

State of Minnesota

State Register



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

**Monday 23 January 2012
Volume 36, Number 27
Pages 831 - 862**

State Register

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

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

| Vol. 36 Issue Number | PUBLISH DATE (BOLDFACE shows altered publish date) | Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts | Deadline for Proposed, Adopted and Exempt RULES |
|----------------------------|---|---|---|
| # 27 | Monday 23 January | Noon Tuesday 17 January | Noon Wednesday 11 January |
| # 28 | Monday 30 January | Noon Tuesday 24 January | Noon Wednesday 18 January |
| # 29 | Monday 6 February | Noon Tuesday 31 January | Noon Wednesday 25 January |
| # 30 | Monday 13 February | Noon Tuesday 7 February | Noon Wednesday 1 February |

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Certification/Internal Contract Negotiation" form. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the *State Register*, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor if you have questions (651) 297-7963, or **e-mail:** robin.panlener@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at **website:** <http://www.minnesotasbookstore.com>

- **State Register: On-line subscription** – \$180, includes LINKS, INDEX, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:30 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.

| | | |
|---|---|--|
| Governor: Mark Dayton (651) 296-3391 | Administration Commissioner: Spencer R. Cronk (651) 201-2555 | State Register editor: Robin PanLener (651) 297-7963 |
| Lieutenant Governor: Yvonne Prettnier Solon (651) 296-3391 | Plant Management Division: David Fielding (651) 201-2350 | Assistant editor: John Mikes (651) 297-4616 |
| Attorney General: Lori Swanson (651)296-6196 | Minnesota's Bookstore: Mary Mikes (651) 297-3979 | Subscriptions Manager: Loretta J. Diaz (651) 297-8777 |
| Auditor: Rebecca Otto (651) 296-2551 | | |
| Secretary of State: Mark Ritchie (651) 296-2803 | | |

Copyright © 2012 Plant Management Division, Department of Administration, State of Minnesota.
USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.mncourts.gov

Federal Register

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

Minnesota Rules: Amendments & Additions

Rules Index - Vol. 36, # 24-27: 3-23 January 2012..... 834

Proposed Rules

Health Department (MDH)

Pollution Control Agency (MPCA)

Proposed Permanent Rules Relating to Water and Wastewater Treatment Certification..... 835

Official Notices

Announcements, Meetings and More..... 840

Animal Health Board

Quarterly Meeting of the Board on 8 February 2012..... 840

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design Board

Request for Comments on Possible Amendment to Rules Governing Applications and Licensure Requirements, *Minnesota Rules*, 1800.0200, 1800.0300, 1800.0400, 1800.0500, 1800.0800, 1800.2500, 1800.2700, 1800.2800, 1800.2805, 1800.2900, 1800.3900, 1800.3905, 1800.3910, 1800.3915, 1800.3920, 1800.3930, 1800.4200, 1800.4300, 1800.4600, 1805.1600..... 840

Labor and Industry Department (DLI)

Division of Occupational Safety and Health:

Adopted Exempt Permanent Rules Adopting OSHA Standards for Window Cleaning and Building Maintenance Order Promulgating an Occupational Safety Standard..... 841

Pollution Control Agency (MPCA)

Regional Division:

Availability of Draft Typo Lake and Martin Lake Total Maximum Daily Load (TMDL) Report and Request for Comment..... 845

Joint Notice of [1] the Draft 2012 TMDL List of Impaired Waters for Stream Segments and Lakes Which Have Impaired Uses and [2] Revisions to Appendix A of the Statewide Mercury TMDL – 30 Day Formal Written Comment Period..... 847

Teachers Retirement Association (TRA)

Meeting of the Board of Trustees on 15 February 2012..... 849

Meeting of the Internal Audit Committee on 14 February 2012..... 849

Transportation Department (MnDOT)

Engineering Services Division,

Office of Construction and Innovative Contracting:

Notices of Suspension and Debarment..... 850

State Contracts

Vendors and Consultants..... 851

Administration Department (Admin)

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP):

Availability of Contract for Comparative Benchmarking..... 851

Availability of a Master Contract for Court Reporting and Deposition, Tape Transcription and Braille Translation Services..... 852

Center for Rural Policy and Development

Request for Authors for the 2012 Edition of the Rural Minnesota Journal..... 852

Colleges and Universities, Minnesota State (MnSCU)

Minnesota State Colleges and Universities, Moorhead:

Request for Proposals for Designer Selection for West Snarr Hall Renovation..... 852

Minnesota State College Southeast Technical:

Request for Proposal for Flat Panel Digital Imaging Radiography System..... 853

St. Cloud State University:

Advertisement for Bid for Executive Search Firm..... 853

St. Cloud State University:

Availability of Request for Proposal for Designer Selection for Stearns Hall Roof Replacement..... 854

St. Cloud State University:

Availability of Request for Proposal for Roof Designer Selection for Stewart Hall Roof B1 and B2 Replacement..... 854

Minnesota Management & Budget Department (MMB)

Request for Proposals for an Electronic Call Center Database for the State Employee Group Insurance Program..... 855

Transportation Department (Mn/DOT)

Engineering Services Division:

Contracting Opportunities for a Variety of General Organizational Related Activities..... 855

Engineering Services Division:

Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)..... 856

Engineering Services Division:

Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices..... 856

Office of Transit:

Request for Proposals (RFP) for Pedestrian Safety Education Campaign..... 857

Minnesota Zoo

Request for Proposals for Minnesota Zoo Audit Services..... 857

Non-State Bids, Contracts & Grants

Other Funding..... 858

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport:

Call for Bids for Data Center..... 858

Minneapolis-St. Paul International Airport:

Call for Bids for Fuel Farm Fire Protection Improvements..... 859

Minneapolis-Saint Paul International Airport:

Notice of Call for Bids for North Side Storm Sewer Improvements..... 859

Minneapolis-Saint Paul International Airport:

Call for Bids for Parking Structure Rehabilitation 2012..... 860

Minneapolis-Saint Paul International Airport:

Call for Bids for 2012 Folded Plate Drain and Roof Repair..... 860

Request for Qualifications for Airport Planning Services..... 861

Minnesota’s Bookstore

..... 861

Contract information is available from the Materials Management (MMD) Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

State Register information is available from Minnesota’s Bookstore (651) 297-3000, or (800) 657-3757, Web site: www.minnesotasbookstore.com

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. 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, but 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.

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, phone: (612) 297-3000, or toll-free 1-800-657-3757.

Index for Minnesota Rules

appearing in Volume 36, #24-27

TUESDAY 3 January - Monday 23 January 2012

(Index to issues #1-23 appeared in Dec. 27, 2011)

Natural Resources Department

| | |
|--|-----|
| 6232.4350 (adopted expedited emergency)..... | 763 |
| 6264.0300; .0400 (adopted exempt)..... | 810 |
| 6264.0300 s. 31, 69 (repealed exempt)..... | 810 |
| 6280.0450 (adopted exempt)..... | 764 |

Public Safety Department

| | |
|---|-----|
| 7414.0100; .1460; .1550; .1600; 7421.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900 (adopted)..... | 809 |
| 7502.0425 (proposed expedited)..... | 783 |

Health Department (MDH)

Pollution Control Agency (MPCA)

| | |
|--|-----|
| 9400.1500 (proposed)..... | 835 |
| 9400.1500 s. 2, 4 (proposed repealer)..... | 835 |

Proposed Rules

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 Department of Health (MDH) Minnesota Pollution Control Agency (MPCA)

Proposed Permanent Rules Relating to Water and Wastewater Treatment Certification

DUAL NOTICE: Notice of Intent to Adopt Rules without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests for Hearing Are Received

Proposed Amendments to *Minnesota Rules* 9400.1500 and Repeal of *Minnesota Rules* part 9400.1500, Subparts 2 and 4, Governing Water and Wastewater Treatment Certification, *Minnesota Rules*, 9400.1500

Introduction. The Minnesota Department of Health (MDH) and the Minnesota Pollution Control Agency (MPCA) intend to adopt 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. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on February 24, 2012, a public hearing will be held. Two hearings will be scheduled. The first will start at 6:00 p.m. on Thursday, March 15, 2012, and will continue until all parties are heard or until the Administrative Law Judge adjourns the hearing. The second hearing will start at 9:00 a.m. on Friday, March 16, 2012, and continue until 12:00 p.m. or until the Administrative Law Judge adjourns the hearing.

