCA Commissioner.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and

anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

Assistance with Contracts

Obtain MORE and FASTER information with a SUBSCRIPTION to the *State Register*. You also receive LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will see a list of the contents of the current issue, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- **Word Search Capability**
- **Updates to Index to Vol. 31**
- **Early delivery, on Friday**
- **LINKS, LINKS, LINKS**
- **"Contracts & Grants" Open for Bid**
- **E-mailed to you . . . its so easy**
- **Easy Access to State Register Archives**
- **Indexes to Vols. 31, 30, 29, 28 and 27**

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** cathy.hoekstra@state.mn.us

Department of Administration Materials Management Division Notice of Availability of Contract(s) for Disparity Study(ies)

The Minnesota Department of Administration is requesting proposals for the purpose of conducting a valid, legally-defensible disparity study with respect to the purchasing and contracting practices of one or more governmental jurisdictions within Minnesota.

Work is proposed to start after April 1, 2008.

The Request for Proposals will be available beginning February 25, 2008, on the Administration Department's Materials Management Division web site at <http://www.mmd.admin.state.mn.us/process/admin/ptList.asp> until March 17, 2008.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the Materials Management Division, 112 Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155, no later than 3:00 p.m. Central Time, March 17, 2008. **Late proposals will not be considered.** Fax or e-mail proposals will **not** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (MnSCU) Anoka Ramsey Community College, Cambridge Campus Notice of Intent is to Request Bids for an East River Courtyard Expansion and Waterproofing

Project Description: *Construction of new concrete patio and cast-in-place retaining wall. Excavation and demolition of existing below grade waterproofing and installation of new waterproofing*

Sealed Bids to: *Heidi Vidor, Business Office*
Room D223, Campus Center Building, Cambridge Campus
Anoka Ramsey Community College
Cambridge, MN 55008

Pre-Bid Meeting: 2 PM, Thursday, March 13, 2008
Room E 103, Campus Center Building

Bid Date & Time: 2 PM, Thursday, March 27, 2008
Room E 103, Campus Center Building
All Bids will be opened and publicly read aloud.

Bid Documents: Bidding Documents as prepared by the Project Architect/Engineer; *East River Courtyard, Larson Engineering, Inc.* are on file at the offices of the:

- 1) above named Project Architect/Engineer
- 2) Builders' Exchanges: St. Cloud, St. Paul and Minneapolis
- 3) Reed Construction Data Plan Room
- 4) McGraw Hill Construction Plan Room
- 5) MEDA Minority Contractors Plan Room

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Larson Engineering, Inc
3524 Labore Road
White Bear Lake, MN 55110
(651) 481-9120

A deposit of \$50.00 is required for each set.

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

Minnesota State Colleges and Universities (MnSCU) Anoka-Ramsey Community College, Coon Rapids Campus Notice of Intent is to Request Bids for an Expansion of a Heated Sidewalk System at Anoka Ramsey Community College, Coon Rapids Campus

Project Description: The installation of a hydronic snowmelt system. The existing sidewalks and entries shall be removed and replaced. The snowmelt system(s) consist of heat exchangers, pumps, piping, zone manifolds, snowmelt tubing, and DDC controls. Equipment will be located in existing mechanical rooms.

State Contracts

Sealed Bids to: Louise Duff, Business Office
Anoka Ramsey Community College,
Room C140, College Services Building
11200 Mississippi Boulevard Northwest
Coon Rapids, Minnesota 55433

Pre-Bid Meeting: 10 AM, Tuesday, March 11, 2008
Room SC200, Riverview Room, Student Center Building

Bid Date & Time: 10 AM, Thursday, March 25, 2008
Room SC200, Riverview Room, Student Center Building
All bids will be opened and publicly read aloud

Bid Documents: Bid Forms, Contract Documents, Drawings and Specifications as prepared by the Project Engineer, **Sebesta Blomberg** are on file at the following locations:

- 1.) Sebesta Blomberg
- 2.) Builders Exchanges: Minneapolis, St. Paul, St. Cloud
- 3.) Reed Construction Market Data Plan Room
- 4.) Dodge Plan Room
- 5.) MEDA Minority Contractors Plan Room

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be obtained at the following address:

Sebesta Blomberg
3535 40th Avenue Northwest
Suite 102
Rochester, Minnesota 55901
Attn: Andrea Rohe
(507) 424-3930

Sebesta Blomberg
2381 Rosegate
Roseville, Minnesota 5113
Attn: Tiffany Martin
(651) 634-7224

A deposit of **\$75.00** is required for each set.

