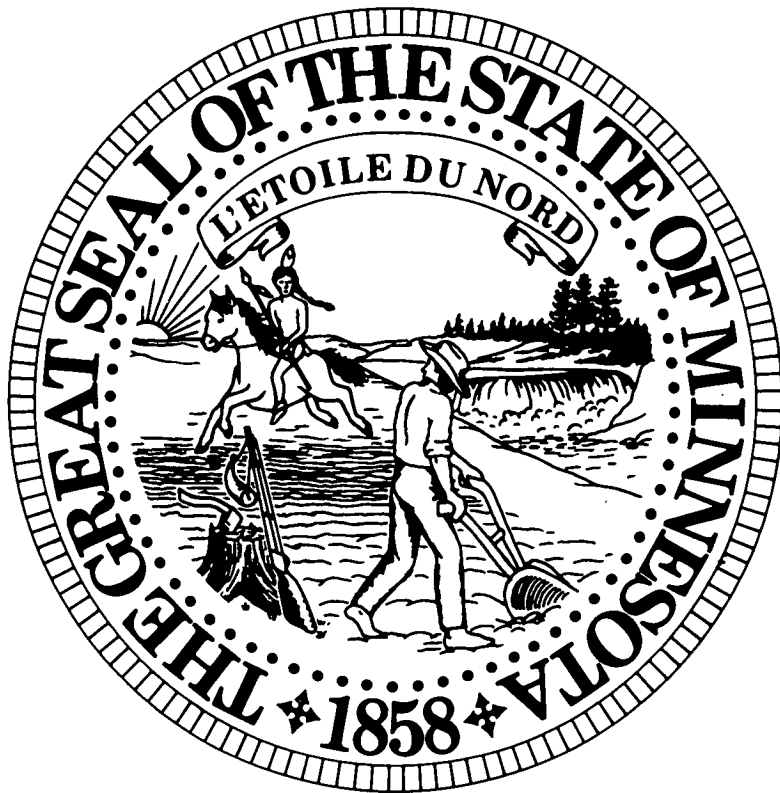


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 13 April 1992
Volume 16, Number 42
Pages 2229-2268

State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
42	Monday 30 March	Monday 6 April	Monday 13 April
43	Monday 6 April	Monday 13 April	Monday 20 April
44	Monday 13 April	Monday 20 April	Monday 27 April
45	Monday 20 April	Monday 27 April	Monday 4 May

*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 *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

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.

Arne H. Carlson, Governor

**Dana B. Badgerow, Commissioner
Department of Administration**

**Stephen A. Ordahl, Director
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Katherine J. Artishon, Assistant Editor

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Bonita Karels, Staff Assistant**

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 231 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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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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

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*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Board of Architecture, Engineering, Land Surveying, and Landscape Architecture

Proposed Permanent Rules Relating to Fees

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Architecture, Engineering, Land Surveying and Landscape Architecture ("board") intends to adopt the above entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28 (1990). The statutory authority to adopt the rule is sections 214.06 and 326.06 (1990).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the board will proceed pursuant to *Minnesota Statutes*, Sections 14.131. to 14.20.

Comments or written requests for a public hearing must be submitted to Mr. Lowell E. Torseth, Executive Secretary, Board of Architecture, Engineering, Land Surveying and Landscape Architecture, 133 Seventh Street East, St. Paul, Minnesota 55101-2333, Telephone (612) 296-2388.

The proposed rule may be modified if the modifications are supported by data and views submitted to the board and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

Copies of this notice and the proposed rule are available and may be obtained by calling Lowell E. Torseth.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and the reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Lowell E. Torseth upon request.

YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes*, section 14.115 (1990), "small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

Copies of the proposed rule amendments have been served upon the chairs of the House Appropriations Committee and Senate Finance Committee pursuant to *Minnesota Statutes*, section 16A.128, subdivision 2a (1990).

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

Proposed Rules

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Lowell E. Torseth.

Dated: 27 March 1992

Lowell E. Torseth, Executive Secretary
Board of Architecture, Engineering,
Land Surveying and Landscape Architecture

Rules as Proposed

1800.0500 FEES.

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

Subp. 2. **Refunds; validity of application.** ~~Examination or registration~~ License or license renewal fees may not be refunded. Examination fees may be refunded except for a \$20 administrative charge. Applications for examination shall be valid for a period of one year following notification of the date of examination, except as hereinafter provided. An applicant who fails to appear for examination shall be required to resubmit an application, together with an examination fee, unless the failure to appear is due to circumstances which, in the opinion of the board, justify relief from the requirement. Any application upon which no action has been taken for three years after the date of its receipt by the board shall be void.

Subp. 3. **Initial licensure and renewal.** The fee for licensure, or renewal of licensure, as an architect, professional engineer, land surveyor, or landscape architect is ~~\$58~~ \$70 per biennium. The initial license fee is prorated at six-month intervals during each biennium. The fee for months 24 to 18 is ~~\$58~~ \$70; for months 18 to 12, ~~\$43.50~~ \$52.50; for months 12 to 6, ~~\$29~~ \$35; and for months 6 to 0, ~~\$14.50~~ \$17.50. The renewal fee shall be paid biennially on or before June 30 of each even-numbered year. The board may delete from the roster of licensees the name of any licensee who fails to timely pay the required renewal fee. The renewal fee, when paid by mail, is not timely paid unless it is postmarked on or before June 30 of each even-numbered year.

Subp. 4. **Delayed renewal fee.** A renewal fee is a delayed renewal fee within the meaning of *Minnesota Statutes*, section 326.10, subdivision 5, if it is not postmarked on or before June 30 of the year specified in subpart 3. The delayed renewal fee is ~~\$5 per month, or any portion thereof, not to exceed \$15.~~ It is in addition to the renewal fee provided in subpart 3 \$30 for the first three months of the lapsed period and \$60 for months 4 to 24. A licensee who was originally licensed by examination by the board and who permits the license to lapse for more than two years must retake the appropriate professional licensing examination unless exempted by the board. The delayed renewal fee is computed from July 1 of any even-numbered year and is in addition to the renewal fee provided in subpart 3.

Subp. 5. **Certification or licensure examination fee.** The fee for examination for certification or licensure as an architect, professional engineer, land surveyor, or landscape architect is as follows:

A. Architect Registration Examination (ARE), 1990 \$385, 1991 \$475 1992 \$480.

B. Professional engineer:

(1) fundamentals of engineering examination, ~~\$30~~ \$40, effective October 1, 1992, and thereafter;

(2) principles and practice of engineering examination, ~~\$70~~ \$80, effective October 1, 1992, and thereafter.

An applicant for examination in more than one branch of engineering shall submit a separate examination fee for each additional branch of engineering for which the applicant has applied for examination.

An applicant, currently licensed as a professional engineer (civil) may apply for registration as a professional engineer (structural) by submitting an examination fee of ~~\$140 for 1990 and \$170 for 1991 and thereafter.~~

C. Land surveyor:

(1) fundamentals of land surveying examination, ~~\$32.50~~ \$50, effective October 1, 1992, and thereafter;

(2) principles and practice of land surveying examination, \$100.

D. Landscape Architect ~~Uniform National Examination (UNE)~~, 1990 \$325, 1991 \$345 Registration Examination (LARE), 1992 \$415, 1993 \$445.

Subp. 6. **Reexamination fees.** The fee for retaking all or any part of any examination for certification or licensure is as follows each time the examination, or any part of it, is retaken:

A. Architect, ~~uniform~~ architect registration examination:

(1) division A, predesign, 1990 \$40, 1991 \$50;

- (2) division B, site design;
 - (a) written, ~~1990 \$25, 1991 \$35~~;
 - (b) graphics, ~~1990 \$60, 1991 \$70~~;
- (3) division C, building design, ~~1990 \$90, 1991 \$100~~;
- (4) division D/F, structural technology, general and long span, ~~1990 \$35, 1991 \$45~~;
- (5) division E, structural technology, lateral forces, ~~1990 \$20, 1991 \$30~~;
- (6) division G, mechanical, plumbing, electrical, and life safety, ~~1990 \$40, 1991 \$50~~;
- (7) division H, materials and methods, ~~1990 \$40, 1991 \$50~~;
- (8) division I, construction documents and services, ~~1990 \$40, 1991 \$50~~.

B. Professional engineer:

- (1) fundamentals of engineering, ~~\$30 \$40~~;
- (2) principles and practice of engineering, ~~\$60 \$70~~;
 - (a) special structural I, ~~1990 \$40, 1991 \$60~~;
 - (b) special structural II, ~~1990 \$60, 1991 \$110~~.

C. Land surveyor:

- (1) fundamentals of land surveying, ~~\$32-50 \$50~~;
- (2) principles and practice of land surveying:
 - (a) part III, ~~\$20 \$40~~;
 - (b) part IV A, ~~\$35 \$40~~;
 - (c) part IV B, ~~\$15 \$20~~;
 - (d) parts III and IV A, ~~\$55 \$80~~;
 - (e) parts III and IV B, ~~\$35 \$60~~;
 - (f) parts IV A and IV B, ~~\$50 \$60~~.

D. Landscape architect:

- (1) ~~section test 1, professional~~ Legal and Administrative Aspects of Practice, ~~1990 \$28 1992 \$25, 1991 1993 \$29~~;
- (2) ~~section test 2, design~~ Programming and Environmental Analysis, ~~1990 1992 \$30, 1993 \$34, 1991 \$36~~;
- (3) ~~section test 3, design application~~, ~~1990 \$100, 1991 \$107~~ Conceptualization and Communication, ~~1992 \$75, 1993 \$80~~;
- (4) ~~section test 4, Design implementation~~ Synthesis, ~~1990 \$95, 1991 \$101 1992 \$70, 1993 \$75; and~~
- (5) ~~section test 5, Integration of Technical and Design Requirements~~, ~~1992 \$90, 1993 \$95~~;
- (6) test 6, Grading and Drainage, ~~1990 \$68, 1991 \$75 1992 \$80, 1993 \$85; and~~
- (7) test 7, Implementation of Design through Construction Process, ~~1992 \$45, 1993 \$47~~.

Subp. 7. **Additional fees.** In addition to all other fees for examination or registration, as provided in this part or *Minnesota Statutes*, section 326.10, subdivision 1, the following schedule of fees is applicable:

A. for each application for registration by comity under *Minnesota Statutes*, section 326.10, subdivision 1, clause (2), applicable to any person registered in another state or territory of the United States, or in any province of Canada, or in any foreign country, a fee of \$100;

B. for reissuance of a revoked, lost, destroyed, or mutilated certificate of licensure or certificate as an engineer-in-training, land surveyor-in-training, or landscape architect-in-training, ~~\$10~~ \$25;

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

Proposed Rules

C. for certified copies or reproduction of any document required to be supplied on behalf of any applicant for registration in another state, the cost of reproducing the document, ~~as the board determines~~ will be ten cents per sheet;

D. for monitoring licensing examinations for applicants of boards of other states at overseas test sites, the fee shall be ~~\$10~~ \$25, payable by the applicant.

Board of Electricity

Proposed Permanent Rules Relating to Minimum Experience Requirements for Licensure and Approval of Electrical Equipment

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Electricity ("board") proposes to adopt the above-entitled rule without a public hearing. The Board has determined that the proposed adoption of this rule will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* § 14.22 ot 14.28. Authority for the adopting of this rule is contained in *Minnesota Statutes* § 326.241, subd. 6.