The hearings, if required, will be at the MPCA's St. Paul office at 520 Lafayette Road North, St. Paul, MN 55155. For the convenience of the public, if hearings are held they will also be broadcast via interactive video conference to the following MPCA regional offices.

MPCA-Marshall: 504 Fairgrounds Road, Suite 200, Marshall, MN 56258

MPCA-Detroit Lakes: 714 Lake Avenue, Suite 220, Detroit Lakes, MN 56501

You may listen, present testimony or ask questions at any of the videoconference sites. Directions to the hearing locations may be found on the MPCA's website at <http://www.pca.state.mn.us/index.php/data/index.html> or by contacting the MPCA contact person identified in this Notice.

NOTE: Access to the MPCA offices is controlled. To attend a hearing you will be asked to sign in at the security desk and provide photo identification, such as a driver's license.

Proposed Rules

To find out whether the MDH and MPCA will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after February 24, 2012 and before March 15, 2012.

The MDH and MPCA will be able to display any written documents presented at the hearing at all video conference sites. The hearing will not be rescheduled in the event that the video conferencing links to one or more regional offices fails.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the appropriate contact person. You may also request to be put on either or both of the agencies' mailing list to receive notice of future rule proceedings by contacting the appropriate contact person. The agency contact persons for MDH and MPCA are:

Water Supply Systems Contact at MDH:

Mark Sloan
Minnesota Department of Health
625 Robert Street North
P.O. Box 64975
St. Paul, MN 55164-0975
Phone: (651) 201-4652
E-mail: Mark.Sloan@state.mn.us
TTY: (612) 201-5797 or 1-888-345-0823

Wastewater Treatment Facilities Contact at MPCA:

Yolanda Letnes
MPCA - Municipal Division
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2527
Fax: (651) 297-8676
E-mail: yolanda.letnes@state.mn.us
TTY: (651) 282-5332 or 1-800-657-3864

Subject of Rules. The proposed rules are about granting conditional certificates for water supply systems operators and wastewater treatment facility operators as they re-train for up-graded facilities. The proposed rules also repeal *Minnesota Rules*, part 9400.1500, subparts 2 and 4. The proposed rules would allow the respective agencies to grant conditional certificates to operators:

- 1) when a system or facility has been reclassified to a higher class due to alteration to the system or facility; or
- 2) when a system or facility has been reclassified with no alterations.

Operators could qualify for the conditional certificate, if they meet criteria specified in the proposed rule which includes:

- A. The operator is a current operator with direct responsibility;
- B. The operator has worked as the operator with direct responsibility at the same system or facility a minimum of 12 consecutive months before applying for the conditional certificate; and
- C. The applicant passes all exams required for the higher class in sequence (D, C, B, and A) and before startup of any system or facility upgrades that are related to the change in class.

In addition, the conditional certificate would only be valid at the system or facility for which the conditional certificate is issued, but must be renewed as if it were not conditional. This would allow the system or facility operator time to gain the experience required for a regular certificate. Once the operator has met those experience requirements, a regular certificate would be issued.

Operators could also qualify for issuance of the conditional certificate without examination in cases where the system or facility has been reclassified with no alterations. In addition, revocation of the conditional certificate is addressed within the proposed language as a reference to existing statutes.

Statutory Authority. The statutory authority to adopt the rules is *Minnesota Statutes*, section 115.72, subd. 2.

Rule Availability. The proposed changes to *Minnesota Rules* chapter 9400 are published after this notice in the *State Register* or they can be viewed on the MPCA website at: <http://www.pca.state.mn.us/iryp3c9> Due to the proposed rule's availability on MPCA's website, it is not attached to this Notice. However, a free copy of the proposed rules is available upon request by contacting the individuals listed below. Only one copy will be sent per request.

MPCA Office Administrative Staff

Wendy Gardner-Pritchard
Phone: (651) 757-2090

MDH Staff

Mark Sloan
Phone: (651) 201-4652

Comments. You have until 4:30 p.m. on Friday, February 24, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due

date. Comment is encouraged. Your comments 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 that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the MDH or MPCA hold a hearing on the rules. You must:

- make your request for a public hearing in writing, to the MDH or MPCA contact person identified above by 4:30 p.m. on February 24, 2012;
- include your name and address in your written request; and
- identify the portion of the proposed rule amendments to which you object or state that you oppose the entire set of rule amendments.

Any request that does not comply with these requirements is not valid and the MDH or MPCA cannot count it 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 MDH and MPCA will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the MDH and MPCA must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the MDH and MPCA will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the MDH or MPCA contact person at the address or telephone number listed above.

Modifications. The MDH and MPCA may modify the proposed rule amendments, either as a result of public comment or as a result of the rule hearing process. They must support modifications by data and views submitted to the MDH or MPCA or presented at the hearing. The adopted rules may not be substantially different than these proposed rule amendments unless the MDH and MPCA follow the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rule amendments affect you in any way, the MDH and MPCA encourage you to participate in the rulemaking process.

Cancellation of Hearing. The MDH and MPCA will cancel the hearings scheduled for March 15 and 16, 2012, if they do not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the MDH and MPCA will notify you before the scheduled hearing whether the hearing will be held. You may also call the MDH or MPCA contact person at (651) 201-4652 or (651) 757-2527, respectively, after February 24, 2012, to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (651) 757-2527 or going on-line at <http://www.pca.state.mn.us/ktqh91f>

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the MDH and MPCA will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The MDH and MPCA will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Kathleen D. Sheehy is assigned to conduct the hearing. Judge Sheehy can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7848, and **fax:** (651) 361-7936.

Hearing Procedure. If the MDH and MPCA hold a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You

Proposed Rules

may direct questions about the procedure to the Administrative Law Judge.

The MDH and MPCA request that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes 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. It is now available from the MPCA and MDH contact person. You may review or obtain copies for the cost of reproduction by contacting the MPCA or MDH contact person. You may review the SONAR at either the MPCA's website (<http://www.pca.state.mn.us/iryp3c9>) or at any of the MPCA regional offices listed above, or may obtain a copy by contacting the MPCA or MDH contact person listed above.

