

86, Sept. 15

STATE OF MINNESOTA

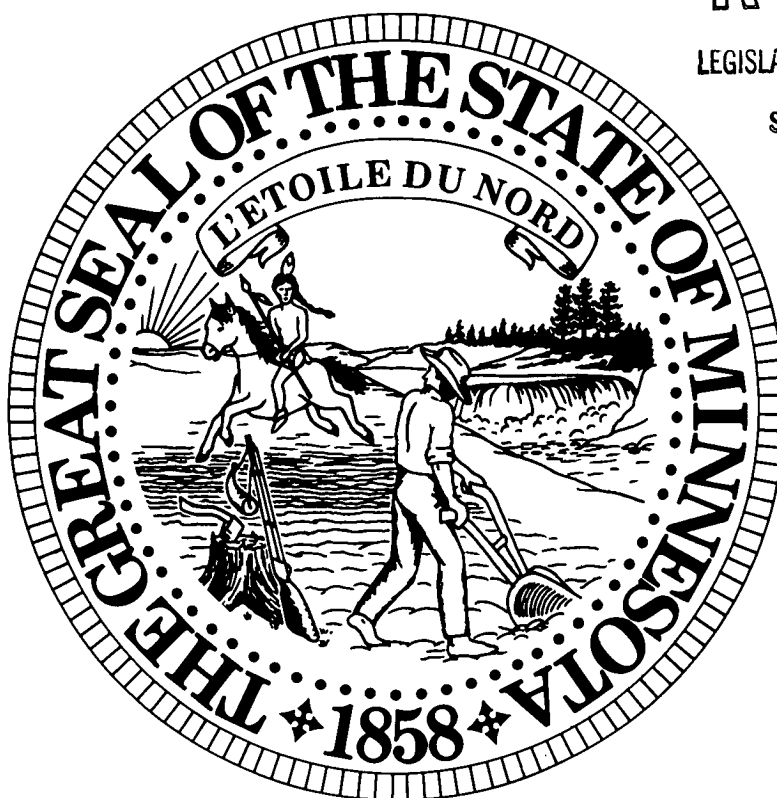
STATE REGISTER

DEPARTMENT OF ADMINISTRATION—DOCUMENTS DIVISION

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Monday 15 September 1986
VOLUME 11, NUMBER 11
Pages 449-476

STATE REGISTER

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

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, and supreme court and tax court decisions.

Volume 11 Printing Schedule and Submission Deadlines

Vol. 11 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
11	Friday 29 August	Monday 8 September	Monday 15 September
12	Monday 8 September	Monday 15 September	Monday 22 September
13	Monday 15 September	Monday 22 September	Monday 29 September
14	Monday 22 September	Monday 29 September	Monday 6 October

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

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Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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FOR LEGISLATIVE NEWS

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

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 111 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION** also.

The **PROPOSED RULES** section contains:

- Proposed new rules (including notice of hearing and/or notice of intent to adopt rules without a hearing).
- Proposed amendments to rules already in existence in the *Minnesota Rules*.
- Proposed emergency rules.
- Withdrawal of proposed rules (option; not required).

The **ADOPTED RULES** section contains:

- Notice of adoption of new rules and rule amendments adopted without change from the previously published proposed rules. (Unchanged adopted rules are not republished in full in the *State Register* unless requested by an agency.)
- Adopted amendments to new rules or rule amendments (adopted changes from the previously published proposed rules).
- Notice of adoption of emergency rules.
- Adopted amendments to emergency rules (changes made since the proposed version was published).
- Extensions of emergency rules beyond their original effective date.

The **OFFICIAL NOTICES** section includes (but is not limited to):

- Notice of intent to solicit outside opinion before promulgating rules.
- Additional hearings on proposed rules not listed in original proposed rules calendar.

ALL ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES published in the *State Register* and filed with the Secretary of State before April 8, 1985 are published in the *Minnesota Rules 1985*. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after April 8, 1985 are included in a supplement published in Spring, 1986. Proposed and adopted EMERGENCY (formerly called TEMPORARY) RULES appear in the *State Register* but are generally not published in the *Minnesota Rules* due to the short-term nature of their legal effectiveness. Those that are long-term may be published.

The *State Register* publishes partial and cumulative listings of rule in the MINNESOTA RULES AMENDMENTS AND ADDITIONS list on the following schedule:

Issues 1-13, inclusive
Issues 14-25, inclusive
Issue 26, cumulative for 1-26
Issues 27-38, inclusive

Issue 39, cumulative for 1-39
Issues 40-51, inclusive
Issue 52, cumulative for 1-52

MINNESOTA RULES AMENDMENTS AND ADDITIONS

NOTE: This listing includes all proposed and adopted rules printed in this issue except emergency rules and errata for this issue. Please see those sections for the appropriate rule numbers.

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ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Natural Resources

Adopted Rules Relating to Land Use Districts, Boundary Changes

The rule proposed and published at *State Register*, Volume 10, Number 9, pages 2399-2401, June 2, 1986 (10 S.R. 2399) is adopted as proposed.

Secretary of State

Adopted Permanent Rules Relating to Optical Scan Voting Systems

The rules proposed and published at *State Register*, Volume 10, Number 53, pages 2614-2617, June 30, 1986 (10 S.R. 2614) are adopted as proposed.

EMERGENCY RULES

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§ 14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§ 14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

MINNESOTA RULES AMENDMENTS AND ADDITIONS

(Emergency rules published in this issue)

Department of Agriculture

Adopted Emergency Rules Relating to the Reinvest In Minnesota Program

The rules proposed and published at *State Register*, Volume 10, Number 53, pages 2623-2632, June 30, 1986 (10 S.R. 2623) are adopted with the following modifications:

Rules as Adopted

SOIL AND WATER CONSERVATION BOARD RIM RESERVE PROGRAM

8400.3100 [Emergency] DEFINITIONS.

Subp. 9. **Conservation easement, easement.** "Conservation easement" or "easement" means a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include keeping or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property. Public access ~~must be~~ is controlled by the landowner.

8400.4300 [Emergency] ESTABLISHMENT OF VEGETATIVE PRACTICES.

Subp. 3. Actual cost differing from estimated cost. If the actual cost of a practice exceeds the estimated cost, the district may only authorize payment of the approved rate unless an amendment to the vegetative cover agreement has been approved. Because of extreme circumstances including, but not limited to, weather or unforeseen geologic conditions, it may be desirable to increase the estimated cost or postpone the starting or completion date of the practice. These changes must be approved by the district board in advance of completion of the work with an amendment to the vegetative cover agreement covering the changes. Amendments may not be authorized for providing final payments in excess of the maximum rate established in subpart 5 7. Amendments may

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

EMERGENCY RULES

not be authorized after final approval of payment has been made on the original agreement. If the actual cost is less than the estimated cost, the district shall only authorize payment of the actual cost of the practice. The district board shall review the receipts or invoices provided by the landowner to determine the actual cost of the practice. If the district determines that the claims are practical and reasonable, it shall authorize payment. Payments may not exceed the rates established in subpart 5 7. If the district board determines that certain claims are not justified, it shall notify the landowner in writing of the unjustified claims within 30 days. The district board shall then authorize the issuance of a check for the justified claims.