Prospective Bidders requesting that Bidding documents (complete sets only) be mailed to them may send a separate non refundable payment (check made out to the Engineer) for **\$50.00** per set for shipping & handling (in addition to the **\$75.00** deposit). Documents will be sent to street addresses only (P.O. Boxes not acceptable).

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

Minnesota Department of Human Services

Aging and Adult Services Division

Notice of Request for Proposals to Provide Services to Support the Minnesota Age and Disabilities Odyssey

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide up to one thousand (1000) hours of services to prepare for and help manage the Minnesota Age and Disabilities Odyssey (Odyssey) by one individual. The services will be delivered primarily at 540 Cedar St., St. Paul MN. and at the site of the Odyssey, DECC in Duluth, MN.

Work is proposed to start March 28, 2008.

The Request for Proposal is available at: http://www.dhs.state.mn.us/dhs16_140436

For more information contact: Rolf Hage
Department of Human Services
Aging and Adult Services Division
P.O. Box 64976
444 Lafayette Road North,
St. Paul, MN 551550976
Phone: (651) 431-2594
Fax: (651) 431-7415
E-mail: Rolf.Hage@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, March 17, 2008**. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Department of Human Services Health Care Operations Division Notice of Request for Proposals to Provide Third Party Liability Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide third party liability services to Minnesota Medicaid and Minnesota Health Care Programs (MHCP). The vendor chosen for this request shall be responsible for identifying third party revenues; determining Medicaid or other MHCP expenditures to be investigated for third party liability; assuring that third party payers do not shift costs of their programs to Medicaid or MHCP; recovering Medicaid or MHCP expenditures; and transferring third party information to DHS's third party liability database.

Work is proposed to start approximately May 2008. For more information, or to obtain a copy of the Request for Proposal, contact:
Mark Perrone
Department of Human Services
Health Care Operations Division
444 Lafayette Road North, St. Paul, MN 55101
E-mail: mark.perrone@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **2:30 p.m., Central Time, March 24, 2008**. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Contracts

Department of Natural Resources

Division of Forestry

Notice of Availability of Contract for Forest Stewardship Technical Assistance

The Minnesota Department of Natural Resources is requesting proposals for the purpose of providing written forest stewardship plans and other technical assistance including maintenance visits and project plans to Minnesota's Non-Industrial Private Forest (NIPF) landowners. The amount of the proposed contract varies.

Work is proposed to start after 7/1/2008.

A Request for Proposals will be available by mail from this office through 3/21/2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After 3/21/2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Andrew Arends
Cooperative Forest Mgmt Supervisor
MN DNR - Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
Phone: (651) 259-5261
Fax: (651) 296-5954

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m. on 3/28/2008. **Late proposals will not be considered.** An electronic and hardcopy must be received.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Natural Resources

Division of Forestry

Notice of Availability of Contract for Information and Education Items

The Minnesota Department of Natural Resources is requesting proposals for the purpose of educating or informing Minnesota's Non-Industrial Private Forest (NIPF) landowners about stewardship of their natural resources. Topic areas suggested include native plant communities, ecological classification systems, intergenerational land transfer, insect and disease identification and control strategies, invasive species identification and control, property tax law update, and special forest product information. The amount of the proposed contract varies.

Work is proposed to start after 7/1/2008.

A Request for Proposals will be available by mail from this office through 3/21/2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After 3/21/2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Andrew Arends
Cooperative Forest Mgmt Supervisor
MN DNR - Forestry
500 Lafayette Road
St. Paul, MN 55155-4044
Phone: (651) 259-5261
Fax: (651) 296-5954

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m. on 3/28/2008. **Late proposals will not be considered. An electronic and hardcopy must be received.**

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Natural Resources Request for Proposals to Prepare and Execute a Study of North Central Minnesota Boating During Summer of 2008 Certification #14732

The Minnesota Department of Natural Resources (DNR) is requesting proposals from qualified firms and individuals to conduct a study of North Central Minnesota boating from Memorial Day weekend to Labor Day 2008 (study area approximately: Crow Wing, Aitkin, and southern Cass County). The study will involve aerial boat counts and boater interviews. The study will provide information to the DNR's water access and boating safety programs. The 2008 study is an update of studies done in 1998 and 1985, and the 2008 study will be designed to provide comparable information.

