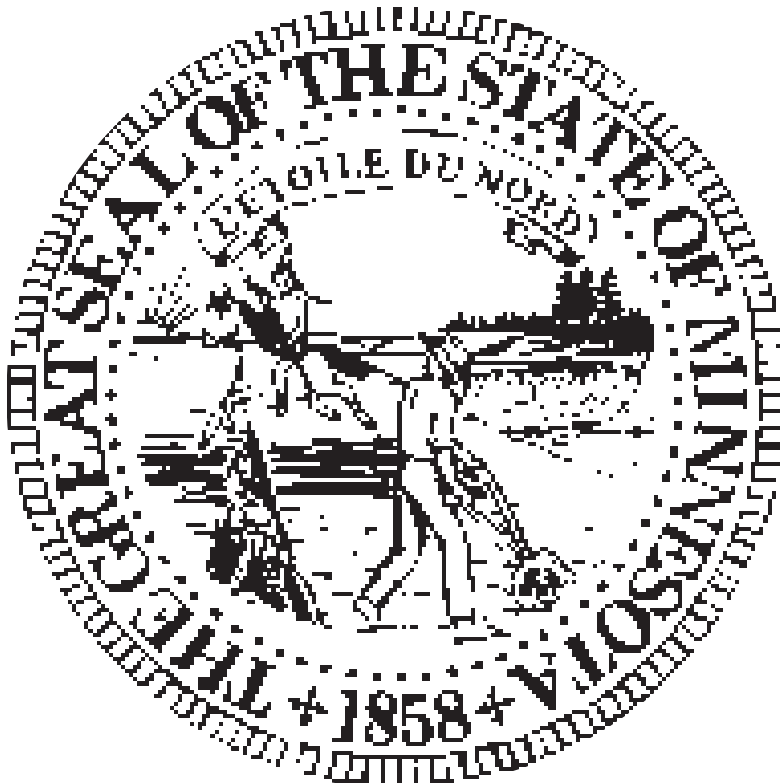


The Minnesota

# State Register

**Rules and Official Notices Edition**



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

**Monday 2 March 1998**  
**Volume 22, Number 35**  
**Pages 1461-1514**

# 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, professional-technical-consulting contracts, non-state bids and public contracts and grants.

### Printing Schedule and Submission Deadlines

Vol. 22 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 35	Monday 2 March	Friday 13 February	Monday 23 February
# 36	Monday 9 March	Monday 23 February	Monday 2 March
# 37	Monday 16 March	Monday 2 March	Monday 9 March
# 38	Monday 23 March	Monday 9 March	Monday 16 March

Arne H. Carlson, Governor 612/296-3391	Hubert H. Humphrey III, Attorney General 612/297-4272	Joan Anderson Grove, Secretary of State 612/296-2079
Joanne E. Benson, Lt. Governor 612/296-3391	Judi Dutcher, State Auditor 612/297-3670	Michael A. McGrath, State Treasurer 612/296-7091
Department of Administration:	Communications.Media Division	Robin PanLener, Editor 612/297-7963
Elaine S. Hansen, Commissioner 612/296-1424	Mary Mikes, Director 612/297-3979	Gretchen Stark, Assistant Editor 612/296-0929
Kent Allin, Asst. Commissioner 612/297-4261		Jessie Rahmeyer, Subscriptions 612/297-8774

Copyright © 1998 Communications.Media Division, Department of Administration, State of Minnesota.  
Publication Number: 326630. (ISSN 0146-7751)

**PUBLISHING NOTICES IN THE *State Register*:** Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 612-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$84.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

**SUBSCRIPTION SERVICES:** The *State Register* is published by Communications.Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning. Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: 297-3000 Toll free 800-657-3757. TTY relay service phone number: 1-800-627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (612) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. See the *State Register* "Table of Contents" on our website: <http://www.comm.media.state.mn.us>

- **State Register** (published every Monday, or Tuesday if Monday is a holiday) One year subscription: \$160.00; via Internet: \$185.00. Users agree not to redistribute without authorization. Internet subscribers to the *State Register* agree not to use their subscription at multiple offices in different cities. For example, a business or organization with branch offices in St. Paul, Minneapolis, Duluth, St. Louis, Chicago, New York and Washington, D.C. will use their subscription in only one city.
- **Contracts Supplement** (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Contracts Supplement*. \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* \$1.00. Shipping is \$3.00 per order.
- **"Professional, Technical and Consulting Contracts Awards Reports,"** – published each month listing the previous month's awards of contracts and RFPs that appeared in the Monday edition of the "*State Register*." Appears monthly in hard copy format only. Single copies are \$15.00 per report, plus \$3.00 shipping if applicable. Order stock # 99-43. Six-month subscriptions cost \$75.00. Order stock #90-15.