Subp. 5. **Payment conditions.** If the state board or its authorized representative authorizes a partial payment under subpart 4, the following conditions apply:

- A. Payment rates must comply with ~~this~~ subpart 7.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Education Instructional Effectiveness Division

Notice Concerning Minnesota's FY 87 State Plan

As required by the final regulations for the Education of All Handicapped Children Act (E.H.A.), Part B (P.L. 94-142), § 121a.284, notice is given at the following:

Minnesota's 1987 State Plan, final draft, has been approved by the Commissioner of Education, the Bureau of Education for the Handicapped. Public Law 94-142 funds have been received by the State Department of Education. Copies of the plan or information about the plan may be obtained by contacting Norena A. Hale, Manager, Unique Learner Needs Section, Minnesota State Department of Education, 811 Capitol Square Building, St. Paul, Minnesota 55101, telephone 612-296-1793.

Department of Energy and Economic Development Business Financial Management Division

Tax Exempt Financing Issuance Authority

Notice of Availability

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 22

The Department gives notice that the amounts of tax exempt financing issuance authority available to qualified issuers as of September 8, 1986, is as follows:

Competitive Pool (Existing Law)

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 13

Total Pool Available (Priority to Manufacturing Projects)	\$426,795,615.
For:	
Pollution Control/Waste Management Projects	\$ 49,564,560.
Commercial Redevelopment Projects	\$116,281,195.

Competitive Pool (Federal Volume Limitation Act)**Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 19**

Total Pool Available (Priority to a-General Obligation Projects, b-Manufacturing Projects) \$280,509,527.

For:

Pollution Control/Waste Management Projects \$ 59,856,247.
Commercial Redevelopment/Multifamily Housing Projects \$ 73,301,647.

Qualified 501(c)(3) Bond Pool (Federal Volume Limitation Act)**Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 20**

Total Pool Available \$ 51,865,000.

Pursuant to Minn. Laws 1986, Ch. 465, Article 1, Section 13, Subd. 2, Section 19, Subd. 2, Section 20, Subd. 3, and Section 21, Subd. 2, issuers requesting allocations of issuance authority must submit applications, any applicable deposit and any other supporting documents required. Application forms are available from the Department upon request.

Department of Finance**Maximum Interest Rate for Municipal Obligations in September**

Pursuant to Minnesota Statutes, Section 475.55, Subdivision 4, Commissioner of Finance, Jay Kiedrowski, announced today that the maximum interest rate for municipal obligations in the month of September would be nine (9) percent per annum. Obligations which are payable wholly or in part from the proceeds of special assessments or which are not secured by general obligations of the municipality may bear an interest rate of up to ten (10) percent per annum.

Dated: 19 August 1986

Peter Sausen, Assistant Commissioner
Cash and Debt Management

**Department of Natural Resources
Minerals Division****Notice of Intent to Solicit Outside Opinion Regarding Possible Amendment of Rules on
Permits to Prospect for and Leases to Mine Copper, Nickel, and Associated
Minerals**

Notice is hereby given that the Minnesota Department of Natural Resources is seeking information or opinions from sources outside the agency in preparing to study the need to amend the rules regarding permits to prospect for and leases to mine copper, nickel, and associated minerals (Minnesota Rules, parts 6125.0100-.0700). The promulgation of amendments to these rules are authorized by Minnesota Statutes, §§ 93.08-93.12 and 93.25, which permits the agency, with the approval of the State Executive Council, to adopt rules and regulations for the issuance of permits to prospect for and leases to mine and remove copper, nickel, and associated minerals on lands wherein an interest in the minerals is owned by the state.

The Minnesota Department of Natural Resources requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements shall be addressed to:

Elwood F. Rafn, Director
Division of Mineral
Department of Natural Resources
500 Lafayette Road—Box 45
St. Paul, MN 55155-4045

Oral statements will be received during regular business hours over the telephone at (612) 296-4807 and in person at the above address.

OFFICIAL NOTICES

All statements of information and comment shall be accepted until December 15, 1986. Any written material received by the Minnesota Department of Natural Resources shall become part of the record in the event that amendments to these rules are promulgated.

Dated: 8 September 1986

Joseph N. Alexander, Commissioner
Department of Natural Resources

Pollution Control Agency

Notice of Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances, Pollutants or Contaminants

Notice is hereby given that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment a proposed update of the Permanent List of Priorities among releases or threatened releases of hazardous substances, pollutants or contaminants for which the MPCA may take removal or remedial actions. The statutory basis for and an explanation of the MPCA's Permanent List of Priorities (PLP) is discussed below.

Pursuant to the Environmental Response and Liability Act (ERLA), Minn. Stat. Section 115B.17 (1984), the MPCA is authorized to take any removal or remedial action which the MPCA deems necessary to protect the public health or welfare or environment whenever there is a release, or substantial threat of release, from a facility of any pollutant or contaminant which presents an imminent and substantial danger to the public health, welfare or environment or whenever a hazardous substance is released or there is a threatened release of a hazardous substance from a facility.

Minn. Stat. Section 115B.17, subd. 13 (1984) requires the MPCA to establish priority rules among releases or threatened releases of hazardous substances, pollutants or contaminants. The priority rules, Minn. Rules chapter 7044, became effective on July 10, 1984.

Minn. Stat. Section 115B.17, subd. 13 (1984) also requires the MPCA to adopt a permanent priority list and to modify the list from time to time according to the criteria set forth in the priority rules. Before any list is established, it must be published in the *State Register* to allow for a 30-day public comment period. This notice is therefore published to inform the public that the MPCA is proposing to amend its April 1986 PLP and to solicit public comments *only* on the proposed modifications.

The proposed modifications to the PLP is hereinafter referred to as the "proposed November 1986 Update of the PLP". The proposed November 1986 Update of the PLP was developed according to the process set forth in Minn. Rules pt. 7044.0400 (1985). Each site listed has been ranked using the modified Hazard Ranking System (HRS) method, as required by Minn. Rules pt. 7044.1000. Each site has also passed the prescreening test of Minn. Rules pt. 7044.1200 (1985) for eligibility.

The numerical scores generated by the HRS scoring process should not be interpreted as exact number priorities. The scores shown indicate the relative ranking and general classification of sites, but sites with scores within approximately ten points of each other may be considered roughly equivalent in terms of a known or possible public health or environmental threat. Generally, the cleanup of a hazardous waste site involves a three-phase program:

- 1) Remedial Investigation/Feasibility Study—investigation of the extent, magnitude and nature of the release or threatened release, and identification and selection of the most cost effective removal or remedial action(s), and
- 2) Remedial Design—detailed design of the selected cost-effective removal or remedial action(s), and
- 3) Response Action—implementation of the selected cost-effective removal or remedial action(s).