Additionally, a statement of need and reasonableness that describes the need for and identifies the data and information relied upon to support the proposed rule, has been prepared and is available from Mr. Quinn upon request.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, section 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule effective five working days after final publication in the *State Register*.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Mr. John Quinn
Executive Secretary
State Board of Electricity
S-173 University Avenue
St. Paul, Minnesota 55104
Telephone: 612/642-0800

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule noticed.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Mr. Quinn.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General's Office for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to the State Board of Electricity.

John Quinn, Executive Secretary
State Board of Electricity

Rules as Proposed

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; EXPERIENCE ACCEPTABLE TO BOARD.

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

Subp. 3. **Maximum allowable credit under certain conditions.** The maximum allowable electrical experience credit under the following conditions shall be as stated:

A. before age 12, none;

B. before age 16, six months;

C. ~~in the military service, 12 months;~~

~~D.~~ in foreign countries, 12 months; and

~~E~~ D. acquired during the school term of a board-approved post high school electrical course, none.

Subp. 4. **Experience acceptable to board for certain categories in certain situations.** Experience in the categories of planning for the installation of wiring, apparatus, and equipment for light, heat, and power; laying out for the installation of wiring, apparatus, and equipment for light, heat, and power; supervising the installation of wiring, apparatus, and equipment for light, heat, and power; and wiring and installing electrical wiring, apparatus, and equipment for light, heat, and power is acceptable to the board in the situations described in items A to ~~D~~ E.

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

E. Experience while performing electrical work in the armed forces of the United States which the board has determined is substantially equivalent to work performed while in the employ of a licensed electrical contractor in Minnesota. This determination shall be based on a certification by the military for the type of work performed.

[For text of subp 5, see M.R.]

3800.3620 APPROVAL OF ELECTRICAL EQUIPMENT.

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

Subp. 3. **Equipment exempt from listing requirements.** Equipment described in items A to ~~C~~ E is exempt from the requirements in subparts 1 and 2.

A. Industrial machinery as defined by Section 670-2 of the National Electrical Code is not required to be listed where all electrical components of the equipment, including electrical control panels and solid-state motor controls, are in compliance with item B, C, or D, or subpart 1 or 2, and all of the machine electrical wiring is in compliance with the National Electrical Code.

B. Electrical ~~control~~ equipment ~~constructed according to the listed requirements~~, enclosed in a listed cabinet or box suitable for the environment in which it is installed, and electrically connected only to circuits supplied from listed Class 2, logic level, communications, or other circuits with maximum open circuit voltage of 30 volts rms AC, or DC, and overcurrent protection of ~~two~~ eight amperes or less, or to any combination of such circuits, is not required to be listed, provided further that any printed wiring boards shall be of listed material and shall be permitted to be supplied from a listed microcomputer power supply.

C. Electrical control equipment constructed according to the listed requirements and enclosed in a listed cabinet or box suitable for the environment in which it is located, where the enclosed equipment consists of ~~four~~ eight or fewer listed components, other than wires, cables, cords, terminal assemblies, nonelectrical components, and those covered under item B, provided that the devices are not electrically connected to circuits on a printed wiring board other than those circuits covered under item B, is not required to be listed.

D. Custom-made electrical equipment or related installations that are designed and manufactured to a purchaser's specifications and are not marketed to the general public are exempt from listing and labeling requirements. Equipment or installations exempt under this item are subject to the following:

(1) they must be determined to be safe for their intended use by the manufacturer on the basis of test data which the purchaser keeps and makes available to the electrical inspection authority having jurisdiction, as required by Code of Federal Regulations, title 29, part 1910.399 (1991), for equipment or installations subject to national occupational safety and health laws; or

(2) they must be inspected by the electrical inspection authority having jurisdiction for compliance with the construction requirements of the applicable electrical standards used by electrical testing laboratories to evaluate the equipment, or the National Electrical Code, whichever is less stringent. Schematic wiring diagrams, component layout diagrams, and component electrical rating information shall be provided to enable evaluation under this subitem.

E. Utilization equipment as defined by the National Electrical Code is not required to be listed if:

(1) the equipment includes eight or fewer electrical components which are listed or are exempt from listing by item B or C; and

(2) all wiring that is part of the equipment is in compliance with the National Electrical Code.

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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 Human Services

Adopted Permanent Rules Relating to Home and Community-Based Services

The rules proposed and published at *State Register*, Volume 16, Number 8, pages 294-306, August 19, 1991 (16 SR 294), are adopted with the following modifications:

Rules as Adopted

9525.1830 PROVISION OF HOME AND COMMUNITY-BASED SERVICES.

Subpart 1. **Conditions.** The county board shall provide or arrange to provide home and community-based services to a person if the person is eligible for home and community-based services under part 9525.1820 and all the conditions in items A to F have been met:

A. the county board has determined that it can provide home and community-based services to the person within its allocation of home and community-based services money as determined under parts 9525.1890 and 9525.1910 ~~or as authorized by the commissioner based on the limits of the approved waiver plan.~~ If the county board has determined that it cannot provide home and community-based services to the person within its allocation of home and community-based services money, the county board may request additional money. The commissioner may authorize additional money only for persons:

(1) to be discharged from regional treatment centers and nursing facilities as referenced in Minnesota Statutes, section 256B.092, subdivision 4;

(2) participating in demonstration projects as referenced in Minnesota Statutes, section 256B.092, subdivision 4a;

(3) receiving home and community-based services under a license granted according to the emergency provisions of Minnesota Statutes, section 252.28, subdivision 3, paragraph (4);

(4) discharged from ICF/MR facilities which have been placed into voluntary or involuntary receiverships according to Minnesota Statutes, section 245A.12 or 245A.13; or

(5) needing home and community-based services on a temporary basis as the result of an emergency situation under Minnesota Statutes, section 252.293, subdivision 1.

The commissioner shall not authorize additional money to the county board if the authorization would exceed the limitations of the approved waiver plan or state appropriations.

9525.1860 REIMBURSABLE SERVICES.

Subp. 4. **Service limitations.** The provision of home and community-based services is limited as stated in items A to H.

E. The average dollar amount available for reimbursement for adaptive modifications and equipment shall be determined annually ~~by the commissioner~~ based on the approved waiver plan.

Adaptive modifications and equipment must be constructed or installed to meet or exceed applicable federal, state, and local building codes.

F Home and community-based services are not reimbursable if provided to a person while the person is a resident of or on leave from an ICF/MR, ~~skilled nursing facility, intermediate care facility,~~ or a hospital. This item shall not apply to leave days authorized according to item C for a person who is hospitalized.

Subp. 6. **Other applicable rules.** Home and community-based services must be provided as required under items A to H unless a variance has been approved by the commissioner.

E. Respite care provided at a service site serving more than four persons must be licensed under parts 9525.0215 to 9525.0355. Respite care provided at a service site serving four or fewer persons under 18 years of age must be licensed under parts 9545.0010 to

9545.0260, unless otherwise authorized by the commissioner waives this requirement according to Minnesota Statutes, section 256B.092, subdivision 4a. Respite care provided at a service site serving four or fewer adults must be licensed under parts 9555.5105 to 9555.6265, unless otherwise authorized by the commissioner waives this requirement according to Minnesota Statutes, section 256B.092, subdivision 4a. This item shall not apply to a person who provides respite care for fewer than 30 days a year and who is not required to be licensed under Minnesota Statutes, chapter 245A.

Subp. 7. **Licensing variances.** Requests for variances to the licensing requirements in subpart 6 must be handled according to items A to C.

B. The county board may grant a written variance from compliance with parts ~~9555.6405~~ 9555.5105 to 9555.6265 as required in subpart 6, items D and E, for a provider who provides services to adults if the county board determines that no providers who meet the licensing requirements are available and that granting the variance will not endanger the health, safety, or development of the persons.

9525.1890 ALLOCATION OF HOME AND COMMUNITY-BASED SERVICE MONEY.

Subp. 6. **Special projects.** The commissioner may reallocate or reserve available home and community-based service money to fund special projects designed to serve very dependent persons with special needs who meet the criteria in parts 9525.1820 and 9510.1050, subpart 2, items C and D. The reallocated or reserved money may be used to provide additional money to county boards that are unable to fund home and community-based services for very dependent persons with special needs within the statewide reimbursement rate as required in part 9525.1910, subpart 2. The commissioner shall develop procedures and criteria for allocating home and community-based program funds for each target group identified as a special project under this subpart.

Board of Pharmacy

Adopted Permanent Rules Relating to Licensure Fees

Rules as Adopted

The rules proposed and published at *State Register*, Volume 16, Number 17, pages 1030-1032, October 21, 1991 (16 SR 1030), and Volume 16, Number 29, pages 1682-1683, January 13, 1992 (16 SR 1682), are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Land Disposal Restrictions for Hazardous Wastes

The rules proposed and published at *State Register*, Volume 16, Number 15, pages 834-865, October 7, 1991 (16 SR 834), are adopted with the following modifications:

Rules as Adopted

7045.0135 LISTS OF HAZARDOUS WASTES.

Subp. 2. **Hazardous wastes from nonspecific sources.** Hazardous wastes from nonspecific sources are listed with the generic hazardous waste number and hazard code in items A to V.

V. F039, leachate resulting from the treatment, storage, or disposal of more than one restricted waste classified as hazardous under part 7045.0131 and this part. Leachate resulting from the management of one or more of the following EPA hazardous wastes and no other hazardous wastes retains its EPA hazardous waste numbers: F020, F021, F022, F023, F026, F027, or F028: (T).

7045.0292 ACCUMULATION OF HAZARDOUS WASTE.

Subpart 1. **When allowed without a permit.** A generator may accumulate hazardous waste on-site without a permit or without having interim status if:

H. the requirements of parts 7045.0558, 7045.0566 to 7045.0576, and 7045.1315, subpart 1, item D, are fulfilled regarding personnel training, preparedness, prevention, and contingency planning; and

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Adopted Rules

7045.0478 OPERATING RECORD.

Subp. 3. **Record information.** All of the following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

M. Records of the quantities and date of placement for each shipment of hazardous waste placed in land disposal units under an extension to the effective date of any land disposal restriction granted under part 7045.0075, subpart 8, a petition under part 7045.0075, subpart 9, or a certification under ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, and the applicable notice required of a generator under part 7045.1315, subpart 1.

N. For an off-site treatment facility, a copy of the notice, and the certification and demonstration, if applicable, required of the generator or the owner under Code of Federal Regulations, title 40, section 268.8, or part 7045.1315, subpart 1, item A, ~~or 7045.1308~~.

O. For an on-site treatment facility, the information contained in the notice, except the manifest number, and the certification and demonstration, if applicable, required of the generator or owner or operator under Code of Federal Regulations, title 40, section 268.8, or part 7045.1315, subpart 1, item A, ~~or 7045.1308~~.

P. For an off-site land disposal facility, a copy of the notice, and the certification and demonstration, if applicable, required of the generator or the owner or operator of a treatment facility under ~~parts~~ Code of Federal Regulations, title 40, section 268.8, and part 7045.1315 and 7045.1308, whichever is applicable.