### 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:

Contact: Senate Public Information Office (612) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

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

## Minnesota Rules: Amendments & Additions

Volume 22, issues #27-35 (issues #1-26 cumulative appeared in issue #26)..... 1464

## Adopted Rules

### Pollution Control Agency

Water standards for Lake Superior Basin ..... 1466

### Veterinary Medicine Board

Inactive licenses ..... 1472

## Exempt Rules

### Labor and Industry Department

Proposed revisions for the occupational safety and health standards and request for comments; adoption of federal standards by reference..... 1473

## Official Notices

### Accountancy Board

Comments sought on planned amendment to rules for administration, examination, licensing, professional conduct, continuing professional education, and practice monitoring ..... 1476

### Animal Health Board

Quarterly meeting of the board Wednesday 11 March 1998 ..... 1479

### Commerce Department

Actuarial equivalence — values and factors for comprehensive health insurance ..... 1479

### Minnesota Comprehensive Health Association

Meeting Thursday 5 March 1998 of the Actuarial Committee..... 1479

### Health Department

Comments sought on planned amendment to rules on fees for licensure of individual morticians, funeral directors, and mortuary science trainee (intern) licenses and funeral establishment permits..... 1480

### Higher Education Facilities Authority

Public hearing on proposal to issue revenue obligations on behalf of: Bethel College and Seminary..... 1481  
St. Olaf College..... 1481

### Human Services Department

Changes to the authorization list of health services as a condition of Minnesota's Health Care Program (MHCP) payment ..... 1482

1998 capitation rates for prepaid Medical Assistance (MA) and prepaid General Assistance Medical Care (GAMC) ..... 1485

### Legislative Coordinating Commission

Candidates sought for the Board of Trustees of the Minnesota State Colleges and Universities (MnSCU) ..... 1485

### Pollution Control Agency

Total maximum daily load (TMDL) list of stream segments and lakes which have impaired uses..... 1486

### Minnesota Property Insurance Placement Facility

Meetings Wednesday 4 March 1998 of the Member Companies and the Governing Board ..... 1498

### Minnesota Racing Commission

Comments sought on planned amendment to rules for thoroughbred registration, broodmare registration..... 1498

### Revenue Department

Presumed legal cigarette prices..... 1499

### Public Safety Department

Meeting Thursday 12 March 1998 of the Minnesota Auto Theft Prevention Board of Directors ..... 1499

## State Grants & Loans

### Children, Families and Learning Department

Proposals sought for the Minnesota Learn and Earn Graduation Achievement Program ..... 1500

### Human Services Department

Funds available to continue mental health services for mentally ill and deaf or hard of hearing adults..... 1500

### Labor and Industry Department

Matching grants for employers for abatement of safety/health hazards ..... 1501

## Professional, Technical & Consulting Contracts

### Higher Education Services Office

Proposals sought for video producer..... 1502

Proposals sought for production of SELF loan videotape ..... 1502

Proposals sought to produce videotape..... 1503

### Human Services Department

Contract available for actuarial services to assist in the incorporation of long term care services into the prepaid medical assistance program ..... 1503

### Natural Resources Department

Proposals sought for preparation of an environmental impact statement (EIS) for the Toivola Peat Mining Project in St. Louis County.... 1505

Proposals sought for the development of a forest practice guidebook for the Minnesota Forest Resources Council ..... 1506

### North Hennepin Community College

Proposal sought for food service at the college in Brooklyn Park..... 1506

### Transportation Department

Contract available for market segmentation research project..... 1507

## Non-State Public Bids, Contracts & Grants

### Dakota County

Proposals sought for out-patient mental health services for Dakota County consumers..... 1509

### Metropolitan Council

Invitation for bids on particle size analyzer ..... 1510

Proposals sought for Metropolitan Transit police legal services ..... 1510

### Metropolitan Council Environmental Services

Letters of interest sought for programming and design development and management for the design/build project Metropolitan Waste Water Treatment Plant work space improvements ..... 1510