All sites listed on the proposed November 1986 Update of the PLP have been assigned to one or more response action classes as required by Minn. Rules pt. 7044.0300. (The terms response action, removal action, and remedial action are defined in Minn. Stat. § 115B.02.) The proposed November 1986 Update of the PLP is presented by response action class. Each of the four response action classes is defined as follows:

CLASS A—Declared emergencies. This class includes those sites at which an emergency has been declared by the MPCA Director pursuant to ERLA. According to Minn. Rules pt. 7044.0200, an "emergency" means that there is an imminent risk of fire or explosion, that a temporary water supply is needed where an advisory has been issued, or that immediate adverse human health effects may be anticipated due to direct contact or inhalation, and an advisory has been issued. An "advisory" means a warning by the MPCA Director, Minnesota Department of Health, Minnesota Department of Natural Resources, or the Minnesota Department of Agriculture issued to the public concerning a hazardous substance, pollutant or contaminant at or near a site.

CLASS B—Response Actions completed and operation and maintenancelong-term monitoring ongoing. This class includes those sites where response actions have been completed and long-term monitoring of these completed response actions is in progress.

This class also includes those sites where activities are necessary to operate and maintain response action(s) that have previously been completed. Examples include continuing operation of a ground water pump-out system at a site, long-term monitoring, and work necessary to maintain the integrity of the site, such as maintaining cover or closure at a site.

There are thirteen (13) sites on the proposed November 1986 Update of the PLP where response actions have been completed (i.e., source removal or treatment, soils excavation, or installation of a ground water pump out system). All that remains at these sites is long-term operation and maintenance or long-term monitoring to ensure the effectiveness of the completed response actions. Sites with this status include: Boise Cascade/Medtronic; Boise Cascade/Onan; Boise Cascade Paint Waste Dump; DNR-Duxbury Pesticide Site; DNR-Nett Lake/Orr Pesticide Site; General Mills; Hastings Former City Dump; Hutchinson Technology, Inc.; Oakdale Dump; PCI, Inc.; Perham Arsenic Site; 3M Kerrick Disposal Site; and Whittaker Corp.

CLASS C—Response actions necessary or in progress or first year operation and maintenance at a site. This class includes all sites where remedial design and implementation of response actions (other than Class A or B) such as barrel removals, soil decontamination, first year ground water pump-out or monitoring are necessary to effect a permanent remedy or cleanup of the sites.

CLASS D—Remedial investigations and feasibility studies (RI/FS) necessary or in progress. This class includes all sites which require investigation of the extent, magnitude and nature of the release or threatened release (RI) and analysis of alternatives and selection of the most cost effective response action(s) (FS).

All sites in the four classes are presented in order of their modified HRS score. Sites that are listed or proposed for listing on the National Priorities List (NPL) are so indicated. Consent orders or stipulation agreements are noted if such agreements have been executed between the MPCA and the responsible party(ies). Request for Response Actions issued to the responsible party(ies) are also indicated.

Major changes in the proposed November 1986 Update of the PLP from the April 1986 PLP include additions to and deletions from the PLP, changes in HRS scores, changes in the classification of sites, and changes in NPL status.

Additions to the April 1986 PLP include the following fifteen (15) sites: Bassett Creek Avenue Dump; Buekers Sanitary Landfill; Conoco, Inc.—Lakeland Tankfarm; Conoco, Inc.—Wrenshall Refinery; Kluver Sanitary Landfill; Northwoods Sanitary Landfill; Owatonna City Dump; Pine Lane Sanitary Landfill; Sauk Centre Sanitary Landfill; Schnitzer Iron & Metal Co.; Superwood, Corp.—Nu-ply Division; Trio Solvent Site; Twin Cities Air Force Reserve Base; Wadena Sanitary Landfill; and Yonak Sanitary Landfill.

Deletions from the April 1986 PLP include the following five (5) sites: Airco Lime Sludge Pit; Ecolotech, Inc.—Minneapolis; Former McKay Mfg. Company; Maple Plain Dump; and Sonford Products. Airco Lime Sludge Pit—Lime sludge was excavated and recycled. The site had no significant detrimental impact upon surface water or ground water in the area. Ecolotech, Inc.—Minneapolis—Hazardous materials have been removed and disposed of. Soil samples show that metal concentrations are within the normal background range for metals in soils. All activities outlined in a consent order have been satisfactorily completed. Former McKay Manufacturing Company—Wastes were analyzed, re-packaged, and disposed of in accordance with an MPCA approved plan. Maple Plain Dump—Ground water monitoring results show that levels of volatile organics in the shallow aquifer have not increased and are well below recommended drinking water criteria. The aquifer is presently not used for drinking water, and an on-site well previously used for drinking water has been properly abandoned. The site has been capped with 2-feet of clay to prevent infiltration. Sonford Products—The site was cleaned up during April-November, 1985 as an emergency removal by the U.S. Environmental Protection Agency.

Nine (9) HRS Scores are being changed on the proposed November 1986 Update of the PLP from the April 1986 PLP. These changes have occurred due to the development of additional site information and/or the revision of HRS scores after undergoing the U.S. Environmental Protection Agency's (EPA) quality assurance review. The HRS score changes are as follows: Agate Lake Scrapyard (31 to 30); Burnsville Sanitary Landfill (37 to 43); Duluth Air Force Base (10 to 21); Jackson Municipal Well Field (35 to 26); Minnegasco (6 to 42); Ritari Post & Pole Co. (27 to 30); Tonka Main Plant (36 to 31); White Bear Lake Township Dump (7 to 33); and Woodlake Sanitary Landfill (34 to 16).

The proposed November 1986 Update of the PLP proposes classification changes from the April 1986 PLP for six (6) sites. Changes in classification come as a result of completion of all tasks required for a site, or reassessment of the cleanup tasks required at a site following acquisition of additional site information. The proposed changes in classification are as follows: Boise Cascade/Onan (C to B); Electric Machinery (C, D to A, C, D); General Mills (C to B); Kurt Manufacturing (C, D to C) West Duluth Industrial site (C, D to C); and Windom Dump (D to C, D).

Changes in NPL status occurred at eighteen (18) sites from the April 1986 PLP to the proposed November 1986 Update of the PLP. The status of ten (10) of these sites changed from being proposed for the NPL to being listed on the NPL, and are as follows: Agate Lake Scrapyard; Freeway Sanitary Landfill; Koch Refinery/N-Ren Corp.; Kummer Sanitary Landfill; Kurt Manufacturing; Long Prairie Ground Water Contamination; University of Minnesota—Rosemount Research Center; Waite Park Ground Water Contamination Site; Windom Dump; and Adrian Municipal Well Field. The NPL status of seven (7) of these sites has changed

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from being unlisted on the NPL to being proposed for the NPL, and include: Ashland Oil Co.—Cottage Grove; Ashland Oil/Park Penta/Sonford Products Site; Atwater Municipal Well Field; Ritari Post and Pole; Tonka Main Plant; White Bear Lake Township Dump; and Isanti Solvent Site. The NPL status of one (1) site changed from being proposed for the NPL to being deleted because the site HRS score dropped to below 28.5, and included: Jackson Municipal Well Field.