Q. For an on-site land disposal facility, the information contained in the notice required of the generator or owner or operator of a treatment facility under part 7045.1315, except for the manifest number, and the certification and demonstration, if applicable, required under ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, whichever is applicable.

R. For an off-site storage facility, a copy of the notice, and the certification and demonstration if applicable, required of the generator or the owner or operator under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~.

S. For an on-site storage facility, the information contained in the notice, except the manifest number, and the certification and demonstration if applicable, required of the generator or the owner or operator under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~.

7045.0584 OPERATING RECORD.

Subp. 3. **Record information.** The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

J. Records of the quantities and date of placement of each shipment of hazardous waste placed in land disposal units under an extension to the effective date of any land disposal restriction granted under part 7045.0075, subpart 8 or 9, monitoring data required pursuant to a petition under part 7045.0075, subpart 9, or a certificate and demonstration under ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, and the notice required by a generator under part 7045.1315, subpart 1, item C.

K. For an off-site treatment facility, the notice, and the certification and demonstration, if applicable, required by a generator or the owner or operator under ~~parts 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, and ~~part 7045.1315~~, subpart 1, item A.

L. For an on-site treatment facility, the information contained in the notice and the certification and demonstration, if applicable, required by a generator or the owner or operator under ~~parts 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, and ~~part 7045.1315~~, subpart 1, item A, except for the manifest number required under part 7045.1315, subpart 1, item A, subitem (3).

M. For an off-site land disposal facility, the notice, certification and demonstration, if applicable, required by the generator, owner or operator of a treatment facility under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~, subpart 2, items A and B, for the facility or ~~part 7045.1315~~, subpart 1, item B, for the generator, whichever is applicable.

N. For an on-site land disposal facility, the information contained in the notice and the certification and demonstration, if applicable, required by a generator or the owner or operator under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~ except for the manifest number, whichever is applicable.

O. For an off-site storage facility, a copy of the notice, and the certification and demonstration if applicable, required by the generator or the owner or operator under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~.

P. For an on-site storage facility, the information contained in the notice, except the manifest number, and the certification and demonstration if applicable, required by the generator or the owner or operator of a treatment facility under Code of Federal Regulations, title 40, section 268.8, or ~~part 7045.1308 or 7045.1315~~.

7045.1300 LAND DISPOSAL RESTRICTIONS; APPLICABILITY AND EXEMPTIONS.

Subpart 1. **Applicability.** This part identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.

Except as specifically provided in subpart 2 or parts 7045.0100 to ~~7045.0141~~ 7045.0143, the requirements of this part apply to persons who generate or transport hazardous waste and owners and operators of hazardous waste treatment, storage, and disposal facilities. For purposes of this part, a certification statement that complies with Code of Federal Regulations, title 40, part 268, also complies with the certification statement requirements under this part.

7045.1308 LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS.

Subpart 1. Generator requirements. As of May 8, 1990, this part is no longer in effect. Before May 8, 1990, wastes that are otherwise prohibited from land disposal under part 7045.1333, subpart 2, item C, may be disposed in a landfill or surface impoundment in compliance with Code of Federal Regulations, title 40, section 268.5(h)(2), provided that the generator meets the requirements in items A to D.

A. Before disposal, the generator has made a good faith effort to locate and contract with treatment and recovery facilities practically available that provide the greatest environmental benefit.

B. If a generator determines that there is no practically available treatment for a waste, the generator must fulfill the requirements in subitems (1) and (2).

(1) Before the initial shipment of waste, the generator must submit a demonstration to the commissioner that includes a list of facilities and facility officials contacted, addresses, telephone numbers, and contact dates, as well as a written discussion of why the generator was not able to obtain treatment or recovery for that waste. The generator must also provide the following certification:

"I certify under penalty of law that the requirements of *Minnesota Rules*, part 7045.1308, subpart 1, item A, have been met and that disposal in a landfill or surface impoundment is the only practical alternative to treatment currently available. I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The generator does not need to wait for commissioner approval of the demonstration or certification before shipment of the waste. However, if the commissioner invalidates the demonstration or certification for the reasons outlined in part 7045.1308, subpart 2, item B, the generator must immediately cease further shipments of the waste, inform all facilities that received the waste of the invalidation, and keep records of the communication on-site in the generator's files.

(2) With the initial shipment of waste, the generator must submit a copy of the demonstration and the certification in subitem (1) to the receiving facility. With each subsequent waste shipment, only the certification is required to be submitted, provided that the conditions being certified remain unchanged. The generator must retain on-site a copy of the demonstration, if applicable, and certification required for each waste shipment for at least five years from the date that the waste that is the subject of the documentation was last sent to on-site or off-site disposal. The five-year record retention requirement is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the commissioner.

C. If a generator determines that there are practically available treatments for a waste, the generator must contract to use the practically available technology that yields the greatest environmental benefit. The generator must also fulfill the requirements in subitems (1) and (2).

(1) Before the initial shipment of waste, the generator must submit a demonstration to the commissioner that includes a list of facilities and facility officials contacted, addresses, telephone numbers, and contact dates, as well as a written discussion explaining why the treatment or recovery technology chosen provides the greatest environmental benefit. The generator must also provide the following certification:

"I certify under penalty of law that the requirements of *Minnesota Rules*, part 7045.1308, subpart 1, item A, have been met and that I have contracted to treat my waste, or otherwise provide treatment, by the practically available technology that yields the greatest environmental benefit, as indicated in my demonstration. I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The generator does not need to wait for commissioner approval of the demonstration or certification before shipment of the waste.

(2) With the initial shipment of waste, the generator must submit to the receiving facility a copy of the demonstration and the certification in subitem (1). With each subsequent waste shipment, only the certification is required to be submitted, provided that the conditions being certified remain unchanged. The generator must retain on-site a copy of the demonstration, if applicable,

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and certification required for each waste shipment for at least five years from the date that the waste that is the subject of the documentation was last sent to on-site or off-site disposal. The five-year record retention requirement is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the commissioner.

D. When the generator has determined that there is practically available treatment for a waste before disposal, with the initial shipment of waste, the generator must submit a copy of the demonstration and the certification required in subpart 1, item B, subitem (2), to the receiving facility. With each subsequent waste shipment, only the certification is required to be submitted, provided that the conditions being certified remain unchanged. The generator must retain on-site a copy of the demonstration, if applicable, and certification required for each waste shipment for at least five years from the date that the waste that is the subject of the documentation was last sent to on-site or off-site disposal. The five-year record retention requirement is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the commissioner.

Subp. 2. Certification review.

A. After receiving the demonstration and certification, the commissioner may request any additional information which the commissioner considers necessary to evaluate the certification.

B. A generator who has submitted a certification under this part must immediately notify the commissioner when the generator has knowledge of any change in the conditions that formed the basis of the generator's certification, and submit a new demonstration and certification as provided in part 7045.1308, subpart 1, to the receiving facility.

C. If, after review of the certification, the commissioner determines that practically available treatment exists where the generator has certified otherwise, or that there exists some other method of practically available treatment yielding greater environmental benefit than that which the generator has certified, the commissioner may invalidate the certification.

D. If the commissioner invalidates a certification, the generator must immediately cease further shipments of the waste, and inform all facilities that received the waste of the invalidation, and keep records of such communication on-site in the generator's files.

Subp. 3. Facility requirements.

A. A treatment, recovery, or storage facility receiving wastes subject to a valid certification must keep copies of the generator's demonstration, if applicable, and certification in the facility's operating record.

B. The owner or operator of a treatment or recovery facility must certify that the facility has treated the waste according to the generator's demonstration. The following certification is required:

"I certify under penalty of law that I have personally examined and am familiar with the treatment, technology, and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly and complies with treatment as specified in the generator's demonstration. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

C. The owner or operator of a treatment, recovery, or storage facility must, for each initial shipment of waste, send a copy of the generator's demonstration, if applicable, and certification under part 7045.1308, subpart 1, item B, subitem (1) or item C, subitem (1), and certification under subpart 3, item B, if applicable, to the facility receiving the waste or treatment residues. With each subsequent waste shipment, only the certification is required to be submitted, provided that the conditions being certified remain unchanged.

D. The owner or operator of a disposal facility must ensure that those wastes prohibited under part 7034.1333, subpart 2, item D, are subject to a certification according to the requirements of this part before disposal in a landfill or surface impoundment, and that the units receiving the wastes must meet the minimum technological requirements of *Code of Federal Regulations*, title 40, section 268.5(h)(2).

Subp. 4. **Land disposal authorized.** When the certification is received by the commissioner, and provided that the wastes have been treated by the treatment, if any, determined by the generator to yield the greatest environmental benefit practically available, the wastes or treatment residuals may be disposed in a landfill or surface impoundment unit meeting the requirements of *Code of Federal Regulations*, title 40, section 268.5(h)(2), unless otherwise prohibited by the commissioner.

7045.1310 TREATMENT SURFACE IMPOUNDMENT EXEMPTION.

Subpart 1. **Conditions.** Wastes that are otherwise prohibited from land disposal under parts 7045.1300 to 7045.1380 may be treated in a surface impoundment or series of impoundments if:

B. the following conditions are met:

(2) The following treatment residues, including any liquid waste, must be removed at least annually: residues that do not meet the treatment standards adopted under parts 7045.1350 to 7045.1360; residues that do not meet the prohibition levels adopted

under parts 7045.1320 to 7045.1350, or imposed by statute where no treatment standards have been established; residues that are from the treatment of wastes prohibited from land disposal under parts 7045.1320 to 7045.1350 where no treatment standards have been established and no prohibition levels apply; or residues from managing listed wastes that are not delisted under part 7045.0075, subpart 2. However, residues that are the subject of a valid certification under ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, made no later than one year after placement of the wastes in an impoundment are not required to be removed annually. If the volume of liquid flowing through the impoundment or series of impoundments annually is greater than the volume of the impoundment or impoundments, the flow-through constitutes removal of the supernatant for the purpose of this requirement.

(3) Treatment residues may not be placed in any other surface impoundment for subsequent management unless the residues are the subject of a valid certification under ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, that allows disposal in surface impoundments meeting the requirements of ~~part 7045.1308, subpart 1~~ Code of Federal Regulations, title 40, section 268.8.

D. the owner or operator submits to the commissioner a written certification that the requirements of item C, have been met and a copy of the waste analysis plan required under item B. The ~~following certification is required~~ must be signed by an authorized representative, and must use the following statement:

7045.1315 WASTE ANALYSIS FOR RESTRICTED WASTES.

Subpart 1. **Applicability.** Except as provided in part 7045.1330 or 7045.1358, if a waste is listed in part 7045.0135, the generator must test the waste, or test an extract using the test method described in *Code of Federal Regulations*, title 40, part 261, Appendix II, or use knowledge of the waste, to determine if the waste is restricted from land disposal. Except as specified in part 7045.1330, if a generator's waste exhibits one or more of the characteristics in part 7045.0131, the generator must test an extract using the test method in *Code of Federal Regulations*, title 40, part 268, Appendix IX, or use knowledge of the waste to determine if the waste is restricted from land disposal under this part.