Request to Have MPCA Board Make Decision on Rule if No Hearing is Required. If a hearing is required, the MPCA Board will make the final decision on whether to adopt the proposed rules. If no hearing is required, you may submit a petition to the MPCA Commissioner or an MPCA Board Member to have the MPCA Board make the decision whether to adopt the proposed rule amendments by following the procedures in *Minnesota Rules* part 7000.0650, subpart 3. Your request must be in writing, identify the matter that the person would like placed on the agenda and the reasons for placing it on the agenda. The petition must be served on the MPCA Commissioner by mail at least 24 days before the meeting during which the petitioner would like the matter to be considered, or by personal service or facsimile at least 21 days before the meeting. The Commissioner shall grant or deny the petition. The schedule of MPCA Board meetings is available at: <http://www.pca.state.mn.us/enzq405> or by contacting the MPCA contact person Yolanda Letnes. Requests received after the MPCA Commissioner has made a decision on whether to approve the rules will not be considered. If no petitions are received and granted, the Commissioner will make the decision whether to approve the rules and that decision is anticipated on or about March 12, 2012. Under *Minnesota Statutes*, section 116.02 where a hearing is not required, the MPCA Board will only make the decision on the rule if the MPCA Commissioner grants a petition or if an MPCA Board Member makes a timely request that the decision be made by the MPCA Board.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of 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.

Adoption Procedure if No Hearing. If no hearing is required, the MDH and MPCA may adopt the rules after the end of the comment period. The MDH and MPCA will 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 rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the MDH and MPCA to receive notice of future rule proceedings, submit your request to the MDH or MPCA contact person listed above.

Adoption Procedure after a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the MDH and MPCA adopt the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the MDH and MPCA contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: December 22, 2011
Ed Ehlinger, Commissioner
Minnesota Department of Health

Dated: December 19, 2011
Paul Aasen, Commissioner
Minnesota Pollution Control Agency

9400.1500 CONDITIONAL CERTIFICATE.

Subpart 1. **Conditions and renewal Purpose and eligibility.** The purpose of the conditional certificate is to allow the current operator with direct responsibility of a system or facility time to gain necessary years of experience after passing all required examinations for the operator to achieve certification at the facility's higher class level. The operator of a system or facility ~~which that~~ is reclassified to a higher class pursuant to part 9400.0600 may be issued a conditional certificate in the higher class. ~~A conditional certificate must be issued upon application, without examination, and shall be that is~~ effective for three years from the date of issue. ~~A conditional certificate must be renewed as specified in part 9400.1200. A conditional certificate must specify that the operator named therein is certified to operate~~

Proposed Rules

~~only the system or facility for which the conditional certificate is issued, when the following conditions are met:~~

~~A. the operator is a current operator with direct responsibility;~~

~~B. the operator has worked as the operator with direct responsibility at the same system or facility a minimum of 12 consecutive months prior to application for the conditional certificate; and~~

~~C. the applicant passes all exams required for the higher class in sequence (D, C, B, and A) and prior to startup of any system or facility upgrades that are related to the change in class.~~

Subp. 2. [See repealer.]

Subp. 3. [Repealed, 25 SR 1633]

Subp. 4. [See repealer.]

Subp. 5. **Issuance and renewal.** At the time of issuance, a conditional certificate must specify that the current operator with direct responsibility named therein is certified to operate only the system or facility for which the conditional certificate is issued. Before renewal of the conditional certificate is granted, an operator with a conditional certificate must provide proof of attendance at training applicable to the specified system or facility, in accordance with the training requirements in part 9400.1200.

Subp. 6. **Conditional certificate with no alterations.** If there were no alterations to the system or facility upon reclassification, a conditional certificate shall be granted to the current operator for the specific system or facility upon application without examination. If an operator with direct responsibility ends employment serving the system or facility, the conditional certificate is no longer valid and the operator's certification reverts to the operator's original certificate level.

Subp. 7. **Suspension or revocation of conditional certificate.** The agency or department may suspend, place conditions on, or revoke a conditional certificate according to *Minnesota Statutes*, section 144.99.

Subp. 8. **Denial of or refusal to reissue conditional certificate.** The agency's or department's denial of or refusal to reissue a conditional certificate must comply with *Minnesota Statutes*, section 144.99.

REPEALER. *Minnesota Rules*, part 9400.1500, subparts 2 and 4, are repealed.

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.

Announcements, Meetings and More

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a large audience of “interested eyes” every week. Remember to publish your notices here - it only costs \$10.20 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

All Official Notices, including the current volume as it grows, are indexed. Only subscribers can view this current index. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized “Contracts & Grants” section showing bids and grants still open.

- **Early delivery, on Friday**
- **Indexes to Vol. 27 - Vol. 33**
- **E-mailed to you . . . its so easy**
- **All Contracts & Grants Open for Bid**
- **Access to *State Register* Archives**
- **Updates to Index to Vol. 33**
- **LINKS**
- **WORD SEARCH Capability**

Subscribe today. Subscriptions cost \$180 a year (an \$80 savings). You will receive the *State Register* via **e-mail** at the end-of-day on Friday, instead of waiting for the non-subscriber’s issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Minnesota Board of Animal Health Notice of Quarterly Meeting of the Board

The Minnesota Board of Animal Health will hold its quarterly meeting on Wednesday, February 8, 2011. The meeting will take place at the Orville Freeman Building, 625 Robert St. N., St. Paul, MN 55155 at 9:30 a.m. in room B145.

Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Applications and Licensure Requirements, *Minnesota Rules*, 1800.0200, 1800.0300, 1800.0400, 1800.0500, 1800.0800, 1800.2500, 1800.2700, 1800.2800, 1800.2805, 1800.2900, 1800.3900, 1800.3905, 1800.3910, 1800.3915, 1800.3920, 1800.3930, 1800.4200, 1800.4300, 1800.4600, 1805.1600

Subject of Rules. The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (“Board” or “Board of AELSLAGID”) requests comments on its possible amendment to rules governing applications and licensure requirements. The Board is considering rule amendments that modify the education, examination and experience requirements for licensure as an engineer, geologist or soil scientist, remove obsolete and duplicative language from Board rules, and make general housekeeping changes.

Persons Affected. The amendment to the rules would likely affect all licensees and certificate holders and specifically pertain to the licensure of engineers, geologists and soil scientists.

Statutory Authority. *Minnesota Statutes*, section 326.06, authorizes the Board to “make all rules, not inconsistent with law, needed in performing its duties.”

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written or oral 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: Andrea Barker at the Board of AELSLAGID, 85 East Seventh Place, Suite 160, St. Paul, Minnesota 55101, **phone:** (651) 757-1511, **fax:** (651) 297-5310, or **e-mail:** *andrea.barker@state.mn.us*. **TTY** users may call the Board at 1-800-627-3529.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. 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: 11 January 2012

Doreen Frost, Executive Director
Board of Architecture, Engineering, Land Surveying,
Landscape Architecture, Geoscience and Interior Design

Minnesota Department of Labor and Industry (DLI) Division of Occupational Safety and Health Adopted Exempt Permanent Rules Adopting OSHA Standards for Window Cleaning and Building Maintenance Order Promulgating an Occupational Safety Standard

WHEREAS:

1. The basis and purpose of the adopted standard is to prevent and reduce incidents of personal injuries in work situations relating to window cleaning and building maintenance.

2. All notice and procedural requirements in *Minnesota Statutes* § 182.655, *Minnesota Rules*, Parts 5210.0050 to 5210.0100, and other applicable law have been complied with.

3. The Department received six written comments on the proposed standard. One person requested a public hearing on the standard before 4:30 p.m. on November 30, 2011, at which time the period in which to request a hearing expired. Because the Department did not receive 25 or more requests for hearing on the proposed standard, a hearing was not required.

4. The Department considered all of the comments and requests for hearing it received. As a result of the comments and request for hearing the proposed standard is modified to incorporate the general suggestions that result is a clearer and more concise standard. The modifications are as indicated in the Revisor’s draft, file number AR 4043, dated 01/11/12, which is incorporated herein by reference.