Three (3) of the fifteen (15) sites being added to the proposed November 1986 Update of the PLP are currently proposed for inclusion on the NPL. These sites are: Conoco, Inc.—Wrenshall Refinery; Superwood Corp.—Nu-Ply Division; and Twin Cities Air Force Reserve Base.

The proposed November 1986 Update of the PLP lists a total of 133 sites. From the April 1986 PLP, which listed 123 sites, the following changes are proposed: fifteen (15) sites are being added and five (5) sites are being deleted.

The Permanent List of Priorities will be updated annually as required by Minn. Rules pt. 7044.0600, according to the criteria set forth in Minn. Rules chapter 7044. Notice of any future updates of the PLP will be published in the *State Register* for the purpose of soliciting public comments.

Based upon the above considerations, the proposed November 1986 Update of the PLP is offered for public comment. Funding sources for removal or remedial actions at the sites listed include Federal Superfund (CERCLA), State Superfund (ERLA), a combination of both federal and state monies, and funding by the responsible party(ies).

Additional information regarding specific sites on the proposed November 1986 Update of the PLP may be obtained by writing the Public Information Office, MPCA, 1935 West County Road B2, Roseville, Minnesota 55113, or phoning (612) 296-7373.*

The MPCA invites members of the public to submit written comments on the proposed November 1986 Update of the PLP. To be considered, all comments must be received no later than 4:30 p.m., October 15, 1986. Written comments should be submitted to: Shawn Ruotsinoja, Minnesota Pollution Control Agency, Division of Solid and Hazardous Waste, Site Response Section, 1935 West County Road B-2, Roseville, Minnesota 55113.*

All written comments received by the above deadline will be considered by the MPCA in establishing the November 1986 Update of the PLP.

*NOTE: Effective October 1, 1986, the MPCA will have a new address; therefore, all public comments and requested site information as indicated above should be addressed to: 520 Lafayette Road North, St. Paul, Minnesota 55155.

Public Information Office Phone: (612) 296-6300

State of Minnesota
Environmental Response and Liability Act
Permanent List of Priorities

November 1986

Class A Sites
Declared Emergencies

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
Electric Machinery, St. Cloud	38		ERLA funded
Waite Park Ground Water Contamination Site	32	X	ERLA funded
Atwater Municipal Well Field	31	P	ERLA funded
Spring Grove Municipal Well Field	28		ERLA funded
Askov Ground Water Contamination	18		ERLA funded

Class B Sites

Response Actions Completed and
Operation and Maintenance/Long Term Monitoring Ongoing

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
Boise Cascade/Medtronic, Fridley	59	X	Consent Order 1/25/84
Boise Cascade/Onan, Fridley	59	X	Consent Order 12/28/84
Oakdale Dump	59	X	Consent Order 7/26/83
PCI, Inc., Shakopee	52		Stipulation Agreement 6/25/85
Whittaker Corp.	40	X	Request for Response Action 4/23/85

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
General Mills, Minneapolis	39	X	Consent Order 10/23/84
Perham Arsenic Site, Otter Tail County	38	X	ERLA funded
Hastings Former City Dump	31		
Boise Cascade Paint Waste Dump, Ranier	17		Consent Order 6/25/85
DNR-Duxbury Pesticides Site	11		Cleanup Completed 2/28/86
DNR-Nett Lake/Orr Pesticide Site	9		Cleanup Completed 11/30/84
3M Kerrick Disposal Site, Kerrick	9		Consent Order 1/24/84
Hutchinson Technology, Inc.	9		Cleanup Completed 9/84

Class C Sites

Response Actions Necessary or in Progress
First Year Operation and Maintenance

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
FMC Corp., Fridley	66	X	Consent Order 6/8/83
U.S. Naval Industrial Reserve Ordnance Plant (NIROP), Fridley	63	P	Request for Response Action 5/22/84
Twin Cities Army Ammunition Plant/New Brighton/Arden Hills/ St. Anthony	59	X	Amended Request for Response Action 4/23/85
Reilly Tar, St. Louis Park	59	X	Consent Order 4/22/86
Koppers Coke, St. Paul	55	X	Request for Response Action 3/25/86
St. Regis Paper, Cass Lake	53	X	Consent Order 2/26/85
Pine Bend/Crosby American Landfill, Inver Grove Heights	52	P	Consent Order 4/23/85
Anoka Municipal Sanitary Landfill, Ramsey	51		Consent Order 5/30/85
Waste Disposal Engineering, Andover	51	X	Consent Order 3/20/84
MacGillis & Gibbs, Co., New Brighton	48	X	
Bell Lumber & Pole, Co., New Brighton	48	X	Consent Order 5/30/85
Burlington Northern, Brainerd	47	X	Consent Order 4/4/85
Faribault Coal Gasification Plant Site, Faribault	46		
Freeway Sanitary Landfill, Burnsville	46	X	Request for Response Action 2/25/86
University of Minnesota—Rosemount Research Center	46	X	Request Action Agreement 5/30/85
Ashland Oil/Park Penta/Sonford Products Site	45	P	
St. Augusta Sanitary Landfill/Engen Dump, Stearns County	45	P	
Joslyn Mfg. & Supply Co., Brooklyn Center	44	X	Consent Order 5/30/85
Burnsville Sanitary Landfill	43		
Oak Grove Sanitary Landfill, Anoka County	43	X	
Iron and Metal Co.			
Union Scrap Iron and Metal Co., Minneapolis	43	X	ERLA funded
Kummer Sanitary Landfill, Beltrami County	42	X	CERCLA funded
LeHillier/Mankato	42	X	ERLA funded remedial design
Minnegasco, Minneapolis	42		Request for Response Action 6/24/86
Washington County Landfill, Lake Elmo	42	X	Consent Order 10/23/84
Conoco, Inc.—Wrenshall Refinery	41	P	
Kandiyohi County Sanitary Landfill	41		
Shafer Metal Recycling, Minneapolis	41		
Arrowhead Refinery Co., Hermantown	40	X	
Dakhue Sanitary Landfill, Dakota County	40	P	
Flying Cloud Sanitary Landfill, Eden Prairie	40		Consent Order 9/24/85
NL Industries/Taracorp/Golden Auto, St. Louis Park	40	X	Consent Order 2/26/85
Kluver Sanitary Landfill, Douglas County	39		
Electric Machinery, St. Cloud	38		Request for Response Action 3/26/86
Nutting Truck & Caster Co., Faribault	38	X	Consent Order 4/26/84
Sauk Centre Sanitary Landfill	38		
Sibley County Sanitary Landfill, Gaylord	38		
Windom Dump	38	X	Request for Response Action 6/24/86
South Andover, Andover	35	X	