A. If a generator is managing a restricted waste and the waste does not meet the applicable treatment standards or exceeds the applicable prohibition levels in part 7045.1330 or RCRA section 3004(d), with each shipment of waste the generator must notify the treatment or storage facility in writing of the appropriate treatment standards in parts 7045.1350 to 7045.1360 and any applicable prohibition levels in part 7045.1330 or RCRA section 3004(d). The notice must include the following information:

(2) the corresponding treatment standards for wastes F001-F005, F039, and wastes prohibited under part 7045.1330 or RCRA section 3004(d). Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater or nonwastewater category as defined in part 7045.0020, the subdivisions made within a waste code based on waste specific criteria, and *Code of Federal Regulations* sections and paragraphs where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in part 7045.1360, the applicable five-letter treatment code in part 7045.1360 (e.g., ~~INCIN, WETOX~~) also must be listed on the notification;

Subp. 2. **Testing of wastes.** Treatment facilities must test their wastes according to the frequency specified in their waste analysis plans under part 7045.0458 or 7045.0564. The testing must be performed as provided in items A to C.

D. A notice must be sent with each waste shipment to the land disposal facility that includes the following information:

(2) the corresponding treatment standards for wastes F001-F005, F039, and wastes prohibited under part 7045.1330 or RCRA section 3004(d). Treatment standards for all other restricted wastes must either be included, or be referenced by including on the notification the applicable wastewater or nonwastewater category as defined in part 7045.0020, the applicable subdivisions made within a waste code based on waste specific criteria, and *Code of Federal Regulations* sections and paragraphs where the applicable treatment standard appears. Where the applicable treatment standards are expressed as specified technologies in part 7045.1360, the applicable five-letter treatment code in part 7045.1360 (e.g., ~~INCIN, WETOX~~) also must be listed on the notification;

E. The treatment facility must submit a certification with each shipment of waste or treatment residue of a restricted waste to the land disposal facility stating that the waste or treatment residue has been treated in compliance with the applicable performance standards in parts 7045.1350 to 7045.1360 and the applicable prohibitions in part 7045.1330 or RCRA section 3004(d).

(3) For wastes with treatment standards expressed as concentrations in the waste under part 7045.1358, if compliance with the treatment standards in parts 7045.1350 to 7045.1360 is based in whole or in part on the analytical detection limit alternative specified in part 7045.1358, the certification ~~also~~ must be signed by an authorized representative and must state the following:

G. When the wastes are recyclable materials used in a manner constituting disposal subject to part 7045.0665, subpart 1, item C, regarding treatment standards and prohibition levels, the owner or operator of a treatment facility; ~~the recycler;~~ is not required to

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notify the receiving facility under item D. With each shipment of the wastes, the owner or operator of the recycling facility must submit the certification in item E, and a notice that includes the information in item D, except the manifest number, to the commissioner's delegated representative. The recycling facility also must keep records of the name and location of each entity receiving the hazardous waste-derived product.

Subp. 3. **Facility requirements.** Except when the owner or operator is disposing of waste that is a recyclable material used in a manner constituting disposal under part 7045.0665, subpart 1, the owner or operator of a land disposal facility disposing any waste subject to restrictions under parts 7045.1300 to 7045.1380 must:

A. have copies of the notice and certifications specified in subpart 1 or 2 and the certification specified in ~~part 7045.1308~~ Code of Federal Regulations, title 40, section 268.8, if applicable; and

7045.1320 WASTE SPECIFIC PROHIBITIONS; SOLVENT WASTES.

Subp. 2. **Effective date.** Effective November 8, 1988, the F001-F005 solvent wastes listed in subpart 1, items A to D, are prohibited from land disposal. Effective November 8, 1990, the F001-F005 solvent wastes that are contaminated soil and debris resulting from a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 or a corrective action required under RCRA, subtitle C, and the residues from treating these wastes are prohibited from land disposal. Between November 8, 1988, and November 8, 1990, these wastes may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of ~~Code of Federal Regulations, title 40, section 268.5(h)(2)~~ part 7045.0532.

7045.1325 WASTE SPECIFIC PROHIBITION; DIOXIN-CONTAINING WASTES.

Subp. 3. **Effective date.** Effective November 8, 1990, the F020-F023 and F026-F028 dioxin-containing wastes in subpart 2, item D, are prohibited from land disposal. Between November 8, 1988, and November 8, 1990, wastes included in subpart 2, item A, may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of ~~Code of Federal Regulations, title 40, part 268.5(h)(2)~~ part 7045.0532 and all other applicable requirements of parts 7045.0450 to 7045.0642.

7045.1330 WASTE SPECIFIC PROHIBITIONS; CALIFORNIA LIST WASTES.

Subp. 2. **Exceptions.** The requirements of subpart 1, items A to E, do not apply until:

A. July 8, 1989, where the wastes are contaminated soil or debris not resulting from a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 or a corrective action taken under RCRA, subtitle C. Between July 8, 1987, and July 8, 1989, the wastes may be disposed of in a landfill or surface impoundment only if the disposal is in compliance with the requirements of ~~Code of Federal Regulations, title 40, section 268.5(h)(2)~~ part 7045.0532.

B. November 8, 1990, where the wastes are contaminated soil or debris resulting from a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 or a corrective action taken under RCRA, subtitle C. Between November 8, 1988, and November 8, 1990, the wastes may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of ~~Code of Federal Regulations, title 40, section 268.5(h)(2)~~ part 7045.0532.

C. Between July 8, 1987, and November 8, 1988, the wastes included in subpart 1, items D and E, may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of ~~Code of Federal Regulations, title 40, part 268.5(h)(2)~~ part 7045.0532.

7045.1333 WASTE SPECIFIC PROHIBITIONS; FIRST ONE-THIRD OF REGULATED WASTES.

Subpart 1. **Application.** The hazardous wastes in items A ~~and B~~ to D are prohibited from land disposal.

~~C. Effective August 8, 1990, the waste specified in part 7045.0135, subpart 3, as EPA Hazardous Waste No. K071 is prohibited from land disposal.~~

~~D. Effective August 8, 1990, the wastes specified in Code of Federal Regulations, title 40, section 268.10, having a treatment standard in parts 7045.1350 to 7045.1360 based on incineration that are contaminated soil and debris are prohibited from land disposal.~~

Subp. 2. **Exceptions to subpart 1.** Items A ~~to D~~ and B are exceptions from the prohibitions in subpart 1.

~~A. Effective August 8, 1990, the waste specified in part 7045.0135, subpart 3, as EPA Hazardous Waste No. K071 is prohibited from land disposal.~~

~~B. Effective August 8, 1990, the wastes specified in Code of Federal Regulations, title 40, section 268.10, having a treatment standard in parts 7045.1350 to 7045.1360 based on incineration that are contaminated soil and debris are prohibited from land disposal.~~

~~C. A. Between November 8, 1988, and August 8, 1990, wastes included in subpart 1, items A C and B D may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of Code of Federal Regulations, title 40, section 268.5(h)(2) part 7045.0532.~~

~~D. B. The requirements of this subpart and subpart 1 do not apply if:~~

7045.1334 WASTE SPECIFIC PROHIBITION; SECOND ONE-THIRD OF REGULATED WASTES.

Subp. 2. **Exceptions.** Items A to D are exceptions from the prohibitions in subpart 1.

A. Effective June 8, 1991, the wastes specified in this part, having a treatment standard in parts 7045.1350 to 7045.1360 based on incineration, that are contaminated soil and debris are prohibited from land disposal.

B. Between June 8, 1989, and June 8, 1991, (for EPA Hazardous Waste Nos. F007, F008, F009, F011, and F012 between June 8, 1989, and July 8, 1989) wastes included in item A and subpart 1, item C, may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the technical requirements of *Code of Federal Regulations*, title 40, section 268.5(h)(2) part 7045.0532.

D. Between June 8, 1989, and May 8, 1990, the wastes specified in *Code of Federal Regulations*, title 40, section 268.11, for which treatment standards under parts 7045.1350 to 7045.1360 are not applicable, including California list wastes subject to the statutory prohibitions of RCRA section 3004(d) or codified prohibitions under part 7045.0135, subpart 3, are prohibited from disposal in a landfill or surface impoundment unless the wastes are the subject of a valid demonstration and certification under ~~part 7045.1308~~ *Code of Federal Regulations*, title 40, section 268.8.

Subp. 3. **Waste analysis.** To determine whether a hazardous waste listed in *Code of Federal Regulations*, title 40, sections 268.10 to 268.12, exceeds the applicable treatment standards specified in parts 7045.1355 and 7045.1358, the initial generator must test a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract ~~of or~~ or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable levels specified in parts 7045.1350 to 7045.1360, the waste is prohibited from land disposal and all requirements of parts 7045.1300 to 7045.1380 are applicable, except as otherwise specified.

7045.1335 WASTE SPECIFIC PROHIBITIONS; THIRD ONE-THIRD OF REGULATED WASTES.

Subp. 6. **Exceptions between May 8, 1990, and August 8, 1990.** Between May 8, 1990, and August 8, 1990, the wastes in subpart 1 may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements ~~in~~ of part ~~7045.0075~~, ~~subpart 8~~ 7045.0532.

Subp. 7. **Exceptions between May 8, 1990, and November 8, 1990.** Between May 8, 1990, and November 8, 1990, the wastes in subpart 2 may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements ~~in~~ of part ~~7045.0075~~, ~~subpart 8~~ 7045.0532.

Subp. 8. **Exceptions between May 8, 1990, and May 8, 1992.** Between May 8, 1990, and May 8, 1992, the wastes in subparts 3 to 5 may be disposed of in a landfill or surface impoundment only if the unit is in compliance with the requirements of *Code of Federal Regulations*, title 40, section 268.5(h)(2) part 7045.0532.

7045.1350 TREATMENT STANDARDS.

Subpart 1. **Concentration standard for waste extract.** A restricted waste identified in part 7045.1355 may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using the test method in *Code of Federal Regulations*, title 40, part 261, Appendix II, does not exceed the value shown in *Code of Federal Regulations*, title 40, part 268.41, Table CCWE, for any hazardous constituent listed for that waste, with the following exceptions: D004; D008; K031; K084; K101; K102; P010; P011; P012; P036; P038; and U136. These wastes may be land disposed only if an extract of the waste or of the treatment residue of the waste developed using either the test method in *Code of Federal Regulations*, title 40, part 261, Appendix II, or the test method in *Code of Federal Regulations*, title 40, part 268, Appendix ~~IX~~ I, does not exceed the concentrations shown in *Code of Federal Regulations*, title 40, part 268.41, Table CCWE, for any hazardous constituent listed for that waste.

7045.1358 TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS.

Subp. 5. **Demonstrating compliance with treatment standards for organic constituents.** Notwithstanding the prohibitions in subpart 1, treatment and disposal facilities may demonstrate, and certify under part 7045.1315, subpart 2, item E, compliance with the treatment standards for organic constituents specified by a footnote in *Code of Federal Regulations*, title 40, section 268.43, Table CCW, provided the following conditions are satisfied:

A. the treatment standards for the organic constituents were established based on incineration in units operated according to the technical requirements of part 7045.0542 or 7045.0640, or based on combustion in fuel substitution units operating in ~~accordance~~ accordance with applicable technical requirements;

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.