5. The proposed standard is further modified to include a provision delaying its effective date to March 1, 2012 to insure that
(Cite 36 SR 841)

Official Notices

affected employers and employees will be informed of the existence of the standard and of its terms and that employers affected are given an opportunity to familiarize themselves and their employees with the existence of the requirements of the standard.

IT IS ORDERED that the abovecaptioned Standard, in the form set out in the *State Register* on October 31, 2011, with the modifications as indicated in the Revisor's draft, file number AR4043 dated 01/11/12, are promulgated and adopted pursuant to authority vested in me by *Minnesota Statutes* § 182.655.

Dated: 11 January 2012

Ken B. Peterson, Commissioner
Department of Labor and Industry

5205.0650 SCOPE.

Parts 5205.0650 to 5205.0720 apply to building and in plant maintenance and repair necessary to maintain buildings and equipment in safe operating condition.

5205.0730 WINDOW CLEANING; BUILDING MAINTENANCE.

Subpart 1. **Scope.** This standard applies to all window cleaning operation, building maintenance operation, or a combination of both, that is performed on the inside or outside of any building, structure, or skyway, when the work is performed ~~from~~at a level that is ~~located~~suspended more than 14 feet above grade or on an adjoining flat roof or other flat surface. This requirement does not apply to a window washing operation or building maintenance operation that is performed from grade level or from a ladder supported at grade.

Subp. 2. **Definitions.** The terms used in this part have the meanings given them in this subpart.

A. "Building maintenance" means operations such as window cleaning, caulking, metal polishing, reglazing, and general maintenance on building surfaces.

B. "Building owner" means a person who exercises control over any management relating to a building or facility, or both, in which window cleaning operations or maintenance operations covered by this standard take place.

C. "Competent person" means an experienced and trained individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate the hazards.

D. "Lifeline" means a flexible line for connection to an anchorage at one end to hang vertically (vertical lifeline), or for connection to anchorages at both ends to stretch horizontally (horizontal lifeline), and which serves as a means for connecting other components of a personal fall-arrest system to the anchorage.

~~D.~~E. "Person" means an individual or legal entity, including a lessee.

~~E.~~F. "Qualified individual" means an individual who, by possession of a recognized degree, certificate, or professional standing, ~~or~~and who by extensive knowledge, training, and experience has successfully demonstrated the ability to solve or resolve problems relating to the equipment and systems pertaining to the work or project, and the development of plans for the work or project.

~~F.~~G. "Rope descent system" means ~~a suspension device~~ an assembly of components that supports one employee in a chair or seat board and allows the user to descend in a controlled manner and to stop at any time at a desired level of descent. A rope descent system is a variation of the single-point adjustable suspension scaffold, which is also known as a controlled descent device, controlled descent equipment, or controlled descent apparatus.

~~G.~~H. "Window cleaning" means operations such as window washing, window restoration, window scraping, window sealing, waxing, or metal polishing, or any combination of the ~~three~~ six.

Subp. 3. **Written plan.** Any person performing window cleaning operations or building maintenance operations shall provide a written plan developed by the employer or qualified individual ~~to before the work begins. The written plan shall be reviewed with the employees doing the work and~~ the building owner or the building owner's operating agent. The written plan shall include the following:

A. the location of work where workers may utilize suspended equipment, ~~or and~~ where workers are exposed to falls and other known hazards;

B. the identification of hazardous areas or drop zones, and safety features to be used, which shall include self-rescue;

C. a step-by-step procedure on the control of each hazardous area or drop zone; and

D. an on-site evaluation of the plan implementation by the employer or a qualified individual.

Subp. 4. **Building exterior; visual inspection.** Prior to using any equipment, the building exterior shall be visually inspected by a competent person and appropriate measures shall be taken to ensure that building features such as sharp edges of parapets, window frames, ledges, cornices, or overhangs cannot impair the structural integrity of the rope descent system, or other suspension equipment, and any associated fall-protection rigging. Padding shall be secured in a manner that prevents the padding from dislodging from the surface to be protected. A written signed log of the inspection shall be maintained on site for the duration of the operation and retained by the employer for one year.

Subp. 5. **Anchorage.** ~~Building owners, window cleaning contractors, and building maintenance contractors shall not allow suspended work to be performed until~~ A qualified individual ~~has determined~~ shall determine that there are identified and certified anchorages for:

A. independent safety lines; tiebacks for outriggers, parapet clamps, and cornice hooks; and ~~primary support anchorages for~~ powered and manual boatswain's chairs;

B. ~~primary support anchorages for rope descent systems; and~~

C. ~~horizontal rope lines or lifelines; and,~~

~~D. any other applicable OSHA standard when the requirement is for the protection of employees.~~

The building owner or its representative shall provide written documentation of the identified and certified anchorages to window cleaning contractors and building maintenance contractors. Building owners shall not allow suspended work to be performed at their facility, and window cleaning contractors and building maintenance contractors shall not perform suspended work at a facility, until a qualified individual has determined that there are identified and certified anchorages for items A to C.

Subp. 6. **Rope descent systems.**

A. The use of a rope descent system is prohibited for heights greater than 300 feet unless the ~~employer~~ qualified individual can demonstrate that access cannot otherwise be attained safely and practicably.

B. When a rope descent system is used, each employer and competent person shall:

(1) ensure the use of equipment according to the instructions, warnings, and design limitations of the manufacturer and distributor;

(2) inspect all equipment in every rope descent system prior to its use for each day used, and remove damaged equipment from service;

(3) inspect equipment after each descent and when moved to a new area or location to ensure the rope descent system is properly assembled before descending again. Damaged equipment shall be removed from service;

(4) ensure the use of proper rigging, including structural anchorages and tiebacks, with a particular emphasis on providing tiebacks when counterweights, cornice hooks, and parapet clamps, or similar nonpermanent anchorages, are used;

(5) ensure the use of a separate, independent personal fall-arrest system with a separate anchorage point;

(6) ensure that all ~~fall-arrest lines~~ lifelines are capable of sustaining a minimum tensile load of 5,000 pounds;

(7) provide for prompt rescue of employees in the event of a fall, which shall include self-rescue;

Official Notices

- (8) ensure ropes are effectively padded where they contact edges of the building, anchorage, obstructions, ~~or~~ and other surfaces which might cut or weaken the rope as required by subpart 4;
- (9) provide for stabilization at the specific work location when descents are greater than 130 feet;
- (10) prohibit window cleaning or building maintenance when the work area is exposed to excessive wind. Excessive wind is considered to be any wind which constitutes a hazard to a worker, the public, or property;
- (11) require each employee to secure equipment, such as tools, squeegees, or buckets by a tool lanyard or similar method to prevent equipment from falling;
- (12) protect suspension ropes and lifelines from exposure to open flames, hot work, corrosive chemicals, or other destructive conditions; and
- (13) prepare a written daily log of each of subitems (1) to (12), which shall be signed by the competent person and maintained on site for the duration of the operation, and retained for one year thereafter.

Subp. 7. **Fall protection.**

A. Fall protection, perimeter guarding, personal fall-arrest systems, or personal fall-restraint systems shall be provided by the employer for every employee in all work areas that expose the employee to a fall hazard ~~when approaching within six feet of an unguarded edge or unguarded skylight.~~

B. Each employee using a rope descent system shall be protected from falling four feet or more to lower levels by a personal fall-arrest system.

C. Employees shall wear and completely assemble their personal fall-arrest equipment, and be securely tied back prior to approaching the point of suspension.