Statements of qualifications sought for architectural, structural, civil, environmental, mechanical, electrical, and related services for professional services in support of in-house projects..... 1511

### Minnesota Historical Society

Bids sought for James J. Hill House fire suppression and protection .. 1511

Bids sought for stabilization and restoration of stone warehouse on the Lower Sioux Agency ..... 1512

### University of Minnesota

Bid information service (BIS) available for all potential vendors..... 1512

Commodity, Service and Construction contracts are published in a bulletin, the *State Register Contracts Supplement*, published Tuesday, Wednesday and Friday. Award results are available from the Materials Management Helpline 612/296-2600.

Professional, Technical and Consulting contract awards are published monthly in an *Awards Report*.

Individual copies and subscriptions for both publications are available through Minnesota's Bookstore, (612) 297-3000 or 1-800-657-3757.

# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1995 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

## Volume 22, issues #27-35

(issues #1-26 appeared in #26)

### Animal Health Board

1700.2200; .2300; .2305; 1715.0005; .0020; .0105; .0125 (proposed)...	1393
1710.1300; .1350; .1360; .1385; .1390; .1420; .1450 (proposed).....	1285
1715.0170; .0190 (proposed repealer) .....	1393

### Economic Security Department

3300.2005; .2010; .2015; .2020; .2025; .2030; .2035; .2040; .2045; .2052; .2055 (proposed) .....	1327
3300.1950; .2050; .2150; .2250; .2350; .2450; .2550; .2650; .2750; .2850; .2950; .3050 (proposed repealer) .....	1327

### Education Board

3500.0552; .0554; .0556; .0558; .0560; .0562 (withdrawn) .....	1369
3500.0550 (proposed repealer withdrawn) .....	1369

### Emergency Medical Services Regulatory Board

4690.0800; .4400; .7000; .8200; .8300 (proposed).....	1396
4690.0900 s5; .8300 s.6 (proposed repealer) .....	1396

### Health Department

4740.2020; .2030; .2040 (proposed).....	1153
4747.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600 (adopted).....	1257

### Higher Education Services Office

4830.7100; .7500; .7800 (adopted).....	1295
4850.0014; .0015 (adopted) .....	1369

### Housing Finance Agency

4900.0010; .0630; .0640 (errata).....	1163
4900.2400; .2420; .2440; .2520; .2540 (adopted).....	1402

### Labor and Industry Department

5205.0010 (proposed exempt; adoption by reference) .....	1473
5205.0010; .0065 (adopted exempt) .....	1162
5207.0260 (repealed) .....	1162

### Medical Practice Board

5600.2500 (proposed) .....	1343
----------------------------	------

### Natural Resources Department

6236.0600; .0810; .1060 (adopted expedited emergency).....	1240
6254.0600; 6256.0050; .0200; .0500; 6258.0100; .0300; .0400; .0800; 6260.0300; .1700; .1800; .2400; 6262.0200; .0300; .0500; .0600; .0650; .0800; 6266.0600; .0700 (proposed).....	1427
6262.0800 s.4 (proposed repealer).....	1427
6264.0400 (adopted expedited emergency).....	1240
6264.0400 (adopted exempt) .....	1239

### Peace Officer Standards and Training Board

6700.0600; .0800; .1000; .1101 (adopted).....	1449
---	------

### Pollution Control Agency

7005.0100; 7007.0100; .0150; .0300; .0500; .0750; .0800; .1120; .1130; .1250; .1300; .1400; .1450; .1500; 7009.0080; .1040; 7011.0060; .0065; .0070; .0075; .0105; .0110; .0510; .0515; .0535; .0620; .0805; .0917; .1105; .1110; .1305; .1310; .1405; .1410; .1415; .1600; 1705; .2300; 7019.1000; 7035.2875 (adopted).....	1237
7007.0750 s.6; .1251; 7011.0400; .0405; .0410; .2200; .2205; .2210; .2220 (repealed) .....	1237
7050.0180; .0185; .0210; .0216; .0224; .0460; .0470; 7052.0005; .0010; .0015; .0100; .0110; .0200; .0210; .0220; .0230; .0240; .0250; .0260; .0270; .0280; .0300; .0310; .0320; .0330; .0350; .0360; .0370; .0380 (adopted).....	1466