Adopted Rules

Department of Public Safety

Adopted Permanent Rules Relating to Wheelchair Safety Devices

The rules proposed and published at *State Register*, Volume 16, Number 31, pages 1745-1750, January 27, 1992 (16 SR 1745), are adopted with the following modifications:

Rules as Adopted

7450.0460 MINIMUM STANDARDS FOR USER-FRIENDLY DEVICES.

Subp. 2. **Attachment to vehicle.** A user-friendly securement device must be attached to a part of the vehicle that can, when attached, withstand the forces specified in subpart 1. The device must be installed according to the manufacturer's installation instructions approved under part 7450.0500.

7450.0500 APPROVAL PROCEDURE.

Subp. 3. **Approval.** On determining that the securement device meets the requirements of this chapter, the commissioner shall issue a certificate of approval authorizing use of the device. ~~If the~~ a user-friendly device does not secure all types of wheelchairs, the certificate must state the types of wheelchairs for which the device is approved.

7450.0700 USE OF SECUREMENT DEVICE.

The driver of a vehicle equipped with a wheelchair securement device has the following duties:

A. The driver or a person designated by the driver shall ensure that an occupied wheelchair is properly secured before ~~moving~~ the driver sets the vehicle in motion.

B. When requested by the wheelchair user ~~or, when the wheelchair user is unable to communicate,~~ when seat belt usage is required of all passengers in the vehicle, or when the vehicle is a school bus, the driver or a person designated by the driver shall ensure that the seat belt assembly, and upper torso restraint if so equipped, is fastened around the wheelchair user, before ~~moving the driver sets~~ the driver sets the vehicle in motion. The seat belt assembly or the upper torso restraint must not be fastened, however, if the wheelchair user or other responsible person advises the driver that to do so would aggravate a physical condition of the wheelchair user. If the physical condition would be aggravated by the use of but one of the devices, the device that would have no adverse effect on the physical condition must be fastened in the required manner.

C. The driver or a person designated by the driver shall ensure that securement devices and seat belt assemblies are retracted, removed, or otherwise stored when not in use to prevent tripping of persons and damage to devices.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, 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.

Ethical Practices Board

Notice of 1992 Election Year Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §§ 10A.25, 10A.255, and 10A.44, the following are election year campaign expenditure limits for 1992 by office sought: State Senator, \$43,150; State Representative, \$21,576; Representative in Congress, \$450,925.

Minnesota Historical Society

State Review Board Regular Meeting

A meeting of the State Review Board of the Minnesota Historical Society to consider nominations to the National Register of Historic Places will be held on Thursday, April 30, 1992, in the Auditorium of the Fort Snelling History Center, Fort Snelling, Minnesota. The Preservation Office staff will make an informational presentation on program activities at 5:30 p.m. The meeting will be called to order and consideration of the meeting's agenda will begin at 6 p.m. For further information contact the State Historic Preservation Office, Minnesota Historical Society, Fort Snelling History Center, St. Paul, MN 55111, (612) 726-1171.

Department of Human Services

Assistance Payments

Notice of Intent to Solicit Outside Opinion and Comment on the Job Opportunities and Basic Skills (JOBS) Plan

The Department of Human Services is preparing to submit to the Department of Health and Human Services a biennial update to the state JOBS plan (called Project STRIDE in Minnesota). The plan is intended to meet federal requirements for funds provided under Titles II and III of the Family Support Act of 1988 (Public Law 100-485) and parts A, C, and F of Title IV, as amended, of the Social Security Act (Public Law 74-271).

JOBS is the education, training and employment program for Aid to Families with Dependent Children (AFDC) recipients created by the Family Support Act of 1988. The purpose of this update to the state JOBS plan is to describe how Minnesota intends continue operating JOBS, including a description of services to be provided, target groups to be served, and how JOBS is coordinated with other programs and agencies.

The Department of Human Services is soliciting public comments on the plan. The plan will be available for public review and comment on or after April 20, 1992. The comment period will end May 29, 1992. A copy of the plan can be obtained by submitting a written request to:

Department of Human Services
Assistance Payments Division
JOBS Plan
Attn: PDS Section
444 Lafayette Road
St. Paul, Minnesota 55155-3834

Department of Human Services

Long-Term Care Management Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing a Statewide System of Rates and Payments for Recipients Who Reside in Residences With Negotiated Rates Including Recipients Who Reside in Adult Foster Care Homes

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose adoption of a rule governing the establishment of a comprehensive statewide system of rates and payments for recipients who reside in residences with negotiated rates including recipients who reside in adult foster care homes. Adoption of the rule is authorized by *Minnesota Statutes*, section 256I.05, subdivisions 5 and 6. Subdivision 5 directs the commissioner to establish statewide maintenance and difficulty of care rates for adults in foster care and to adopt rules to implement the statewide rates. Subdivision 6 directs the commissioner to establish a comprehensive statewide system of rates and payments for recipients who reside in residences with negotiated rates and authorizes the commissioner to adopt rules to establish this rate setting system.

Under *Minnesota Statutes*, section 256I.03, subdivision 2, negotiated rate means a monthly rate set for shelter, fuel, food, utilities, household supplies, and other costs necessary to provide room and board for individuals eligible for general assistance under *Minnesota Statutes*, sections 256D.01 to 256D.21 or supplemental aid under *Minnesota Statutes*, sections 256D.33 to 256D.54.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: John Hastings, Department of Human Services, Long Term Care Management Division, 444 Lafayette Road, St. Paul, Minnesota 55155-3844. Oral statements will be received during regular business hours over the telephone at (612) 296-6963 and in person at the above address.

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.

Official Notices

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 3 April 1992

Jim Schmidt, Rulemaker
Department of Human Services

Department of Labor and Industry

Notice of Prevailing Wage Order

1. Effective upon the date of this Order no local political subdivision of the State of Minnesota need follow the provisions of *Minnesota Statutes* § 177.43-.44 until July 31, 1992, pursuant to the effective order of the Second District Court or until further order of that Court. Further, any determination entered by an Appellate Court of applying to the 22 plaintiff counties will be deemed by the Department of Labor and Industry to equally apply to all other affected local government entities as well. This is simply a matter of equity. It is also a matter of practicality as well for the Department, in order to avoid repeated and expensive, futile court appearances as others seek relief similar to that granted the 22 southwestern counties.

Critics of the longstanding survey method have basis for complaint. They are mistaken, however, if they believe that most of their objections are likely to be met by any "resurvey." They will not be. The current survey technique is a relic of the hand calculator era. It has no place in an age of near-universal computerization.

The Department of Labor and Industry will work with the Departments of Jobs and Training and Transportation to attempt to devise a methodology for utilizing existing, statewide wage-reporting systems for prevailing wage determinations. Since 1987 the Department of Jobs and Training, pursuant to federal mandate, has collected wage report data from all Minnesota employers for virtually all Minnesota employees on a quarterly basis. In other words, there is at least one state agency which already collects much of the essential information required by the prevailing wage statute. Jobs and Training does not currently require information about job classifications or geography as required by the current prevailing wage law, but those difficulties should not prove insurmountable. To restore credibility to the process, an effective and automatic survey form should be created.

2. I hereby appoint an ad hoc committee to assist the Department in attempting to implement a revised survey method and other prevailing wage changes. The members shall be:

Ray Waldron
Bill Peterson
Paul Bailey
Matt Winkel
Lennen Nelson
Larry Bakken
John Derus
Les Jones

Dated: 7 April 1992

John B. Lennes, Jr.
Commissioner
Department of Labor and Industry

Minnesota Lawful Gambling Control Board

Notice of Intent to Solicit Outside Information Regarding Proposed Rules Governing Lawful Purpose Expenditures and Allowable Expenses

NOTICE IS HEREBY GIVEN that the Minnesota Lawful Gambling Control Board (Board) is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing lawful purpose expenditures and allowable expenses. The adoption of the rules is authorized by *Minnesota Statutes*, section 349.151, subdivision 4, clause (5), which allows the Board to make rules authorized by Chapter 349.

The Board requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written or oral statements or comments should be directed to:

Nan Connor
Minnesota Lawful Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, Minnesota 55113
Phone: (612) 639-4000

Oral statements will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday.

All statements of information and opinion will be accepted until April 30, 1992. Any written materials received by the Board shall become part of the rulemaking record in the event that the rules are adopted.

Dated: 17 March 1992

Harry W. Baltzer
Executive Director
Minnesota Lawful Gambling Control Board

Board of Marriage and Family Therapy

Meeting Notice

The Board of Marriage and Family Therapy's April 24, 1992 meeting which was previously scheduled to be held in Rochester, MN will be held at the Board office at 2700 University Ave. W., St. Paul, at 8:30 a.m. The May 15, 1992 meeting will be held at 9:00 a.m. in Rochester, MN at the Best Western, Midway Motor Lodge.

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 30, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 84 acres of farmland located in Section 9 Fieldon Township, Watonwan County, Minnesota on behalf of Daniel R. & Ann M. Hawkes, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$54,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 30 March 1992

LaVonne Nicolai
RFA Executive Director

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 30, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the construction of a hog finishing barn located in Section 32 Otisco Township, Waseca County, Minnesota on behalf of Garry Walstrom, a single person (the Borrower). The maximum aggregate face amount of the proposed bond issue is \$65,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof.

Official Notices

Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 30 March 1992

LaVonne Nicolai
RFA Executive Director

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond

NOTICE IS HEREBY GIVEN that a public hearing will be held on April 30, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 160 acre dairy farm located in Section 25 Bergen Township, McLeod County, Minnesota on behalf of Craig & Lori Fabel, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$40,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 30 March 1992

LaVonne Nicolai
RFA Executive Director

Board of Water and Soil Resources

Monthly Meeting

The Board of Water and Soil Resources (BWSR) will hold its monthly meeting on April 23, 1992, at the Holiday Inn in Bemidji. The meeting will convene at 9:00 a.m.

Professional, Technical & Consulting Contracts

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

Department of Corrections

Request for Proposals for Women Offenders

The Minnesota Department of Corrections, Office of Planning for Women Offenders, is requesting proposals for programming for women offenders. Thirty one thousand five hundred dollars (\$31,500.00) is available for fiscal year 1993 (July 1, 1992 through June 30, 1993) for one or several projects that address one or all of the following priorities for women offenders:

1. Culturally specific programming;
2. Health needs, physical and/or mental;

Professional, Technical & Consulting Contracts

3. Reducing recidivism/relapse prevention, considered in the broadest sense of the words.

For a copy of the RFP contact Genny Johnston at (612) 642-0275. For more information call Mary Scully Whitaker at the number listed below.

Proposals must be submitted by **4:30 p.m. on May 22, 1992** to:

Mary Scully Whitaker
(612) 642-0212
Minnesota Department of Corrections
Office of Planning for Female Offenders
300 Bigelow Building, 450 N. Syndicate St.
St. Paul, Minnesota 55104

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Psychological Evaluation Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a licensed psychologist from 7/1/92 to 6/30/93. This person will provide the written psychological evaluation—through testing, interviews, etc., on up to a twice weekly basis for all new admissions to the institution, to re-test selected youth based upon specific staff referral, plus limited staff training in the area of his/her expertise. Payment is \$320.00 per 8 hour day. Annual cost is limited to \$30,400.00.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Sexual Therapy Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a sexual therapist from 7/1/92 to 6/30/93. The contractor will provide consultant services to residents for criminal sexual misconduct or identified as having been victims of sexual abuse. Annual cost is limited to \$15,000.00.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Catholic Chaplain

The program at the Minnesota Correctional Facility—Red Wing requires the services of an ordained Catholic priest from 7/1/92 to 6/30/93. This person will provide weekly Mass and spiritual guidance and counseling for the Catholic students at MCF-Red Wing as requested. This person will provide up to 20 hours per week for 50 weeks at \$11.00 per hour. Annual cost is limited to \$11,000.00.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Medical Clinic Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a medical clinic from 7/1/92 to 6/30/93. This clinic will provide all clinic services as ordered by the medical staff at MCF—Red Wing. Annual cost is limited to \$7,500.00.