Subp. 8. **Training requirements.**

A. The employer shall provide training for each employee who uses personal fall-protection equipment. The training shall enable each employee to recognize fall hazards and the procedures to be followed to minimize those hazards.

B. The employer shall ensure that each employee is trained by a qualified individual or competent person. The employee shall be trained in the following areas:

- (1) the nature of fall hazards in the work area;
- (2) the correct procedures for erecting, maintaining, disassembling, and inspecting the fall-protection systems to be used;
- (3) the use, operation, and limitations of personal fall-protection systems, including proper hookup, anchoring, and tie-off techniques; methods of use; and proper methods of equipment inspection and storage as recommended by the manufacturer; and
- (4) the use and operation of self-rescue equipment or systems.

C. The employer shall ensure that each employee is trained in the proper care, use, and inspection of equipment covered by this part before the employee is permitted to use the equipment.

D. The employer shall ensure that each employee who uses a rope descent system is trained and retrained as necessary in the proper rigging and safe use of the equipment.

E. The employer shall retrain an employee when any of the following occur:

- (1) changes in the workplace render previous training invalid;

(2) changes in the types of fall-protection systems or equipment to be used render previous training invalid; or

(3) inadequacies in an affected employee's knowledge or use of fall-protection systems or equipment indicate that the employee has not retained the requisite understanding or skill.

F. The employer shall provide information and training to each employee in a manner that is understandable to that employee.

G. The employer shall maintain training records, which shall include:

(1) the dates training was conducted;

(2) the name, title, and qualifications of the person who conducted the training;

(3) the names and job titles of the employees who completed the training; and

(4) a brief summary or outline of the information that was included in the training.

EFFECTIVE DATE. *Minnesota Rules*, parts 5205.0650 to 5205.0730, are effective March 1, 2012.

Minnesota Pollution Control Agency (MPCA) Regional Division

Notice of Availability of Draft Typo Lake and Martin Lake Total Maximum Daily Load (TMDL) Report and Request for Comment

Public comment period begins:

January 23, 2012

Public comment period ends:

February 22, 2012

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Typo Lake and Martin Lake Total Maximum Daily Load (TMDL). The aquatic life use and aquatic recreation use of two lakes within Anoka County and Isanti County are impaired because they do not meet state water quality standards for excess nutrients (phosphorus).

Typo Lake (DNR-ID 30-0009) and Martin Lake (DNR-ID 02-0034) were both listed on the 303(d) list of impaired water bodies in 2002 for aquatic life use and aquatic recreation use based on the North Central Hardwood Forest Shallow Lakes Eco-region standards. Typo Lake is a headwater lake to Martin Lake, which is connected by the west branch of the Sunrise River (Typo Creek). The west branch of the Sunrise River is also listed as impaired for high pH and turbidity. While no TMDL was written for these impairments, a review of the pH data and turbidity data indicate that high levels of phosphorus are contributing to the impairments. Therefore, it was determined that if the necessary reductions are made in Typo Lake, the impairments in the west branch of the Sunrise River should also be addressed; along with the necessary reductions for Martin Lake.

The data collected on these lakes indicated a declining trend in water quality due to excessive watershed loading and lake sediment-phosphorus sources. The TMDL linkage analysis indicates that Typo Lake requires an 81 percent reduction in phosphorus, while Martin Lake requires a 67 percent reduction in phosphorus. For Martin Lake a large amount of the reduction needs to take place in the Typo Lake watershed in order to achieve the necessary reduction. For both of these lakes phosphorus reduction activities will need to target runoff from watershed sources such as, agricultural areas, internal loading, septic systems, residential storm water, and minor sources such as wildlife and pets.

This project had local support from the Sunrise River Watershed Management Organization, the Anoka Conservation District, and several other local, state, and federal agencies. These local efforts will proceed with determining further implementation strategies and obtaining public input. The draft TMDL report outlines possible strategies for implementation.

The strategy to bring about the necessary reductions is outlined in the implementation section of the report. The next step will be the development of an implementation plan to identify specific measures to reduce the current sources of phosphorus reaching both of the lakes.

Official Notices

Preliminary Determination on the Draft TMDL Report: The MPCA Commissioner has made a preliminary determination to submit this draft TMDL report to the U.S. Environmental Protection Agency (EPA) for final approval. A draft TMDL report and fact sheet are available for review at the MPCA office at the address listed below and at the MPCA website:

<http://www.pca.state.mn.us/pyri9fd>

Written Comments: You may submit written comments on the draft TMDL report or on the MPCA Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL report that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the MPCA Commissioner to investigate the merits of your position.

Written comments on the draft TMDL report must be sent to the MPCA contact person listed below and received by 4:30 p.m. on February 22, 2012. The MPCA will prepare responses to comments received, make any necessary revisions of the draft TMDL report and submit it to the EPA for approval.

Agency Contact Person: Written comments and requests for more information should be directed to:

Christopher Klucas
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155
Phone: (651) 757-2498 (direct)
Minnesota Toll Free: 1-800-657-3864
Fax: (651) 297-8676
E-mail: *christopher.klucas@state.mn.us*

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Petition for Public Informational Meeting: You may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting the MPCA may hold to solicit public comment and statements on matters pertaining to the TMDL study and process, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

Petition for Contested Case Hearing: You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules 7000.1900*, 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 TMDL report; 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 TMDL report. 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 an 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 to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

MPCA Decision: You may also submit a petition to the Commissioner requesting that the MPCA Citizen's Board consider the TMDL report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. According to *Minnesota Statutes* § 116.02 subd 6(4), the decision whether to submit the TMDL report and, if so, under what terms, will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL report; or (3) a timely request for a contested case hearing is pending.

You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comment, requests, and petitions submitted on or before the last day of the comment period will be considered in the final decision on this TMDL report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff, as authorized by the Board, will make the final decision on the draft TMDL report.

Dated: January 2012

Minnesota Pollution Control Agency (MPCA) Joint Notice of [1] the draft 2012 TMDL List of Impaired Waters for Stream Segments and Lakes Which Have Impaired Uses & [2] Revisions to Appendix A of the Statewide Mercury TMDL – 30 Day Formal Written Comment Period

The Minnesota Pollution Control Agency (MPCA) is pleased to announce the upcoming public meetings and public notice period for the draft 2012 TMDL List. In accordance with the requirements of Section 303(d) of the Federal Clean Water Act, the MPCA is noticing for public comment its 2012 draft list of stream segments, lakes, and wetlands that have impaired designated uses that require the completion of total maximum daily load (TMDL) reports.

The List will be on formal public notice from January 23 – February 27, 2012. Interested parties are encouraged to review the draft List and to submit comments during the public notice period.

Background

Water quality standards are fundamental tools that help protect Minnesota's abundant and valuable water resources from pollution. "Beneficial uses" are the uses that water resources and their associated aquatic communities provide. Under the federal Clean Water Act, states are required to monitor and assess their waters to determine if they meet water quality standards and thereby support the beneficial uses they are intended to provide. Waters that do not meet their designated uses because of water quality standard violations are impaired. States are then required to develop a list of impaired waters that require TMDL studies, and to submit an updated list to the U.S. Environmental Protection Agency every even-numbered year for approval.