## Minnesota Rules: Amendments and Additions

### Public Service Department

<b>7670.0100</b> ; .0325; .0610; .0800; .1115; <b>7672.0100</b> ; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; <b>7674.0100</b> ; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; <b>7676.0100</b> ; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; <b>7678.0100</b> ; .0200; .0300; .0400; .0500; .0600; .0700; .0800 (continuation of public hearing) .....	1259
<b>7670.0495</b> ; .0610 s.2, 5, 6, 9, 10, 11, 13; .0660; .0800 s.4 (continuation of public hearing).....	1259
<b>7690.0100</b> ; .0200; .0300; .0500; .0550; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1430; .1440; .1450; .1500; .1600 (adopted) .....	1402
<b>7690.0400</b> ; .0600 (repealed) .....	1402

### Secretary of State

<b>8200.3100</b> ; .5100; .5400; <b>8210.9920</b> (proposed).....	1290
---	------

### Water and Soil Resources Board

<b>8420.0100</b> ; .0102; .0103; .0105; .0110; .0112; .0115; .0122; .0200; .0210; .0230; .0240; .0250; .0260; .0268; .0290; .0300; .0350; .0400; .0505; .0510; .0520; .0530; .0540; .0550; .0610; .0620; .0650; .0720; .0730; .0740; .0750; .1010; .1040 (proposed).....	1187
<b>8420.0110</b> s.5, 13, 26, 27, 47; .0120; .0250 s.2; .0710 (proposed repealer) .....	1187

### Transportation Department

<b>8830</b> (proposed) .....	1399
------------------------------	------

### Veterinary Medicine Board

<b>9100.0500</b> (adopted) .....	1472
----------------------------------	------

## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *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.

### Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

### Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

## Pollution Control Agency

### Adopted Permanent Rules Relating to Water Standards for Lake Superior Basin

The rules proposed and published at *State Register*, Volume 22, Number 5, pages 154-198, August 4, 1997 (22 SR 154), are adopted with the following modifications:

#### 7050.0460 WATERS SPECIFICALLY CLASSIFIED.

The waters of the state listed in part 7050.0470 are classified as specified. The specific stretch of watercourse or the location of a waterbody is described by township, range, and section, abbreviated as T., R., S., respectively. Any community listed in part 7050.0470 is the community nearest the water classified, and is included solely to assist in identifying the water.

Outstanding resource value waters are listed in part 7050.0470 and are denoted by an asterisk (\*) preceding the name of the water resource. Following the name is the effective date the water resource was designated as an outstanding resource value water and a letter code that corresponds to the applicable discharge restrictions in part 7050.0180, subpart 3 or 6. The letter code P corresponds to the prohibited discharges provision in part 7050.0180, subpart 3. The letter code R corresponds to the restricted discharges provision in part 7050.0180, subpart 6. The waters listed in part 7050.0470, subpart 1, that are not designated as outstanding resource value waters or classified as Class 7 waters are designated as outstanding international resource waters under part 7052.0300, subpart 3. Unlisted waters classified in part 7050.0430 and unlisted wetlands classified in part 7050.0425 that are located in the Lake Superior Basin are also designated as outstanding international resource waters under part 7052.0300, subpart 3.

Waters listed in part 7050.0470 that are classified as Class 2Bd are Class 2B waters also classified for domestic consumption purposes. Applicable standards for Class 2Bd waters are listed in part 7050.0222, subpart 3.

Waters designated as wild rice waters in part 7050.0470, subpart 1, are identified by the letters WR appearing in brackets following the name of the water.

#### 7052.0010 DEFINITIONS.

Subp. 4. **Bioaccumulative chemical of concern or BCC.** "Bioaccumulative chemical of concern" or "BCC" means any chemical that has the potential to cause adverse effects which, upon entering the surface waters of the state, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor (BAF) greater than 1,000, after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation, in accordance with the methodology in part 7052.0110, subpart 3. Chemicals with half-lives of less than eight weeks in the water column, sediment, and biota are not BCCs. The minimum BAF information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical, including an organometal, as a BCC is either a field-measured BAF or a laboratory-measured bioconcentration factor. The BCCs are a subset of the GLI pollutants, and are listed in part 7052.0350. A chemical may not be treated as a BCC for purposes of this chapter unless and until it is added to the list in part 7052.0350.