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<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
Adrian Municipal Well Field	34	X	
Ironwood Sanitary Landfill (Advance Transformer), Spring Valley	34		Consent Order 7/22/86
Ashland Oil—Cottage Grove	34	P	Request for Response Action 3/26/85
Battle Lake Area Sanitary Landfill, Otter Tail	34		
Chisago-Isanti County Sanitary Landfill	34		
Conoco, Inc.—Lakehead Tank Farm, Wrenshall	34		
La Grand Sanitary Landfill, Douglas County	34	P	Stipulation Agreement 4/26/83
Olmsted County Sanitary Landfill	34	X	
Pickett Sanitary Landfill, Hubbard County	34		
Superwood Corp.-Nu-Ply Division, Bemidji	34	P	
Twin Cities Air Force Reserve Base	34	P	
Winona County Sanitary Landfill	34	P	
3M Chemolite Disposal Site, Cottage Grove	33		Consent Order 5/28/85
White Bear Lake Township Dump, Ramsey County	33	P	Request for Response Action 7/22/86
Long Prairie Ground Water Contamination	32	X	
St. Louis River/Interlake, Duluth	32	X	
St. Louis River/U.S. Steel, Duluth	32	X	Consent Order 3/26/85
Waite Park Ground Water Contamination Site	32	X	Request for Response Action 11/19/85
Atwater Municipal Well Field	31	P	ERLA funded
East Bethel Demolition Landfill, East Bethel	31	X	
Honeywell, Inc.—Golden Valley Plant	31		Consent Order 11/19/85
Koch Refining/N-ReN Corp., Rosemount	31	X	Consent Order 10/22/85
Kurt Mfg., Fridley	31	X	Consent Order 8/28/84
Tonka Main Plant, Mound	31	P	Request for Response Action 7/22/86
Trio Solvent Site, New Brighton	31		Request for Response Action 8/26/86
Agate Lake Scrapyard, Brainerd	30	X	Request for Response Action 1/28/86
Isanti Solvent Sites, Isanti County	30	P	
Ritari Post and Pole, Wadena County	30	P	Request for Response Action 2/25/86
Louisville Sanitary Landfill, Jordan	29		
Western Lake Superior Sanitary District Landfill/Duluth Dump, St. Louis County	29		
Spring Grove Municipal Well Field	28		
Yonak Sanitary Landfill, Wright County	28		
Koochiching County Sanitary Landfill	27		
Electronic Industries, Inc., New Hope	26		Stipulation Agreement 1/24/84
Gofer Sanitary Landfill, Martin County	26		
Jackson Municipal Well Field	26		ERLA funded
Buekers Sanitary Landfill, Stearns County	25		
Dodge County Sanitary Landfill	25		
Elk River Sanitary Landfill	25		
Houston County Sanitary Landfill	25		
Pine Lane Sanitary Landfill, Chisago County	25		
Ponderosa Sanitary Landfill, Blue Earth County	25		
Wadena Arsenic Site, Wadena County	25		ERLA funded
Wadena Sanitary Landfill	25		
Weisman Scrap, Winona	25		Request for Response Action 3/25/86
HWK Enterprises/Meeker Mfg./Design Classics/Litchfield Municipal Well Site, Litchfield	24		
Northwoods Sanitary Landfill, St. Louis County	24		
Owatonna City Dump	23		
Ashland Oil Pine County	22		Request for Response Action 12/18/84
Wabasha County Sanitary Landfill	22		
Duluth Air Force Base	21		

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
McGuire Wire Salvage Site, Mora	20		
Askov Ground Water Contamination	18		
Clay County Sanitary Landfill	17		
Woodlake Sanitary Landfill, Hennepin County	16		
Hopkins Sanitary Landfill	15		
Meeker County Sanitary Landfill	15		
Crow Wing County Sanitary Landfill	14		
East Mesaba Sanitary Landfill, St. Louis County	14		
Isanti Rumpel, Isanti County	13		
Waseca County Sanitary Landfill	13		
DM&IR Locomotive Shops, Duluth	11		
West Duluth Industrial Site	11		
Greater Morrison Sanitary Landfill, Morrison County	10		
Karlstad Sanitary Landfill, Kittson County	10		
Northwest Refinery Former, New Brighton	9		Request for Response Action 4/22/86
Schnitzer Iron and Metal Co., St. Paul	9		
Tonka/Woyke Site, Annandale	9		Request for Response Action 5/30/85
Ford Twin Cities Assembly Plant, St. Paul	8		
Fritz Craig Salvage Operation, Park Rapids	8		
Superior Plating Inc., Minneapolis	6		
McLaughlin Gormley King Co., Minneapolis	4		Consent Order 11/19/85
Ecolotech, Inc.—St. Paul	3		Consent Order 3/27/84
43 East Water Street, St. Paul	3		
Hopkins Ag. Chem./Allied Chem., Minneapolis	3		Request for Response Action 6/25/85
Isanti Martin, Isanti County	3		
Metals Reduction, St. Paul	2		
Polymetal Products, Inc., St. Paul	2		
Minneapolis Community Development Agency/FMC, Mpls.	1		Consent Order 11/26/85

Class D Sites

Remedial Investigations/Feasibility Studies Necessary or in Progress

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
U.S. Naval Industrial Reserve Ordnance Plant (NIROP), Fridley	63	P	Request for Response Action 5/22/84
Twin Cities Army Ammunition Plant/New Brighton/Arden Hills/ St. Anthony Site	59	X	Amended Request for Response Action 4/23/85
Reilly Tar, St. Louis Park	59	X	Consent Order 4/22/86
Koppers Coke, St. Paul	55	X	Request for Response Action 3/25/86
St. Regis Paper, Cass Lake	53	X	Consent Order 2/26/85
Pine Bend/Crosby American Landfill, Inver Grove Heights	52	X	Consent Order 4/23/85
Anoka Municipal Sanitary Landfill, Ramsey	51		Consent Order 5/30/85
Waste Disposal Engineering, Andover	51	X	Consent Order 3/20/84
MacGillis & Gibbs Co., New Brighton	48	X	ERLA funded
Bell Lumber & Pole Co., New Brighton	48	X	Consent Order 5/30/85
Burlington Northern, Brainerd	47	X	Consent Order 4/4/85
Faribault Coal Gasification Plant Site, Faribault	46		
Freeway Sanitary Landfill, Burnsville	46	X	Request for Response Action 2/25/86
University of Minnesota—Rosemount Research Center	46	X	Request for Response Action 5/30/85
Ashland Oil/Park Penta/Sonford Products Site	45	P	
St. Augusta Sanitary Landfill/Engen Dump, Stearns County	45	P	
Joslyn Mfg., and Supply Co., Brooklyn Center	44	X	Consent Order 5/30/85
Burnsville Sanitary Landfill	43		
Oak Grove Sanitary Landfill, Anoka County	43	X	CERCLA funded