The Draft 2012 TMDL List and supporting documentation

Minnesota's draft 2012 TMDL List (also known as the 303(d) List) contains 2171 impairments that require TMDL studies; 511 of those impairments are proposed new listings. The Inventory of all impaired waters now totals 3,638, which includes impairments in need of TMDLs, those with completed TMDLs that have not yet been restored, and impairments due to natural sources. Water bodies can be listed for more than one pollutant or reach. TMDL Listing information and documents can be viewed at

<http://www.pca.state.mn.us/enzq94b>

There are four documents below: a document containing TMDL List information with multiple tabs, a document containing the Inventory of all impaired waters with multiple tabs, a document containing changes to the EPA-approved Mercury TMDL, Appendix A with multiple tabs, and the Guidance Manual for assessing the water quality of Minnesota waters.

Official Notices

- 2012 List of impaired waters needing a TMDL study – Draft, and associated documents
- 2012 Inventory of all impaired waters – Draft, and associated documents
- Mercury TMDL, Appendix A – Draft, and associated documents
- 2012 Guidance Manual for assessing the water quality of Minnesota waters

The proposed new listings are dominated by impaired biological communities (44 percent of new listings) and bacteria impairments (23 percent of new listings). Also new to the draft 2012 TMDL List is the first-ever listing of chlorpyrifos, a broad-spectrum insecticide used on agricultural food and non-food crops, and greenhouse and turf applications.

The draft 2012 list is the first developed under a refined approach to assessment that focuses on comprehensive assessment of water quality within major watersheds. MPCA has developed a 10-year schedule for monitoring and assessing each of Minnesota's 81 major watersheds. The schedule can be viewed at <http://www.pca.state.mn.us/irypabf>. For the 2012 List, the assessed watersheds are:

- Pomme de Terre
- N. Fork of the Crow
- Sauk
- Little Fork
- Le Sueur
- Mississippi (St Cloud)
- St. Croix (Stillwater)
- St. Louis
- Chippewa
- Mississippi (Red Wing)
- Root
- Cedar
- Shell Rock
- Buffalo
- Tamarac (Red R. of the North)
- Red R. of the North (Headwaters)

Some assessment activities – those involving potentially toxic pollutants – continue to occur primarily on a statewide basis to reflect the monitoring design for those pollutants.

When developing the TMDL List, the MPCA is required to list, prioritize, and attach a schedule which estimates starting dates and completion dates for developing the TMDL for each affected reach or lake. Schedules are estimated because pollutants vary in complexity and schedules must be consistent with basin planning. Please note this is not a schedule of when the waterbody will no longer be impaired.

The hotlink to the TMDL List website is: <http://www.pca.state.mn.us/enzq94b>. An Excel file of the TMDL List and Impaired waters Inventory, as well as the Guidance Manual explaining the MPCA's assessment methods is available at this site.

Revisions to Appendix A of the approved statewide mercury TMDL

In addition to developing the draft TMDL List, every two years the MPCA also updates information in the approved statewide mercury TMDL about mercury-impaired waterbodies, based on newly completed assessments of mercury in fish tissue. The MPCA mercury TMDL is comprised of the reduction goal for mercury deposition in the main body of the report and two appendices. Appendix A contains the list of lakes and river segments covered by the Mercury TMDL and Appendix B contains the list of National Pollutant Discharge Elimination System (NPDES) permittees covered by the mercury TMDL.

The waterbodies in Appendix A have fish tissue concentrations greater than 0.2 mg/kg and equal to or less than 0.572 mg/kg. Greater concentrations result in inclusion in the TMDL List. Since the Appendix was last updated, during the development of the 2010 TMDL List, an additional 109 impairments of mercury in fish tissue have been identified within that range and are therefore proposed to be included in Appendix A. This brings the total number of mercury fish-tissue impairments identified in Appendix A to 1,222. It is important to note that the mercury TMDL documentation and reduction goals are NOT being changed; only Appendix A is being modified.

Public Notice Details

The formal 30-day Public Comment Period will begin with a notice in the *State Register* on January 23, 2012 and end at 4:30 pm on February 27, 2012. All comments received during that period, and Agency responses, will be forwarded to EPA, along with the final draft TMDL list and accompanying documentation for their review and approval. There is a strong preference for receiving electronic (e-mail) comment letters but postal comment letters or Facsimile comment letters [fax to: (651) 297-7709] are acceptable also. All comment letters must have postal return addresses.

Comments can include requests for new listings or removals from the list (i.e. delistings), as well as comments on the proposed listings on the draft 2012 TMDL List. While the MPCA's monitoring and assessment efforts primarily follow the major watershed schedule, interested parties are able to propose additional listings outside of the watershed schedule during the public notice. To honor the watershed schedule and maintain the integrity of the systematic approach, any proposals for listing outside of the watershed schedule must 1) explain why moving forward with assessment is necessary separate from the comprehensive watershed assessment, and 2) demonstrate that the MPCA's assessment methods were followed for the monitoring, analysis, and comparison of the data against state standards. The MPCA will review the proposal and make the determination regarding impairment and listing prior to submitting the final draft list to EPA for approval.

Future Correspondence

Finally, please note that as part of the MPCA's overall efforts to reduce paper waste and enhance efficiency of communication, we will no longer be sending out updates to the TMDL (303d) Impaired Waters List by postal mail; instead, future correspondence will be in the form of e-mail notices with links to additional information. These changes will maintain access to information through the MPCA website, save time, and reduce mailing costs. To receive future email notices electronically, navigate to <http://www.pca.state.mn.us/enzq94b> and click on the "sign up" box on the upper right side of the page.

Thank you for your interest in TMDLs and the list of impaired waters. If you have further questions, you may contact Howard at (651) 757-2551, 1-800-657-3864, or howard.markus@state.mn.us. Other contacts are Mark Tomasek at (651) 757-2788 and Doug Hansen at (651) 757-2406 if Howard is not available.

Written comments should be directed to the following address:

Howard D. Markus, Ph.D., P.E.
TMDL List Coordinator
Environmental Assessment & Outcomes Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4196

Teachers Retirement Association (TRA) Notice of Meeting of the Board of Trustees

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Wednesday, February 15, 2012 at 9:30 a.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the Board. Board members may participate by telephone.

Teachers Retirement Association (TRA) Notice of Meeting of the Internal Audit Committee

The Minnesota Teachers Retirement Association Internal Audit Committee will hold a meeting on Tuesday, February 14, 2012 at 1:30 p.m. in Suite 400, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate by telephone.

Official Notices

Department of Transportation (MnDOT) Engineering Services Division, Office of Construction and Innovative Contracting Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective December 12, 2011 until February 10, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective February 24, 2010 until February 24, 2013:

- Joseph Edward Riley, Morris, MN
- John Thomas Riley, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

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.

Vendors and Consultants

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

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

Subscriptions cost \$180 a year (an \$80 savings). 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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Notice of Availability of Contract for Comparative Benchmarking

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is a group purchasing organization operated by the State of Minnesota's Department of Administration which serves government-authorized healthcare facilities. (For detailed information visit: www.mmcap.org.) The goal of MMCAP is to provide member organizations the combined purchasing power to receive the best prices available for pharmaceuticals, medical supplies, and related products.

MMCAP desires the services of pharmaceutical industry consultant with expertise in comparative benchmarking. MMCAP requires industry insight, knowledge, and data to review MMCAP's contract pricing portfolio against similarly situated group purchasing organizations

Work is proposed to start immediately upon completion of a negotiated contract.

The Request for Proposal can be obtained from:

Via e-mail at: Mn.multistate@state.mn.us (subject line: Comparative Benchmarking RFP)

Or

Via the web page at: www.mmcap.org, click on "Vendors & RFPs" then "Open RFPs"

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2 p.m., February 27, 2012. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

State Contracts

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 Administration (Admin) Notice of Availability of a Master Contract for Court Reporting and Deposition, Tape Transcription and Braille Translation Services

The Minnesota Department of Administration is requesting proposals for the purpose of making Court Reporting and Deposition services, Tape Transcription services and Braille Translation services available to Agencies and CPV members upon presentation and signature of a Work Order Agreement.