The goals of the project are to measure the quantity and source of boating use on North Central Minnesota lakes, and to measure boater characteristics and attitudes concerning their experience on the water. The quantity and source of boating use will largely be determined from aerial counts, while interviews and/or mail surveys will be used to measure boater characteristics and attitudes. The specific objectives are to:

A. Measure total use by source of boater

1. Determine directly—from aerial counts—boat density distribution at peak times on fair weather weekdays and weekends/holidays.

2. As part of each aerial count, determine the number of boats on the water from public accesses, resorts and private campgrounds.

B. Measure Boater experiences, perceptions and characteristics by source of boater

1. The DNR will provide the contractor with print-ready digital files of six survey instruments: there will be three types of surveys (public access, resort/private campground/marina users, and riparians) and Mille Lacs will have a separate surveys for all other lakes.. The contractor will propose boater-contact methods and will administer the surveys throughout the study period and area.

Prospective respondents who have any questions regarding this request for proposals, or who would like to obtain a more detailed description of this project, may call or write:

Tim Kelly
Minnesota Department of Natural Resources, OMBS, Box 10
500 Lafayette Road
St. Paul, Minnesota 55155-4010
Phone: (651) 259-5540
E-mail: tim.kelly@dnr.state.mn.us

All proposals must be sent to and received by Mr. Kelly no later than 2:00 p.m. Central Time, March 10, 2008.

All final deliverables from this project will be submitted to Mr. Kelly by March 31, 2009.

It is estimated that the cost of this project should not exceed \$70,000.

State Contracts

Minnesota Public Facilities Authority

Request for Proposals for Professional Services to Conduct Financial and Compliance Audits

NOTICE IS HEREBY GIVEN that the Minnesota Public Facilities Authority (the Authority) requests proposals to conduct financial and compliance audits of the Authority, a component unit of the State of Minnesota, for the state fiscal year ending June 30, 2008, with the option to renew the contract annually through the audit for the fiscal year ending June 30, 2012. Work is proposed to start after July 1, 2008.

Prospective responders should request the complete Request for Proposals, which will be sent by US mail, by contacting:

MN Public Facilities Authority
ATTN: Mr. Steve Walter
1st National Bank Bldg. Suite E200
332 Minnesota Street
Saint Paul, MN 55101-1351
Phone: (651) 259-7472
Fax: (651) 296-8833
E-mail: *steve.walter@state.mn.us*

All proposals must be received no later than: 3:00 PM Central Time, Monday March 17, 2008. Late proposals will not be considered. Fax and e-mail proposals will not be considered. Conditional proposals will not be considered.

This request does not obligate the Authority to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Transportation (Mn/DOT)

Engineering Services Division

Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT’s

Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, Minnesota 55155

Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.

Department of Transportation (Mn/DOT) Engineering Services Division 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 Bids, 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 commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Metropolitan Council - Metro Transit Notice of Invitation for Bids on Bus Engine Replacements Project Number 7677

The Metropolitan Council is soliciting sealed bids for the procurement of Bus Engines, Installation, and Diagnostic Services for a period of 12-months with an option for an extension. Bids are due at **2:00 P.M.** on March 20, 2008. Bids must be submitted in accordance with the Invitation for Bids document available from:

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

University of Minnesota Center for Transportation Studies Request for Information (RFI) for Professional Services to Provide Program Delivery

The Center for Transportation Studies at the University of Minnesota is seeking qualified vendors to provide the following professional service:

- Program Delivery: RFI 1018

The purpose of this RFI is to gather information about the qualifications of contractors who perform this professional service, since CTS or the programs it administers may need to purchase these services in the future.

This RFI is NOT a request for a proposal, bid, or quotation. The RFI does not obligate the University of Minnesota to any particular vendor or dollar amount. Rather, the RFI is simply intended to gather information regarding the services available in order to create a pool of potential contractors.

RFIs are posted on the CTS Web site at: www.cts.umn.edu/news/rfi

For administrative information, please contact:

Penny Harris
Center for Transportation Studies
200 Transportation and Safety Building
511 Washington Ave. S.E.
Minneapolis, MN 55455
Phone: (612) 625-9246
E-mail: harri163@cts.umn.edu

Initial submission deadline for proposals is 4:00 p.m. April 11th, 2008.

Non-State Bids, Contracts & Grants

University of Minnesota Subscribe to Bid Information Service (BIS)

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

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

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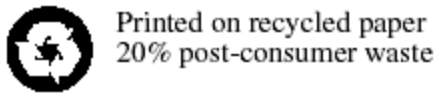
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