Subp. 18. **Expanded discharge or expanding discharge.** "Expanded discharge" or "expanding discharge" means a discharge of a BCC to a surface water of the state in the Lake Superior Basin that changes in volume, quality, location, or any other manner due to an action or activity identified in part ~~7050.0310~~ 7052.0310, subpart 4, after either:

Subp. 24. **Lake Superior Basin.** "Lake Superior Basin" means the drainage basin of Lake Superior, including Lake Superior, within the state of Minnesota.

**7052.0100 WATER QUALITY STANDARDS.**

**Subp. 2. Water quality standards applicable to Lake Superior; Class 2A.**

Substance	Units	Aquatic Life Chronic Standard	Aquatic Life Maximum Standard	Aquatic Life Final Acute Value	Human Health Chronic Standard	Wildlife Chronic Standard	Applicable Chronic Standard
Arsenic, total	ug/l	148	340	680	2†		2
Benzene	ug/l				10		10
Cadmium, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chlordane	pg/l				40		40
Chlorobenzene	ug/l	10†	423†	846†	278		10
Chromium III, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chromium VI, total	ug/l	11	16	32			11
Copper, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Cyanide, free	ug/l	5.2	22	44	596		5.2
DDT	pg/l				25	11	11
Dieldrin	pg/l	56000	240000	480000	1.2		1.2
2,4-Dimethylphenol	ug/l	21	137	274	368		21
2,4-Dinitrophenol	ug/l	71	379	758	53		53
Endrin	ug/l	0.036	0.086	0.17	0.0039†		0.0039
Hexachlorobenzene	pg/l				74		74
Hexachloroethane	ug/l				1.0		1.0
Lindane	ug/l		0.95	1.9	0.08		0.08
Mercury, total	ug/l	0.91	1.7	3.4	0.00153	0.0013	0.0013
Methylene Chloride	ug/l				46		46
Nickel, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Parathion	ug/l	0.013	0.065	0.13			0.013
PCBs (class)	pg/l				4.5	122	4.5
Pentachloropenol (pH)	ug/l		subp. 6	subp. 6	0.93†		0.93
Selenium, total	ug/l	5.0	20†	40†			5.0
2,3,7,8-TCDD	pg/l				0.0014	0.0031	0.0014
Toluene	ug/l	253†	1352†	2703†	3725		253
Toxaphene	pg/l				11		11
Trichloroethylene	ug/l				22		22
Zinc, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6

† this standard or FAV was derived under chapter 7050.

**Subp. 3. Water quality standards applicable to Class 2A waters other than Lake Superior.**

**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

Substance	Units	Aquatic Life Chronic Standard	Aquatic Life Maximum Standard	Aquatic Life Final Acute Value	Human Health Chronic Standard	Wildlife Chronic Standard	Applicable Chronic Standard
Arsenic, total	ug/l	148	340	680	2†		2
Benzene	ug/l				11		11
Cadmium, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chlordane	pg/l				56		56
Chlorobenzene	ug/l	10†	423†	846†	324		10
Chromium III, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chromium VI, total	ug/l	11	16	32			11
Copper, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Cyanide, free	ug/l	5.2	22	44	596		5.2
DDT	pg/l				35	11	11
Dieldrin	pg/l	56000	240000	480000	1.6		1.6
2,4-Dimethylphenol	ug/l	21	137	274	391		21
2,4-Dinitrophenol	ug/l	71	379	758	53		53
Endrin	ug/l	0.036	0.086	0.17	0.0039†		0.0039
Hexachlorobenzene	pg/l				105		105
Hexachloroethane	ug/l				1.5		1.5
Lindane	ug/l		0.95	1.9	0.11		0.11
Mercury, total	ug/l	0.91	1.7	3.4	0.00153	0.0013	0.0013
Methylene Chloride	ug/l				46		46
Nickel, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Parathion	ug/l	0.013	0.065	0.13			0.013
PCBs (class)	pg/l				6.3	122	6.3
Pentachloropenol (pH)	ug/l		subp. 6	subp. 6	0.93†		0.93
Selenium, total	ug/l	5.0	20†	40†			5.0
2,3,7,8-TCDD	pg/l				0.0020	0.0031	0.0020
Toluene	ug/l	253†	1352†	2703†	4214		253
Toxaphene	pg/l				15		15
Trichloroethylene	ug/l				24		24
Zinc, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6

† this standard or FAV was derived under chapter 7050.