Work is proposed to start by March 15, 2012.

A written request sent via e-mail to pt.contracts@state.mn.us is required to receive the Request for Proposal. Please put "Court Reporter RFP" in the subject line.

Proposals submitted in response to the Request for Proposals in this advertisement must be received via e-mail at pt.contracts@state.mn.us, with "Court Reporter Proposal" in the subject line, no later than February 22, 2012. **Late proposals will NOT be considered.** Faxed or 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.

Center for Rural Policy and Development Request for Authors for the 2012 Edition of the *Rural Minnesota Journal*

The Center for Rural Policy and Development, St. Peter, MN, is seeking authors for the 2012 edition of the *Rural Minnesota Journal*. The list of article topics we are seeking authors for can be found at www.ruralmn.org/rmj/2012rmj. *RMJ* is an annual publication discussing topics of interest to rural residents, containing articles written by experts from around the state. Past issues can be viewed at www.ruralmn.org/rmj. Articles are 3,000-8,000 words, with an approximate deadline of May 31, 2012 (deadline is flexible). Research-supported articles are preferred. For more information, contact Marnie Werner at mwerner@ruralmn.org. To submit a proposal, send contact information, summary of proposed article (300 words max), and curriculum vitae/resume to Marnie Werner by January 25, 2012. Honoraria are available.

Minnesota State Colleges and Universities (MnSCU) Minnesota State Colleges and Universities, Moorhead Request for Proposals for Designer Selection for: West Snarr Hall Renovation

NOTICE IS HEREBY GIVEN that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota State University Moorhead (MSUM), through the MSUM Housing and Residential Life department, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State University Housing and Residential Life website,
<http://web.mnstate.edu/housing/rfp.cfm>.

A copy of predesign is available for review at the same website. Please note this request is only for West Snarr Hall, and does not include Dahl Hall, the other hall in the predesign report. An informational meeting is scheduled for 1:00pm on January 30, 2012 in the West Snarr Hall main lounge on the Minnesota State University Moorhead campus, 1104 7th Avenue South, Moorhead, MN 56563. All firms interested in this meeting should sign up to attend. To sign up, or to ask project questions, contact Heather Phillips, Director of Housing and Residential Life, at phillipshe@mnstate.edu.

Proposals must be delivered to Heather Phillips, Housing and Residential Life, 120 Ballard Hall, 1104 7th Avenue South, Minnesota State University Moorhead, Moorhead, MN 56563, not later than 4:00pm February 6, 2012. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU) Minnesota State College Southeast Technical Request for Proposal for Flat Panel Digital Imaging (DR) Radiography System

Minnesota State College Southeast Technical is requesting proposals for a flat panel digital imaging radiography system.

A copy of the Request for Proposal may be obtained by contacting Michael Kroening at MSC Southeast Technical, 1250 Homer Road, Winona, MN 55987; **Phone:** (507) 453-2752.

Proposals must be submitted no later than Monday, February 13, 2012, 3:00 P.M., CT. All proposals must be sealed and marked "RFP for flat panel digital imaging radiography system", 1250 Homer Road, Winona, MN 55987.

The college reserves the right to reject any or all proposals, to waive any information or irregularities in the bidding and to make the award serving the best interest of the college.

Minnesota State Colleges and Universities (MnSDCU) St. Cloud State University Advertisement for Bid for Executive Search Firm

Sealed proposals for items hereinafter described will be received by St. Cloud State University at the Business Office, St. Cloud State University, St. Cloud Minnesota until **3:00 P.M. on February 9, 2012** and will then be publicly opened and read aloud. The right is reserved to accept or reject any or all bids or parts of bids and to waive informalities therein.

Bids are requested for **Professional/Technical Services Executive Search Firm – Vice President for Administrative Affairs** as per plans and specifications available at:

www.stcloudstate.edu/businessservices/. (under "News & Announcements")

All follow up materials will be found at this site prior to the bid opening.

For Further information contact:

Lisa Sparks
Director of Purchasing
St. Cloud State University
720 - 4th Ave. S.
St. Cloud, MN 56301-4498
Phone: (320) 308-4788

State Contracts

Minnesota State Colleges and Universities (MnSCU)

St. Cloud State University

Notice of Availability of Request for Proposal (RFP) for Designer Selection for Stearns Hall Roof Replacement

St. Cloud State University is soliciting proposals from interested, qualified consultants for roof replacement design services for the above referenced project.

A full Request for Proposal is available at: http://www.stcloudstate.edu/facilities/Projects_000.asp

A copy of the pre-design is available for review at: http://www.stcloudstate.edu/bldgsgrounds/Projects_000.asp

A mandatory informational meeting is scheduled for **1:00 PM, January 23, 2012** in Room 102I in the Facilities Management building at St. Cloud State University, St. Cloud, MN. All firms interested in this meeting should contact Jane Spaude at (320) 308-2267 or jjspaude@stcloudstate.edu to sign up to attend the meeting.

Proposals must be delivered to Lisa Sparks, Director of Purchasing, Administrative Services Building, Room 122, 720 4th Avenue South, St. Cloud, MN 56301 no later than **3:00 PM, February 1, 2012**

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota State Colleges and Universities (MnSCU)

St. Cloud State University

Notice of Availability of Request for Proposal (RFP) for Roof Designer Selection for Stewart Hall Roof B1 and B2 Replacement

St. Cloud State University is soliciting proposals from interested, qualified consultants for roof replacement design services for the above referenced project.

A full Request for Proposal is available at: http://www.stcloudstate.edu/facilities/Projects_000.asp

A copy of the pre-design is available for review at: http://www.stcloudstate.edu/bldgsgrounds/Projects_000.asp

A mandatory informational meeting is scheduled for **1:00 PM, January 23, 2012** in Room 102I in the Facilities Management building at St. Cloud State University, St. Cloud, MN. All firms interested in this meeting should contact Jane Spaude at (320) 308-2267 or jjspaude@stcloudstate.edu to sign up to attend the meeting.

Proposals must be delivered to Lisa Sparks, Director of Purchasing, Administrative Services Building, Room 122, 720 4th Avenue South, St. Cloud, MN 56301 no later than **3:00 PM, February 1, 2012**

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Minnesota Management & Budget Department (MMB) Request for Proposals for an Electronic Call Center Database for the State Employee Group Insurance Program

NOTICE IS HEREBY GIVEN that Minnesota Management & Budget is requesting proposals to provide an electronic call center database for the State Employee Group Insurance Program (SEGIP).

SEGIP administers the state's comprehensive employee insurance benefits program serving over 120,000 members. This database will manage data unique to the database and extract supporting data from a customized PeopleSoft product in an Oracle hosting environment. The database will support the Employee Assistance Program (EAP) and the Enrollment and Billing Units.

A complete Request for Proposal is available by email from:

Lorna Smith
Minnesota Management & Budget
400 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
E-mail: *Lorna.Smith@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement **MUST** be received at the above address no later than Monday, March 5, 2012, 4:00 p.m. CT. Late proposals will **NOT** be considered. Faxed or emailed proposals will **NOT** be considered.

No other person is authorized to discuss this project with potential responders before the submittal of the RFP response.