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Site	Score	NPL	Comments
Union Scrap Iron and Metal Co., Minneapolis	43	X	ERLA funded
Kummer Sanitary Landfill, Beltrami County	42	X	CERCLA funded
Minnegasco, Minneapolis	42		Request for Response Action 6/24/86
Conoco, Inc.—Wrenshall Refinery	41	P	
Kandiyohi County Sanitary Landfill	41		
Shafer Metal Recycling, Minneapolis	41		
Arrowhead Refinery Co., Hermantown	40	X	CERCLA funded
Dakhue Sanitary Landfill, Dakota County	40	P	
Flying Cloud Sanitary Landfill, Eden Prairie	40		Consent Order 9/24/85
NL Industries/Taracorp/Golden Auto, St. Louis Park	40	X	Consent Order 2/26/85
Kluver Sanitary Landfill, Douglas County	39		
Electric Machinery, St. Cloud	38		Request for Response Action 3/26/85
Nutting Truck and Caster Co., Faribault	38	X	Consent Order 4/26/84
Sauk Centre Sanitary Landfill	38		
Sibley County Sanitary Landfill	38		
Windom Dump	38	X	Request for Response Action 6/24/86
South Andover, Andover	35	X	CERCLA funded
Adrian Municipal Well Field	34	X	CERCLA funded
Ironwood Sanitary Landfill (Advance Transformer), Spring Valley	34		Consent Order 7/22/86
Ashland Oil-Cottage Grove	34	P	Request for Response Action 3/26/85
Battle Lake Area Sanitary Landfill, Otter Tail County	34		
Chisago-Isanti County Sanitary Landfill	34		
Conoco, Inc.-Lakehead Tankfarm, Wrenshall			
La Grand Sanitary Landfill, Douglas County	34	P	Stipulation Agreement 4/26/83
Olmsted County Sanitary Landfill	34	X	
Pickett Sanitary Landfill, Hubbard County	34		
Superwood Corp.-Nu-Ply Division, Bemidji	34	P	
Twin Cities Air Force Reserve Base	34	P	
Winona County Sanitary Landfill	34	P	
White Bear Lake Township Dump, Ramsey County	33	P	Request for Response Action 7/22/86
3M Chemolite Disposal Site, Cottage Grove	33		Consent Order 5/28/85
Long Prairie Ground Water Contamination	32	X	CERCLA funded
St. Louis Rive/Interlake, Duluth	32	X	CERCLA funded
St. Louis River/U.S. Steel, Duluth	32	X	Consent Order 3/26/85
Waite Park Ground Water Contamination Site	32	X	Request for Response Action 11/19/85
Atwater Municipal Well Field	31	P	ERLA funded
East Bethel Demolition Landfill, East Bethel	31	X	
Tonka Main Plant, Mound	31	P	Request for Response Action 7/22/86
Koch Refining/N-ReN Corp., Rosemount	31	X	Consent Order 10/22/85
Trio Solvent Site, New Brighton	31		Request for Response Action 8/26/86
Agate Lake Scrapyard, Brainerd	30	X	Request for Response Action 1/28/86
Isanti Solvent Sites, Isanti County	30	P	ERLA funded limited remedial investigation and focused feasibility study
Ritari Post and Pole, Wadena County	30	P	Request for Response Action 2/25/86
Louisville Sanitary Landfill, Jordan	29		
Western Lake Superior Sanitary District Landfill/Duluth Dump, St. Louis County	29		
Spring Grove Municipal Well Field	28		
Yonak Sanitary Landfill, Wright County	28		
Koochiching County Sanitary Landfill	27		
Pipestone County Sanitary Landfill	27		Stipulation Agreement 1/24/84
Electronic Industries, Inc., New Hope	26		

<u>Site</u>	<u>Score</u>	<u>NPL</u>	<u>Comments</u>
Gofer Sanitary Landfill, Martin County	26		
Jackson Municipal Well Field	26		ERLA funded
Buekers Sanitary Landfill, Stearns County	25		
Dodge County Sanitary Landfill	25		
Elk River Sanitary Landfill	25		
Houston County Sanitary Landfill	25		
Pine Lane Sanitary Landfill, Chisago County	25		
Ponderosa Sanitary Landfill, Blue Earth County	25		
Wadena Sanitary Landfill	25		
Weisman Scrap, Winona	25		Request for Response Action 3/25/86
HWK Enterprises/Meeker Mfg./Design Classics/Litchfield Municipal Well Site, Litchfield	24		
Northwoods Sanitary Landfill, St. Louis County	24		
Ashland Oil-Pine County	22		Request for Response Action 12/18/84
Wabasha County Sanitary Landfill	22		
McGuire Wire Salvage Site, Mora	20		
Duluth Air Force Base	21		
Askov Ground Water Contamination	18		
Clay County Sanitary Landfill	17		
Woodlake Sanitary Landfill, Hennepin County	16		
Hopkins Sanitary Landfill	15		
Meeker County Sanitary Landfill	15		
Crow Wing County Sanitary Landfill	14		
East Mesaba Sanitary Landfill, St. Louis County	14		
Isanti-Rumpel, Isanti County	13		
Waseca County Sanitary Landfill	13		
DM&IR Car and Locomotive Shops, Duluth	11		
Bassett Creek/Irving Avenue Dump, Minneapolis	10		
Greater Morrison Sanitary Landfill, Morrison County	10		
Karlstad Sanitary Landfill, Kittson County	10		
Northwest Refinery Former, New Brighton	9		Request for Response Action 4/22/86
Schnitzer Iron and Metal Co., St. Paul	9		
Tonka/Woyke Site, Annandale	9		Request for Response Action 5/30/85
Ford Twin Cities Assembly Plant, St. Paul	8		
Fritz Craig Salvage Operation, Park Rapids	8		
Superior Plating Inc., Minneapolis	6		
McLaughlin Gormley King Co., Minneapolis	4		Consent Order 11/19/85
Hopkins Ag. Chem./Allied Chem., Minneapolis	3		Request for Response Action 6/25/85
Isanti Martin, Isanti County	3		
Metals Reduction, St. Paul	2		
Minneapolis Community Development Agency/FMC, Minneapolis	1		Consent Order 1/26/85

Notes:

Score—Hazard Ranking System (HRS) score.

NPL—National Priority List. X = Currently listed on NPL. P = Proposed for listing on NPL; score shown is subject to EPA audit.

Comments:

If a Consent Order, Request for Response Action or Stipulation Agreement is indicated, a Responsible Party is undertaking the necessary response actions pursuant to an enforceable document.

If CERCLA or ERLA funding are indicated, the MPCA is using federal or State superfunds, respectively, to finance the necessary response actions being conducted by an MPCA contractor.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Commodities contracts with an estimated value of \$5,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers by calling 296-6152. If the appropriate buyer is not available, contact Harvey Leach or Barbara Jolly at 296-3779.

Department of Administration—Procurement Division

Contracts and Requisitions Open for Bid

Call 296-6152 for Referral to Specific Buyers.