Professional, Technical & Consulting Contracts

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Physician Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a licensed physician from 7/1/92 to 6/30/93. This person will provide medical services to the clients at MCF—Red Wing. This person will provide 5 hours per week. Annual cost is limited to \$22,620.00.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Dental Lab Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a dental lab from 7/1/92 to 6/30/93. This laboratory will fabricate those dental appliances as prescribed by the dentist at MCF—Red Wing. Annual cost is limited to \$4,000.00.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Oral Surgical Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of an oral surgeon from 7/1/92 to 6/30/93. The contractor will perform surgical procedures that cannot be provided at the MCF—Red Wing. Annual cost is limited to \$3,000.00.

For further information on these contracts contact:

Kenneth Williams, Assistant Superintendent
Minnesota Correctional Facility—Red Wing
1079 Highway 292
Red Wing, Minnesota 55066
Telephone: (612) 388-7154

Final submission date for these contracts is: May 1, 1992.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Volunteer Services Coordinator

The program at the Minnesota Correctional Facility—Red Wing requires the services of a volunteer coordinator. Position requires up to 50 hours per week. Responsibilities include the providing of professional volunteer services for juvenile clients at the institution through the recruiting and training of volunteers, plus the development of a coordinated scheduling of the volunteers to augment the ongoing programs. Payment is \$2,552.42 per month. Annual cost is limited to \$30,629.00.

For further information on these contracts contact:

John Handy, Program Director
Minnesota Correctional Facility—Red Wing
1079 Highway 292
Red Wing, Minnesota 55066
Telephone: (612) 388-7154

Final submission date for these contracts is: May 1, 1992.

Department of Corrections

Minnesota Correctional Facility—Red Wing

Proposals Sought for Speech Therapist Services

The program at the Minnesota Correctional Facility—Red Wing requires the services of a speech therapist from 7/1/92 to 6/30/93. The contractor will provide the needed therapy for clients with special or severe speech problems at MCF—Red Wing. Annual cost is limited to \$4,505.00.

For further information on these contracts contact:

John Odden, Director of Education
Minnesota Correctional Facility—Red Wing
1079 Highway 292
Red Wing, Minnesota 55066
Telephone: (612) 388-7154

Final submission date for this contract is: May 1, 1992.

State Designer Selection Board

Request for Proposal for Two Projects

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for two projects. Design firms who wish to be considered for the projects should deliver proposals on or before 4:00 p.m., May 5, 1992, to:

George Iwan
Executive Secretary, State Designer Selection Board
Room G-10, Administration Building
St. Paul, Minnesota 55155-3000.

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4) Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past projects and studies under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which are paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above. **NOTE:** Please call for a copy of the acceptable format for providing this information.
- e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.

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The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
 - b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights;
- or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
 - d) A statement certifying that the firm has an application pending for a certificate of compliance.
- 6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:
- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
 - b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

7a) PROJECT 07-92

Fisheries/Aquaculture Research
University of Minnesota—St. Paul

The University of Minnesota is planning to develop a fisheries/aquaculture research facility within the Agricultural Engineering Shops Building on the St. Paul Campus, or if that is determined to be infeasible, within a new pole barn type building. The consultant must assist in the preparation of a detailed program and then determine which alternative is most cost effective. The project will consist of designing a facility to accommodate a maximum of 8,000 pounds of fish in a recirculating type of aquaculture system. The recirculation rate will require no more than 10% make-up water per day. Existing wells can provide approximately 250 gallons per minute on a continuous basis, but for energy and water conservation purposes, 50-100 gallons per minute of make-up water should be considered a continuous maximum. A series of biofilter-recirculation modules must be efficiently incorporated in the design to minimize the risk of disease transmission between experiments and different lots of fish.

Provision must be made for heating, cooling, oxygenation, and control of fish metabolites and organic materials. Because the facility will hold genetically engineered fish, a killing field must be included. Layout of tanks must be flexible in at least part of the facilities, dry laboratory and storage space will also be included. The design should address the incorporation of two existing wells as the source of water, including piping to the facility. Disposal of waste water into the storm sewer system and possible treatment of the waste water will be required. The consultant shall also consider if a new well would be more economical, particularly if the decision is made to build a new pole barn. Paramount in selection of the recirculating modules will be maintenance, operating, and energy efficiency in order to minimize long-term operating costs. Temporary holding capacity for about 2,000 pounds of genetically engineered fish must be in place by January 1, 1993. This temporary facility must be incorporated into the phasing of construction of the permanent facility.

The design team must have completed the design and construction within the last five years of a successfully operating fisheries/aquaculture research facility utilizing recirculating water technology and must demonstrate familiarity with state-of-the art technology.

The facility has a maximum project budget of \$1,100,000.00 of which approximately 75% is for construction.

Project design and construction must proceed on a time schedule which permits all funds to be encumbered by June 30, 1993. If you have any questions, contact Orlyn Miller, Senior Planner/Facilities Management (624-7501), or Ira Adelman, Head of Fisheries and Wildlife Department (624-4228).

7b) PROJECT 08-92

Modular Furniture Design
Department of Jobs and Training
390 North Robert Street, St. Paul
Estimated Project Budget: \$2,800,000.00

The modularization project is a cosmetic update of floors 1-5 at 390 North Robert. The Department has chosen colors for the carpeting and wall surfaces on these floors. The design consultant will be responsible for recommending partition and worksurface colors which complement the existing color scheme.

The Project Director has established the general location of each organizational component to be housed at 390, as well as a tentative seating plan for the staff in each unit. The design consultant may not alter the general location of the organizational components without the consent of the Project Director, but is free to develop other orientations and/or configurations of seating and equipment which are deemed suitable to the needs of the unit affected.

At this time the modularization project anticipates the use of one manufacturer's modular product throughout all working areas. When the final floor plans are developed, the plans will be put out to bid and a product line chosen based on the bids submitted. A small amount of preexisting modular furniture exists in areas not part of the modularization plan and will be left intact. In areas which are part of the modularization plan, existing modular furniture may be replaced depending on the product line chosen.

The design consultant is responsible for analyzing file and storage requirements desired by the various units and recommending suitable alternatives which will reduce the need for storage within the units. Proposals submitted should address the issue of either retaining some existing file cabinets or completely replacing these with alternative filing systems and how these decisions would affect the development of the overall plan. The modular proposal envisions eliminating all other conventional furniture with the exception of some tables in selected work areas.

The modular proposal developed must stress ergonomic design in all areas. Specific recommendations for wrist supports, ergonomic chairs and other workstation enhancements are the responsibility of the design consultant.

The design consultant must submit the final proposal to the State Building Code and Standards Division for approval and must comply with all applicable code restrictions governing handicap accessibility and aisle width.

All workstations installed will be wired for electrical, telephone, and computer access systems. To coincide with the development of the modular workstation plan, a consultant is needed to analyze and recommend changes to the telephone and computer access systems wiring and associated equipment presently installed in this building. The department wishes to complete any recommended changes in wiring at the same time the conversion to modular furniture occurs.

The primary goals in rewiring the telephone and computer access systems are threefold: 1—to clean up the existing wiring systems and clear unused wiring from the floor ducts, 2—to provide a wiring system which will be adequate for at least 10 years to come without requiring major modification, and 3—to provide an efficient system which would allow physical staff relocations to occur within 30 minutes through a type of switching system located in the access rooms and which would not require physical rewiring of workstations on the floor.

It is necessary that floors 1 and 5 be redesigned and occupied by November, 1992. The redesign of the remaining three floors shall be completed no later than early 1993.

NOTE: Prior to submitting a proposal, all firms are strongly encouraged to tour the building and participate in a preliminary question and answer session concerning the general aspects of the project. Two such meetings will be scheduled. Please call Laurie Geis at 296-8629 for further information.

Questions concerning this project may be referred to Edwin Schulz at 296-9533.

James Tillitt, Chairman
State Designer Selection Board

Department of Health

Amended Request for Proposals for an Imaging System for the Section of Water Supply and Well Management

The Water Supply and Well Management Section is extending the request-for-proposal response period for a computerized imaging system that will be compatible with the Section's existing computer systems.

To obtain a copy of the Request for Proposal, call or write:

Professional, Technical & Consulting Contracts

Marilyn Scruton
Section of Water Supply and Well Management
925 S.E. Delaware Street
P.O. Box 59040
Minneapolis, Minnesota 55459-0040
Phone: 612/627-5127
Fax: 612/627-5153

The amended date for submittal of proposals is April 17, 1992. All proposals must be received at the above address by 4:30 p.m. to be considered.

Department of Health

Notice of Request for Proposal to Contract With a Voluntary Nonprofit Reporting Organization

I. Introduction

The Minnesota Department of Health is soliciting proposals from nonprofit organizations having as one of their primary functions the collection and dissemination of acute care cost information, to become a Voluntary Nonprofit Reporting Organization (VNRO) for hospital reporting for the period July 1, 1992 to June 30, 1993. A VNRO for hospital reporting is responsible for administering the hospital reporting requirements of the Minnesota Health Care Cost Information Act (M.S. 144.695-703) and associated rules. This includes the collection of required information from each covered hospital, the maintenance of complete, accurate, and up-to-date computer data bases of hospital financial and statistical data, the timely response to public requests for hospital information and the provision of specific information and deliverables to the Minnesota Department of Health.

II. Background

The Health Care Cost Information System was established in 1984. Its purpose is to ensure that financial and statistical information about hospitals and freestanding outpatient surgical centers is available to public policymakers and consumers. Hospitals and outpatient surgical centers are required to file, on an annual basis, copies of their statements of financial position, rate schedules and interim rate increases, and selected utilization information.

The commissioner of health is responsible for collecting, verifying and disseminating the information to the public. The authorizing statute provides that the Department of Health may administer the system directly, or may approve an outside organization, a "Voluntary Nonprofit Reporting Organization", to administer aspects of the system.

III. Scope Of The Project

A. Tasks to be Performed

1. Notify hospitals of reporting requirements.
2. Collect required information from hospitals.
3. Report hospital filing status to the Department of Health.
4. File hospital documents with the Department of Health.
5. Maintain computer databases of Revenue and Expense Report and Audited Financial Statement data.
6. File computer files with the Department of Health.
7. Prepare and file hospital commentaries with the Department of Health.
8. Prepare and file industry and hospital-specific profile reports with the Department of Health.
9. Prepare system development projects for the Department of Health.
10. Respond to public requests for hospital information.