This request does not obligate the State to complete a negotiated contract as 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 General Organizational Related Activities

(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website (www.dot.state.mn.us/consult) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

State Contracts

Interested firms should send the following information to the e-mail address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator

E-mail: *melissa.mcginnis@state.mn.us*

Telephone: (651) 366-4644

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 Kelly Arneson 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:

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

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers’ Transportation Accountability Act Notices

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. Mn/DOT is also posting notices as required by the Taxpayers’ Transportation Accountability Act on the above referenced website.

Minnesota Department of Transportation (Mn/DOT) Office of Transit Request for Proposals (RFP) for Pedestrian Safety Education Campaign

Existing materials to educate citizens about pedestrian safety are limited and outdated. Organizations across the state need a single source for up-to-date pedestrian safety messaging, collateral, program ideas, and curriculum to distribute to pedestrians and motorists. MnDOT should serve as a centralized source for regional and local organizations interested in promoting walking as a viable mode of transportation. Public understanding of safe driving and walking behaviors will increase the safety of pedestrians using Minnesota roadways. Both motorists and pedestrians need to become more aware of the Minnesota crosswalk law, safe crossing behaviors, and safe driving behaviors around pedestrians. Pedestrian fatality rates remain constant despite recent decreases in motor vehicle fatalities. A public awareness campaign needs to attract the attention of a broad audience while providing relevant safety messages that cause individuals to change their driving and walking behaviors. Data is available describing pedestrian-vehicular crash trends, and campaign messages will be derived from common causes of pedestrian crashes, summarized in Task 2. The goal of this project is to promote safe walking and driving behaviors that increase the percentage of motorists and pedestrians who follow the Minnesota crosswalk law and exhibit safe walking/driving behaviors and reduce pedestrian crashes on Minnesota roadways.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator
E-mail: ashley.duran@state.mn.us
Telephone: (651) 366-4627

Note: RESPONSES WILL BE DUE ON **TUESDAY, FEBRUARY 14, 2012 AT 2:00 PM** CENTRAL STANDARD TIME

Minnesota Zoo Notice of Request for Proposals for Minnesota Zoo Audit Services

Request for Proposals from qualified and experienced environmental team to develop a Site Restoration and Management plan for the Minnesota Zoo teams to provide comprehensive Site Management and Restoration plan for immediate use as well as long term use.

Details are included in the complete Request for Proposals which is available by e-mailing Kim Thomas, Minnesota Zoo Horticulture Supervisor at kim.thomas@state.mn.us. The deadline for submitting a proposal is 11:00AM., CST, January 26, 2012.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

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.

Other Funding

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Easy Access to *State Register* Archives**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **Early delivery, on Friday**
- **E-mailed to you . . . its so easy**
- **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 Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Data Center

MAC Contract No.: 106-2-632
Bids Close At: 2:00 p.m. February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project is a new Data Center Building on the MSP Airport Campus.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 6%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Minneapolis-St. Paul International Airport

Notice of Call for Bids for Fuel Farm Fire Protection Improvements

MAC Contract No.:

106-3-456

Bids Close At:

2:00 PM on February 21, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the construction of a fuel foam distribution system and pump house for the MFC Fuel Facility at the Minneapolis-St. Paul International Airport.

Disadvantaged Business Enterprises (DBEs): The goal of the MAC for the utilization of DBEs on this project is 7%.

Bid Security: Each bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of TKDA, the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; **phone:** (651) 292-4400; **fax:** (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport

Notice of Call for Bids for North Side Storm Sewer Improvements

MAC Contract No.:

106-1-226

Bids Close At:

2:00 PM, February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for improvements to the storm sewer system and Ponds 3 and 4 located east of T.H. 5, within Fort Snelling State Park, at the Minneapolis-Saint Paul International Airport.

Disadvantaged Business Enterprises (DBEs): The goal of the MAC for the utilization of DBEs on this project is 7%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc., 2550 University Avenue West, Suite 238N, St. Paul, Minnesota 55114; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding document may secure a complete set from Kimley-Horn and Associates, Inc.; 2550 University Avenue West, Suite 238N; St. Paul, Minnesota 55114; **phone:** (651) 645-4197; **fax:** (651) 645-5116. Make checks payable to: Kimley-Horn and Associates, Inc. Deposit per set (refundable): \$150.00. Requests for mailing sets will

Non-State Public Bids, Contracts & Grants

require a separate, non-refundable \$20.00 check for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 16, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Project Name: Notice of Call for Bids for Parking Structure Rehabilitation 2012

MAC Contract No.: 106-3-469
Bids Close At: 2:00 PM, Tuesday, February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The project provides for miscellaneous repairs and maintenance to the parking structure facilities at the Terminal 1-Lindbergh and Terminal 2-Humphrey.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 5%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Kimley-Horn and Associates, Inc.; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Kimley-Horn and Associates, Inc.; 2550 University Avenue West, Suite 238N; St. Paul, Minnesota 55114; **Phone:** (651) 645-4197; **fax:** (651) 645-5116. Make checks payable to: Kimley-Horn and Associates, Inc. Deposit per set (refundable): \$100.00. Requests for mailing sets will require a separate, non-refundable \$15.00 check for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 16, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2012 Folded Plate Drain and Roof Repair

MAC Contract No.: 106-2-655
Bids Close At: 2:00 p.m. February 14, 2012

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work of this project includes the removal and replacement of roofing and roofing structures, the replacement of roof drains, patching and repair of roofing, replacement of the existing coping flashing, metal fabrications, steel stairs, concrete coating removal, glazing, high-performance coatings, electrical, and the repair of the concrete roof structure.

Targeted Group Businesses (TGBs): The goal of the MAC for the utilization of TGBs on this project is 5%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Non-State Public Bids, Contracts & Grants

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to: Architectural Alliance. Deposit per set (refundable): \$150 Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on January 23, 2012, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Request for Qualifications for Airport Planning Services

The Metropolitan Airports Commission (MAC) is inviting interested firms to submit Statements of Qualifications (SOQs) as part of a competitive selection process for a full range of airport planning services for the Minneapolis-St. Paul International Airport (MSP) and the six MAC-owned Reliever Airports, as well as other planning services as requested. All submittals must be received by the MAC prior to 12:00 p.m. noon on February 3, 2012. Copies of the RFQ are available via the following link:

<http://www.metroairports.org/business/solicitations>

or contact Bridget M. Rief, P.E., Assistant Director – Airside Development, Metropolitan Airports Commission, 6040 - 28th Ave. S., Minneapolis, MN 55450; **phone:** (612) 725-8371; **fax:** (612) 794-4407, **E-mail:** bridget.rief@mspmac.org.

Minnesota's Bookstore

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155

(1 block east of I-35E Bridge, 1 block north of University Ave.)

FREE PARKING

Phone: (651) 297-3000; Fax: (651) 215-5733

E-mail: <http://www.minnesotasbookstore.com>

WE ARE “MAP CENTRAL”

--- WE HAVE **THOUSANDS** OF MAPS ---



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

| Stock No. | Title | Quantity | Unit Price | Total |
|-----------|-------|----------|------------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip _____

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

| <i>If Product</i> | <i>Please</i> |
|---|---------------|
| <i>Subtotal is:</i> | <i>Add:</i> |
| Up to \$15.00 | \$ 5.00 |
| \$15.01-\$25.00 | \$ 6.00 |
| \$25.01-\$50.00 | \$ 9.00 |
| \$50.01-\$100.00 | \$ 14.00 |
| \$100.01-\$1,000 | \$ 17.00* |
| *\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges. | |
| More than \$1,000 | Call |

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

If tax exempt, please provide ES number or completed exemption form.
ES# _____