Commodity for Bid	Bid Closing Date at 2 pm	Department or Division	Delivery Point	Requisition #
Railroad ties	September 22, 1986	Military Affairs	Little Falls	01-000-04754
Welders	September 22, 1986	Corrections	Stillwater	78-620-00046
Lease/Purchase Copier	September 16, 1986	Bd. of Voc. Tech. Ed.	St. Paul	36-000-06329
Lease/Purchase Copier	September 16, 1986	Corrections	Various	78-000-17003
Lease/Purchase Copier	September 18, 1986	Metro St. University	St. Paul	26-176-02613
Lease/Purchase Copier	September 17, 1986	Mankato St. University	Mankato	26-071-16978
Ammunition	September 19, 1986	Natural Resources	St. Paul	29-000-44730
Recording System	September 19, 1986	Jobs & Training	St. Paul	21-200-14005
		Military Affairs	Various	01-000-04744
Repair & Remodeling	September 18, 1986	Military Affairs	Various	01-000-04743
Vehicle Dealer Plates	September 18, 1986	Natural Resources	St. Paul	29-000-44450
Tar Kettles	September 18, 1986	Transportation	Various	79-382-01103
Bus Transportation	September 17, 1986	Southwest St. Univ.	Marshall	26-175-06710
Coal	September 17, 1986	Various	Various	Price-Contract
Repair & Remodeling	September 17, 1986	Normandale C.C.	Bloomington	27-000-10047
Meat Requirements	September 17, 1986	Various	Various	Various
Disk Drive/Cabinet	September 17, 1986	Mankato St. University	Mankato	26-071-16894
Photocopy Machine Purchase	September 17, 1986	Public Employment Retire- ment Assn.	St. Paul	634000-71353
Ticking	September 15, 1986	Corrections	St. Cloud	78-830-08341
Metal Treating System	September 16, 1986	Corrections	Stillwater	78-620-00050

East Central Regional Development Commission

Request for Proposals for a Region 7E Historical Center Feasibility Study

The East Central Regional Development Commission is seeking proposals to conduct a feasibility study for a Region 7E Historical Center. This study is authorized in Laws of Minnesota, 1985, First Special Session, Chapter 13, Subdivision 13.

The study will focus on the marketing and economic feasibility of four history center projects proposed by local historical organizations in Region 7E. If interested in conducting the feasibility study, the formal Request for Proposals may be requested and inquiries directed to: Gordon Heitke, East Central Regional Development Commission, 100 South Park Street, Mora, Minnesota, 55051, (612) 679-4065. The deadline for submitting completed proposals is not later than 4:30 p.m., Friday, October 10, 1986.

Department of Energy and Economic Development Financial Management Division

Notice of Request for Proposal for a Financial Advisor

The Minnesota Energy and Economic Development Authority is requesting proposals from qualified financial or accounting firms for a financial advisor who wishes to work with the Authority and its staff in the review and analysis of the financing of a \$40 million steam generating plant for the city of Duluth in its industrial development plans. The financial package as proposed contains federal dollars as well as TIF and state taxable Industrial Development Bonds, thus a thorough knowledge and extensive experience in these areas will be required.

Proposals must contain qualifications and experience of responder and/or firm and associated personnel. Proposals must also quote hourly rates for personnel to be involved in the role of financial advisor. The total cost of the contract must not exceed \$10,000. The successful proposer must be prepared to begin work with Authority staff immediately upon selection. It is anticipated that most of the work of the financial advisor will be completed by November 1, 1986.

This request for Proposal does not commit the Authority or its staff to award a contract, to pay any costs incurred in the preparations of a proposal to this request, or to procure a contract for services or supplies. The Authority reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified source, or to cancel in part or in its entirety this Request for Proposal, if it is in the best interests of the Authority to do so.

Applicants must apply for a Certificate of Compliance from the Minnesota Department of Human Rights. Applications can be obtained by written request from the Minnesota Department of Human Rights, Fifth Floor, Bremer Building, St. Paul, MN 55101. All contract bids must include a statement indicating that the bidder has applied for the certificate.

Proposals should be addressed to: Kathryn Hahne, Director, Financial Management Division, 900 American Center Building, 150 East Kellogg Blvd., St. Paul, MN 55101. All Proposals must be received by 4:00 p.m., September 22, 1986. No late proposals will be accepted. Questions can be addressed to Kathryn Hahne at (612) 297-1391.

Department of Human Services Fergus Falls Regional Treatment Center

Notice of Request for Proposals for Services to be Delivered on a Contractual Basis

Notice is hereby given that the Fergus Falls Regional Treatment Center, Department of Human Services, is seeking the following services which are to be performed as requested by the Administration of the Fergus Falls Regional Treatment Center. Contract will be written for the period January 1, 1987 through June 30, 1987.

Services of a .80 FTE Board-eligible Resident Psychiatrist at the Fergus Falls Regional Treatment Center for diagnosis and treatment of emotional disorders of mentally ill, chemically dependent and mentally retarded clients, especially children and adolescents. Assignment to also include patient-related academic research in partial fulfillment of requirements of the University of Minnesota Medical School, Department of Psychiatry. This service is to be performed in accordance with accepted professional standards and in a manner prescribed by the policies of the Fergus Falls Regional Treatment Center and the Minnesota Department of Human Services, and at times mutually agreed to by the Contractor and the Medical Director of the Fergus Falls Regional Treatment Center. The estimated amount of the contract will not exceed a total of \$18,000.00.

STATE CONTRACTS

Proposals must be received by October 6, 1986. Send proposals to Dr. Richard Baker, Medical Director, Fergus Falls Regional Treatment Center, Box 157, Fergus Falls, MN 56537-0157.

Waste Management Board

Request for Proposal to Conduct a Feasibility Study on Long-Term Management Options for Used Oil in Minnesota

This Request for Proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation.

I. Purpose

The purpose of the project is to assist the Minnesota Waste Management Board (Board) and the Used Oil Task Force (an interagency/industry task force of the State of Minnesota reporting to the Governor's Environmental Subcabinet) in the development of recommendations for state action in the short and long term to assure proper used oil management in Minnesota. The Used Oil Task Force (chaired by the Minnesota State Planning Agency) was established in response to proposed U.S. EPA regulations regarding used oil handling and management which are perceived to threaten current used oil management in Minnesota (generators, collectors, haulers and end-use markets).

The goal of this project is to identify and assess the current used oil management system in Minnesota, its potential for expansion, and the management options such as reuse and recycling available in the long-term in light of changing environmental regulations and market conditions. This study will be used by the Board and the Task Force as background for addressing long term solutions.

II. Background and Status of Used Oil Management in Minnesota

—It is estimated that between 16-20 million gallons of used oil are generated in Minnesota each year.

—It is estimated that between 11-12 million gallons are collected by approximately 25 transporters from industries, service stations, and curbside/municipal programs.

—Most of the collected oil has been burned by asphalt plants in Minnesota. One outmoded re-refinery currently operates in Minnesota. It will be shutting down within the next few years.

—Most uncollected used oil is from "do-it-yourselfers" and is generally managed improperly: put in trash to end up in sanitary landfills, dumped on the ground or in storm or sanitary sewers.