B. Project Costs

It is anticipated that the cost of this activity will not exceed \$400,000.00. **COSTS INCURRED IN MEETING THE TERMS OF THE CONTRACT ARE TO BE RECOVERED BY THE CONTRACTOR ASSESSING FEES ON HOSPITALS. THERE IS NO DIRECT COMPENSATION FROM THE DEPARTMENT OF HEALTH TO THE VNRO.**

IV. Content Of Application

A complete application must include:

1. Organization's name, address, telephone number and contact person.

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2. Background information about the organization, including a detailed description of its computing facilities.
3. Information on proposed staff, including resumes, current job title and percentage of time committed to the program.
4. A description of the procedures the applicant organization will use to carry out the tasks and responsibilities described for this project.
5. An estimated budget, itemized by: salary, benefits, and professional development costs; computer costs; supplies and equipment costs; overhead expenses; and other costs.
6. A proposed hospital fee schedule to cover estimated VNRO operating expenses.

V. Department Contact

Copies of the Request for Proposal for Contract Services including a detailed description of project tasks and responsibilities, and additional application forms are available from:

Walter G. Suarez, Manager
Health Care Cost Information System
Health Care Delivery Systems Division
Minnesota Department of Health
717 South East Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440
Telephone: (612) 623-5666

All proposals must be submitted to the Department of Health no later than 4:30 p.m., Friday, May 15, 1992.

Minnesota Historical Society

Notice of Request for Bids for Construction/Historic Restoration

The Minnesota Historical Society is seeking bids from qualified contractors for construction services for restoration of the kitchen addition, Meighen Store, Forestville, MN. This request is made by the formal Request for Bids which is available by calling Gary W. Goldsmith, Contracting Officer, (612) 296-2155. Bids will be due at 2:00 p.m., April 27, 1992. A mandatory site examination will be conducted at 10:00 a.m., April 17, 1992.

Department of Human Services

The Children's Trust Fund (CTF)

Request for Proposals to Develop an Evaluation Design for the CTF's Grant Program

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

SCOPE OF PROJECT

The Minnesota Department of Human Services, Children's Trust Fund, is seeking proposals from experienced individuals or agencies to develop and implement an evaluation design for the CTF's prevention of child maltreatment grant program. Because grants awarded biennially by the CTF for the primary and secondary prevention of child maltreatment address a broad array of programs and services, this project is envisioned as having three distinct levels of evaluation: 1) evaluation of (43) individual programs; 2) evaluation of clusters of programs having similar objectives; and 3) a summary evaluation of the CTF's funding methodology and process. It is anticipated that the monitoring and evaluation from clusters will be synthesized through meta-analysis and meta-evaluation, and will involve extrapolation for quantitative analysis and synthesis for qualitative analysis.

PROJECT GOALS, OBJECTIVES & TASKS

1. **INDIVIDUAL EVALUATION.** The recipient of this award will be responsible for providing technical assistance to and education of the participating grantees regarding the skills and tools required to obtain program evaluation information and input from clients served, staff and volunteers. Tools to measure community impact will also be jointly developed.
2. **CLUSTER EVALUATION.** The recipient will also be expected to identify and elucidate possible themes from participating grantees for meta-analysis; develop criteria for cost-effectiveness comparisons and evaluate the replicability of certain programs.

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As part of this process, the recipient is expected to identify/employ one or more people in each special issue area who can participate in data collection and analysis as an expert in that area with the responsibility for relating findings to relevant literature and research.

3. **SUMMARY EVALUATION.** The overall component of this project is expected to include an analysis and aggregate evaluation of the results from individual and clustered programs, and from that context, to evaluate the effectiveness of the methodology and process of the CTF in awarding, monitoring and evaluating the performance of the grantees. The final report is to provide an assessment of the relative effectiveness of various prevention programs, the effectiveness of various approaches with different target populations, and recommendations for outcome evaluation methodologies that can be used by grantees to improve the quality of future project evaluation data collection efforts. The final report is to include recommendations based on an analysis of all three levels of this project's evaluation.

Responders may propose additional tasks or activities if they will substantially improve the results of the project.

SUBMISSION OF PROPOSALS

Late proposals will not be accepted. Submit an original and five copies. All proposals must be sent to and received by Maureen Cannon, Executive Director, The Children's Trust Fund, 444 Lafayette Road, St. Paul, MN 55155-3839, Telephone: 612/296-5437, not later than **4:00 p.m., May 4, 1992.**

Proposals must be submitted in a sealed mailing envelope or package with the responder's name and address clearly written on the outside, and with evidence of the responder's compliance with the Human Rights Act or Affidavit of Exemption attached to the envelope or package. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal must be valid for the length of the proposal.

PROJECT COSTS & COMPLETION DATE

The amount of this award will not exceed \$150,000.00. This project is to be completed by **June 14, 1994;** or within **twenty-four** months from the date the project is authorized.

STATUTORY PROPOSAL REQUIREMENTS

HUMAN RIGHTS COMPLIANCE: It is hereby agreed between the parties that *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification to it. A copy of *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency, the Department of Human Services.

TAX WITHHOLDING (If Applicable): For compensation payable under this contract, which is subject to withholding under state or federal law, appropriate amounts will be deducted and withheld by the State as required.

VOTER REGISTRATION REQUIREMENT: Contractor will be required to certify that it will comply with *Minnesota Statutes*, section 201.162, by providing voter registration services for its employees and for the public served by the Contractor.

PROPOSAL CONTENT

In addition to documentation of compliance with the above statutory requirements, proposals are to consist of the following:

- A description of the respondent's qualifications and experience in designing and implementing this type of evaluation.
- At least the executive summary of the final report from other programs or groups the respondent has evaluated.
- A restatement of the project's goals and objectives, and a description of the methodology to be used when performing the tasks required to accomplish the duties of this contract.
- A workplan detailing all the tasks to be performed with timelines and cost estimates for each task.
- A description of the resources (e.g., computer technology) available to the respondent for accomplishing the tasks throughout the tenure of the contract. The qualifications and expertise of subcontractors is to be included in this section.
- Responders must assure that they do not employ and will not employ any current State employees for this project.
- A proposed outline of the Final Report.

REVIEW OF PROPOSALS

All proposals received by the above deadline will be reviewed and evaluated by a committee of the Children's Trust Fund Advisory Council. The CTF Advisory Council will recommend the contract be awarded to the respondent who demonstrates the best understanding of the project objectives, their proposed methodology and the cost effectiveness of their budget, not necessarily to the lowest bidder. An interview with the committee may be part of the process. Selection is expected to be completed by **May 20, 1992.** Results will be mailed to all respondents.

QUESTIONS

Prospective responders who have questions concerning this request for proposals may call Maureen Cannon, (612) 296-5437. **PLEASE NOTE:** Other Department of Human Services personnel or members of the Children's Trust Fund Advisory Council are not allowed to discuss the project with responders before the submittal of proposal deadline.

Department of Natural Resources**Minerals Division****Proposals Sought for Professional Geological Services**

The Minnesota Department of Natural Resources, Minerals Division, is seeking proposals to obtain a series of bedrock geology maps with increased detail inferred from regional geophysical data supported by density and magnetic susceptibility of selected drill core, outcrop, and rock dump samples. Proposals must be received before 4:30 p.m. May 8, 1992. Evaluation and selection shall be completed by May 15, 1992.

For a copy of the Request for Proposal contact:

Dennis P. Martin
Minnesota Department of Natural Resources
Division of Minerals
P.O. Box 567
Hibbing, MN 55746
Phone (218) 262-6767
FAX (218) 263-5420

Minnesota Pollution Control Agency**Water Quality Division****Request for Proposals for Toxicity Tests of Storm Water Entering Miller Creek, Duluth, Minnesota**

The Minnesota Pollution Control Agency (MPCA), Water Quality Division, is seeking proposals from qualified laboratories to perform toxicity tests on selected storm waters entering Miller Creek from approximately May 15, 1992, to June 30, 1993 (end date may be extended to September 30, 1993, if the summer of 1992 is extremely dry).

A. PURPOSE OF THE PROJECT

The purpose of this project is to prioritize storm water from various land use types for permitting under the National Pollution Discharge Elimination System (NPDES), using the results of standard toxicity testing methods as a basis. Five sites representing different land uses will be tested on four separate occasions. Three storm events and one spring snow-melt will be tested.

B. TOXICITY TESTING METHODS

Testing methods must follow those promulgated by the U.S. Environmental Protection Agency in "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms" EPA-600/4-85/013 March 1985, and "Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" EPA/600/4-89/001 Second Edition and "Methods for Aquatic Toxicity Identification Evaluations—Phase 1 Toxicity Characterization Procedures" EPA/600/6-91/003 Second Edition.

Test Species—Fathead minnows (Pimephales Promelas Rafinesque), and Ceriodaphnia dubia.

C. WATER CHEMISTRY

The proposer must be able to measure the following parameters at the corresponding detection limits in water samples:

Parameter	Detection Limit (ug/l)	Parameter	Detection Limit (mg/l)
Arsenic	1	Chloride	1
Cadmium	0.1	Total Dissolved Solids	10
Chromium	2	Total Suspended Solids	5

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Parameter	Detection Limit (ug/l)	Parameter	Detection Limit (mg/l)
Hexavalent Chromium	2	Kjeldahl Nitrogen	.05
Copper	1	Nitrogen, Ammonia	.05
Lead	1	Nitrate	.01
Nickel	1	Ortho Phosphorus	.002
Zinc	5	Total Phosphorus	.002
Phenols	10	Sulfate	1
		Oil and Grease	1

Methods must meet or exceed in quality those established in "Standard Methods for the Examination of Water and Wastewater" 17th Edition.

D. QUALITY ASSURANCE (QA)

The proposer must be capable of meeting the quality control acceptance criteria as they pertain to the methods cited in parts B and C. The state does not approve and no payment shall be made for work that does not meet professional standards or that has not been performed in accordance with all applicable federal and state laws, rules and regulations, and the terms of the contract.

Minnesota State Lottery

Bids Sought for Printed T-shirts

The Minnesota State Lottery will be seeking bids for 10,000 printed T-Shirts. Bid deadline is April 17, 1992 at 9:00 a.m. Bids arriving after that time will not be accepted. Delivery will be needed by May 1, 1992. Approximate cost is \$30,000.00. This purchase will be made under provision of MS 349A.07 which states in part:

"The director shall utilize an open bid process and shall take into account the particularly sensitive nature of the state lottery and shall consider the competence, quality of product, experience, and timely performance of each potential vendor in order to promote and ensure security, honesty, fairness, and integrity in the operation and administration of the lottery."

Companies interested in bidding should contact:

Susie Kivi
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
(612) 635-8105
FAX (612) 297-7497

E. REPORTING RESULTS

The proposer must verbally communicate results of toxicity tests within 48 hours of test completion.

Written results will be provided within two weeks of test completion, including test measurements, mortality data, behavioral observations, lethal concentration (LC50) and/or effect concentration calculations from test mortality/growth, reproduction data, reference toxicity data for each species, and/or test organism culture performance indicators.

F. PROPOSAL CONTENTS

These instructions describe the minimum information needed for the required contract of the proposer to help insure a timely evaluation of all bids submitted for review. Proposals must include:

1. A cost estimate for 20 acute tests (10 fathead, 10 ceriodaphnia).
2. A cost estimate for 40 acute tests (20 fathead, 20 ceriodaphnia).
3. A cost estimate for analysis of 20 water samples for the parameters listed in Part C.
4. Experience and qualifications of laboratory personnel.
5. Laboratory Standard Operating Procedures for conducting aquatic toxicity tests, and water chemistry analyses listed in part C.
6. Prices for 7 day chronic tests—for each species.

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7. Prices for 4 day chronic test—ceriodaphnia.
8. Prices for Phase 1 Acute Toxicity Characterization Procedures—each species.
9. Prices for water chemistry analyses listed in part C.

If prices per test vary depending upon the number of tests performed at any one time, a schedule of prices for a given number of tests of the same kind should be included in the proposal. All work shall be performed in accordance with the QA Program. The vendor may include any other information deemed pertinent.

G. AWARD

The result of initial acute tests will be used to determine the types and numbers of tests to follow. These may include acute tests, chronic tests, or an Acute Phase 1 Identification Procedure. The exact type and number of tests to be conducted can not be predicted prior to the initiation of the study, therefore the contract will be awarded on the following criteria.

1. The cost estimate on the 20 and 40 acute tests.
2. The cost estimate on the 20 samples analyzed for the parameters listed in part C.
3. Prices submitted for Phase 1 Toxicity Characterization Procedures.
4. Prices submitted for 7 day chronic tests—both species.
5. Prices submitted for 4 day ceriodaphnia chronic test.
6. Laboratory experience and qualifications.
7. An evaluation of the information submitted with the bid.

All proposals must be directed to the following and received no later than 5:00 p.m., May 15, 1992:

Marvin Hora
Assessment and Planning
Water Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, MN 55155 Telephone: (612) 296-7215.

Late proposals will not be accepted. Please submit four copies of the proposal with each signed, in ink, by an authorized member of the firm. Prices and terms of the project as stated must be valid for the length of the project.

Department of Transportation

Operations Division

Notice of Availability of Contract for Ear Examinations and Audiometric Testing

The Department of Transportation is requesting proposals for audiometric testing and ear examinations of designated employees in accordance with United States Department of Labor, Occupational Health and Safety Administration regulations. The Minnesota Department of Transportation estimates that the cost of this project need not approach but shall not exceed \$15,000.00 per fiscal year. It is anticipated that the contract period will begin on July 1, 1992 and continue through June 30, 1994.

For further information, or to obtain a copy of the completed Request for Proposal, contact:

David S. Smith
Budget and Finance Unit
Operations Division
Minnesota Department of Transportation
Transportation Building
395 John Ireland Boulevard, Room G-20
Saint Paul, Minnesota 55155
Telephone: 612/296-6079

Proposals must be received at the above address no later than 4:00 p.m. on May 8, 1992.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management 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 whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		O = Insurance or Bonding Required

Commodity: B F K—Simplicity riding mower
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 14
Agency: Minnesota Department of Jobs and Training
Deliver to: Various Places
Requisition #: B 21606-52864

Commodity: B F—High pressure cleaner
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 16
Agency: Minnesota Department of Transportation
Deliver to: Mankato
Requisition #: B 79000-23022

Commodity: B F—Refrigerant recycling system
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 16
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20681

Commodity: B F—386/33 Computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: April 15
Agency: I R R & R B
Deliver to: Chisholm
Requisition #: B 43000-60486

Commodity: A I M—New kitchen for centennial building
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: April 29
Agency: Building Construction Division
Deliver to: St. Paul
Requisition #: B 02310-25149

Commodity: B E—Ice machine
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 15
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14695

Commodity: B E—Lab supplies
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 15
Agency: Minnesota Pollution Control Agency
Deliver to: Duluth
Requisition #: B 32100-31239

Commodity: B F K M—Copier
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 16
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23566

Commodity: B E—McQuay steam heating coils
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 17
Agency: Department of Administration
Deliver to: Duluth
Requisition #: B 02307-24346

State Contracts and Advertised Bids

Commodity: A H—Winches for pickup trucks
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 17
Agency: DNR—Southern Service Center
Deliver to: Various Places
Requisition #: B 29000-58271

Commodity: B G—Laser video disc production
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 15
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23557

Commodity: B F L—Lab freezer
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 15
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12400-86757

Commodity: B E L—Magnifier-Dazor
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 15
Agency: Minnesota Pollution Control Agency
Deliver to: Duluth
Requisition #: B 32100-31238

Commodity: B F—Plastic sheeting
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 15
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-09067

Commodity: B F M—Refurbish furniture
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 17
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: B 27000-10398

Commodity: A H—Toro tractor mower
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 15
Agency: Vermilion Community College
Deliver to: Ely
Requisition #: B 27147-47440

Commodity: B F—Electric hoist/momorail system
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 17
Agency: Minnesota Department of Transportation
Deliver to: Virginia
Requisition #: B 79000-23015

Commodity: A H—Forklift
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 17
Agency: Minnesota Department of Transportation
Deliver to: Oakdale
Requisition #: B 79382-02402

Commodity: A H—Tandem axle trailers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 17
Agency: Minnesota Department of Transportation
Deliver to: Various Places
Requisition #: B 79382-02405

Commodity: A H—Mobile data analyzing trailer
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: April 17
Agency: Minnesota Department of Transportation
Deliver to: Fort Snelling
Requisition #: B 79382-02375-1

Commodity: W G—Color film recorder
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 17
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-34054

Commodity: B G—Move of administration hearings
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 28
Agency: Office of Administration Hearings
Deliver to: Minneapolis
Requisition #: B 99690-20092

Commodity: A I M—Shelving
Contact: Jack Bauer 612-296-2621
Bid due date at 2pm: April 15
Agency: Minnesota Historical Society
Deliver to: St. Paul
Requisition #: B 02310-25130

Commodity: B F—Study carrels
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 16
Agency: Hibbing Extension Duluth Center
Deliver to: Duluth
Requisition #: B 27163-65060

Commodity: A H—Dishwasher system
Contact: Joan Breisler 612-296-9071
Bid due date at 2pm: April 20
Agency: Department of Administration
Deliver to: St. Paul
Requisition #: B 02307-24345

Commodity: B F—Daconil fungicide
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: April 20
Agency: DNR—General Andrews Nursery
Deliver to: Willow River
Requisition #: B 29003-04151

Commodity: B F—Diamond core drill bits
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: April 15
Agency: Minnesota Department of Transportation
Deliver to: Various Places
Requisition #: B 79500-32501

Commodity: B G—Test chamber
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 20
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-34023

Commodity: Engraved printing plates
Contact: Norma Cameron 612-296-3779
Bid due date at 2pm: April 15
Agency: Department of Public Safety
Deliver to: Minnesota Correctional Facility—St. Cloud
Requisition #: Price Contract

Commodity: B F—Toshiba laptop
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: April 17
Agency: Department of Public Safety/Finance
Deliver to: St. Paul
Requisition #: B 07100-27193

State Contracts and Advertised Bids

Commodity: B G—Optical drive for sun
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: April 17
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23565

Commodity: A H—Ceiling tile
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: April 17
Agency: Building Construction Division
Deliver to: Various places
Requisition #: B 02310-25154

Commodity: B F—Video equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 17
Agency: Department of Public Safety/
Finance
Deliver to: St. Paul
Requisition #: B 07300-27191

Commodity: B E—PVC handhole w/
frame
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 17
Agency: Minnesota Department of
Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-23198

Commodity: A G—Delco RDS
receivers
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: April 17
Agency: Minnesota Department of
Transportation
Deliver to: Oakdale
Requisition #: B 79000-72701

Commodity: B G—Nursery stock
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: April 20
Agency: Minnesota Department of
Transportation
Deliver to: Various places
Requisition #: B 79050-27609

Commodity: B E—Miscellaneous cards
and boards
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: April 17
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23564

Commodity: B F—Fastpath 5 router
Contact: Bernadette Vogel 612-296-3778

Bid due date at 4:30pm: April 27
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02308

Commodity: B F—Architectural
products
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 17
Agency: Building Construction Division
Deliver to: St. Peter
Requisition #: B 02310-25159

Commodity: B F—Camcorder and
accessories
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 17
Agency: Moorhead State University
Deliver to: Moorhead
Requisition #: B 26072-03593

Commodity: B F—Sarasota detector
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: April 17
Agency: Minnesota Department of
Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-23200

Commodity: A H—RDS transmission
equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: April 20
Agency: Minnesota Department of
Transportation
Deliver to: Oakdale
Requisition #: B 79000-72702

Commodity: B G M—Fixture chairs
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 20
Agency: Board of Voc-Tech Education
Deliver to: St. Paul
Requisition #: B 36000-24625

Commodity: B F K—Fire alarm
installation
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: April 20
Agency: Minnesota Veterans Home
Deliver to: Minneapolis
Requisition #: B 75200-40208

Commodity: A I—Boat-motor-trailer
packages
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 20
Agency: Department of Natural
Resources—Southern Service Center
Deliver to: Various places
Requisition #: B 29000-58336

Commodity: B F—Boat-motor-trailer
package
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 20
Agency: Department of Natural
Resources—Southern Service Center
Deliver to: Various places
Requisition #: B 29000-58338

Commodity: A I—Overhaul aircraft
engine
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 21
Agency: Minnesota Department of
Transportation
Deliver to: Various places
Requisition #: B 79000-23171-1

Commodity: A H—52" and 72" rotary
mowers
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: April 21
Agency: Department of Natural
Resources—Southern Service Center
Deliver to: Various places
Requisition #: B 29000-58240

Commodity: B G—Boat-motor-trailer
package
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 20
Agency: Department of Natural
Resources—Southern Service Center
Deliver to: Various places
Requisition #: B 29000-58337

Commodity: B G—Boat-motor-trailer
package
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: April 20
Agency: Department of Natural
Resources—Southern Service Center
Deliver to: Various places
Requisition #: B 29000-58339

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.

Commodity: Minnesota grown 3" stickers (2 designs), camera ready copy, 100M

Contact: Printing Buyer's Office

Bids are due: April 16

Agency: Agriculture

Deliver to: St. Paul

Requisition #: 22371



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Health Care Facilities Directory 1991
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Never
O.K.~~

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It's Never OK. A handbook for professionals on sexual exploitation by counselors and therapists. It covers the therapeutic and prevention issues and employer responsibilities, plus recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16. \$19.95 + tax.

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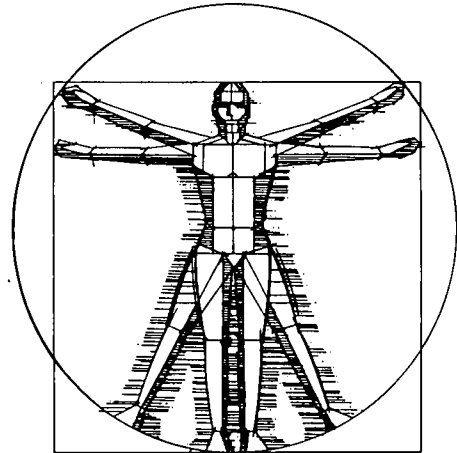
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OTHER PUBLICATIONS

Voices of the Loon. Includes introduction, loon call identification, distant chorus, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during thunderstorm and coyotes calling with loons. Cassette tape. Code #19-73, \$12.00.

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