—Since 1978, Minnesota law requires that all outlets that sell motor oil must provide a collection tank for used motor oil or post a sign that indicates the nearest recycling location. This law is enforceable by local prosecuting attorneys, local law enforcement officials and by the Minnesota Attorney General under the powers to enforce trade practices legislation. The penalty under this law is a petty misdemeanor.

—The U.S. EPA has proposed regulations scheduled to be finalized in November 1986, that will list all used oil as a hazardous waste and require that facilities which manage used oil meet new "management standards" similar to those required of hazardous waste treatment and storage facilities.

—The proposed EPA regulations are perceived as burdensome and costly by current Minnesota collectors and end-use markets. Several parties presently involved in managing used oil may eliminate this aspect of their business after the construction season of summer 1986.

—Curbside collection of used oil has already been eliminated by the City of Minneapolis recycling program and by one private collector.

—Industrial collectors fear a storage glut by the end of 1986 because the end-use markets are beginning to refuse to accept used oil; virgin oil prices have fallen and the proposed hazardous waste regulations are perceived as too burdensome to continue the collections. Collectors and end-use markets also fear new liability problems and high insurance costs.

—Service stations may quit accepting used oil from do-it-yourselfers if the EPA regulations are adopted.

III. Proposal Tasks and Products

The Board staff and the Task Force members will provide the consultant with a wide variety of information resources on used oil management in Minnesota. The resources include previous studies and access to Task Force members knowledgeable about used oil management in Minnesota. The work proposed in this project should draw on these resources. In addition, a metropolitan

area study on one particular aspect of used oil management may be funded concurrently by another agency. If such funding is awarded, the metropolitan area study should be used as part of the statewide study proposed in the workplan below.

The study shall include, but not be limited to the following items:

Market and Management Assessment Outline for Used Oil in Minnesota

1. Current analysis of used oil supply (generation—current and potential) and geographic distribution
 - a. Types: industry and automotive
 - b. Quantities: industry and automotive
 - c. Degree and types of contamination present in various sources.
2. Assessment of collection and transportation—current and potential
 - a. Types: industry and automotive
 - b. Costs
 - c. Potential for collecting currently uncollected used oil
 1. current system
 2. alternative collection methods.
 - d. Recommendations
3. Evaluation of alternative management methods available under changing regulatory and market conditions: Options for disposal, reuse, and recycling, including:
 - a. Re-refinery development in Minnesota
 - b. Burning as fuel
 - c. Raw material input (e.g. roofing shingles)
 - d. Other
 - e. Relationship among competing uses
 - f. Recommendations for implementation of management methods

Evaluation of the above should include an assessment of the pertinent technical, economic and environmental factors.

Upon completion of item #3, the consultant will submit a preliminary report in which it recommends which management options should be addressed in greater detail as potential methods to be implemented in Minnesota. Upon the submission of the preliminary report, the contract manager will make a determination as to further evaluation of other management options.

4. Detailed Used Oil Management Proposal for Market Implementation of Methods Recommended in Section Three.
 - a. Technology: process description
 - b. Financial requirements—capital costs and estimated costs, revenue and subsidies required for economic viability
 - c. Regulatory requirements
 - d. Supply requirements—including competition for supply
 - e. Market for product and by-products
 - f. Collection/transportation requirements and costs
 - g. Development of similar capacity in other states
 - h. Comparison with alternative end-use markets

5. Recommendation of other options

6. Conclusions and Recommendations

—What facilities, regulations or legislation (if any) are needed to improve the used oil management system in Minnesota.

(Management methods proposed in this workplan will be used as the basis for action by the state to implement a long-term used oil management system in Minnesota.) The results of the study should provide the state with appropriate information about management methods to take direct action for the implementation of a long term system for used oil management in Minnesota. In addition, the recommendations and evaluation will be made available to developers and other industry representatives seeking participation in the Minnesota used oil market. The study results should provide information and conclusions which are useful in the evaluation of site and process specific used oil management proposals in Minnesota.

STATE CONTRACTS

IV. *Study Timeline*

The study will start by November 3, 1986. A preliminary report will be due by January 5, 1987, with the final report due by March 3, 1987.

V. *Budget*

Costs of the proposed tasks must be specifically identified by task. Costs must be broken down by labor for specific individuals and expenses. A maximum of \$30,000 is available for this study.

VI. *Proposal Contents*

The following will be considered minimum contents of the proposal.

- A. A restatement of the objectives to demonstrate the responder's understanding of the nature of the project.
- B. Describe the deliverables to be provided by the responder. Follow the format of Section III of the request for proposal as closely as possible. Any additions or variations should be noted as such.
- C. Identify the project manager and personnel to be assigned to the project. Provide a detailed listing of the delegation of responsibilities for the tasks and project management. No change in personnel assigned to the project will be permitted without the approval of the State's contract manager.
- D. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.
- E. Describe the proposers qualifications, including any relevant, comparable work recently performed.

VII. *Evaluation*

All solicited proposals received by the deadline will be evaluated by representatives of the Waste Management Board and the Used Oil Task Force. The evaluation may include an interview as part of the process. Factors upon which proposals will be judged include—but are not limited to—the following:

- A. Expressed understanding scope of the study.
- B. Study work plan.
- C. Cost detail.
- D. Technical qualifications of both the proposing group and specific personnel, as previously submitted.
- E. Verifiable management capabilities to assure task completion within time and budgetary constraints.

VIII. *Submission of Proposals*

Five copies of the proposal must be received at the Waste Management Board on or before 4:30 October 13, 1986.

IX. *Waste Management Board Contact*

Responses and questions regarding this Request for Proposal should be directed to:

Susan Thornton
Minnesota Waste Management Board
7323-58th Avenue North
Crystal, MN 55428
(612) 536-0816

SUPREME COURT DECISIONS

Decisions Filed Friday, 5 September 1986

Compiled by Wayne O. Tschimperle, Clerk

C4-84-1466 Arlene M. Strand, Edward P. Lue, and Barbara Johnson v. Special School District No. 1, petitioner, Appellant. Court of Appeals.

The court of appeals properly reviewed by certiorari actions of the school district terminating the employment of teachers.

The Teacher Tenure Act mandates a reasonable realignment of course assignments for the protection of the seniority rights of the teachers involved in this proceeding.

SUPREME COURT DECISIONS

The retention by the school district of a teacher aged 70 or more did not constitute a breach of any duty owed to a junior discharged teacher.

Affirmed in part and reversed in part. Coyne, J.

C8-84-1826 Ernest C. Brandhorst, et al. v. Special School District No. 1, petitioner, Appellant. Court of Appeals.

The Teacher Tenure Act mandates a reasonable realignment of course assignments for the protection of the seniority rights of the teachers involved in this proceeding.

Reassignment from a 38-week teaching position to a 46-week teaching position is not "promotional" in nature and may be a proper result of protecting seniority rights under the Teacher Tenure Act.

Affirmed. Coyne, J.

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