Subp. 4. Water quality standards applicable to Class 2Bd waters.

Substance	Units	Aquatic Life Chronic Standard	Aquatic Life Maximum Standard	Aquatic Life Final Acute Value	Human Health Chronic Standard	Wildlife Chronic Standard	Applicable Chronic Standard
Arsenic, total	ug/l	148	340	680	2†		2
Benzene	ug/l				12		12
Cadmium, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chlordane	pg/l				225		225
Chlorobenzene	ug/l	10†	423†	846†	461		10
Chromium III, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chromium VI, total	ug/l	11	16	32			11
Copper, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Cyanide, free	ug/l	5.2	22	44	596		5.2
DDT	pg/l				142	11	11
Dieldrin	pg/l	56000	240000	480000	6.5		6.5
2,4-Dimethylphenol	ug/l	21	137	274	441		21
2,4-Dinitrophenol	ug/l	71	379	758	55		55
Endrin	ug/l	0.036	0.086	0.17	0.016†		0.016
Hexachlorobenzene	pg/l				418		418
Hexachloroethane	ug/l				5.0		5.0
Lindane	ug/l		0.95	1.9	0.43		0.43
Mercury, total	ug/l	0.91	1.7	3.4	0.00153	0.0013	0.0013
Methylene Chloride	ug/l				47		47
Nickel, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Parathion	ug/l	0.013	0.065	0.13			0.013
PCBs (class)	pg/l				25.2	122	25.2
Pentachloropenol (pH)	ug/l		subp. 6	subp. 6	1.9†		1.9
Selenium, total	ug/l	5.0	20†	40†			5.0
2,3,7,8-TCDD	pg/l				0.0080	0.0031	0.0031
Toluene	ug/l	253†	1352†	2703†	5517		253
Toxaphene	pg/l				62		62
Trichloroethylene	ug/l				29		29
Zinc, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6

† this standard or FAV was derived under chapter 7050.

**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

### Subp. 5. Water quality standards applicable to Class 2B, 2C, and 2D waters.

Substance	Units	Aquatic Life Chronic Standard	Aquatic Life Maximum Standard	Aquatic Life Final Acute Value	Human Health Chronic Standard	Wildlife Chronic Standard	Applicable Chronic Standard
Arsenic, total	ug/l	148	340	680	53†		53
Benzene	ug/l	114†	4487†	8974†	237		114
Cadmium, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chlordane	pg/l				225		225
Chlorobenzene	ug/l	10†	423†	846†	2916		10
Chromium III, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Chromium VI, total	ug/l	11	16	32			11
Copper, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Cyanide, free	ug/l	5.2	22	44	30240		5.2
DDT	pg/l				142	11	11
Dieldrin	pg/l	56000	240000	480000	6.5		6.5
2,4-Dimethylphenol	ug/l	21	137	274	7182		21
2,4-Dinitrophenol	ug/l	71	379	758	1982		71
Endrin	ug/l	0.036	0.086	0.17	0.016†		0.016
Hexachlorobenzene	pg/l				419		419
Hexachloroethane	ug/l				6.2		6.2
Lindane	ug/l		0.95	1.9	0.46		0.46
Mercury, total	ug/l	0.91	1.7	3.4	0.00153	0.0013	0.0013
Methylene Chloride	ug/l	1561†	9600†	19200†	1994		1561
Nickel, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6
Parathion	ug/l	0.013	0.065	0.13			0.013
PCBs (class)	pg/l				25.2	122	25.2
Pentachloropenol (pH)	ug/l	subp. 6	subp. 6	subp. 6	5.5†		subp. 6
Selenium, total	ug/l	5.0	20†	40†			5.0
2,3,7,8-TCDD	pg/l				0.0080	0.0031	0.0031
Toluene	ug/l	253†	1352†	2703†	45679		253
Toxaphene	pg/l				62		62
Trichloroethylene	ug/l				330		330
Zinc, total (TH)	ug/l	subp. 6	subp. 6	subp. 6			subp. 6

† this standard or FAV was derived under chapter 7050.

**7052.0200 TOTAL MAXIMUM DAILY LOADS.**

Subpart 1. **Applicability.** The provisions in this subpart apply to establishing total maximum daily loads (TMDLs) for all Great Lakes Initiative (GLI) pollutants and pollutant parameters in surface waters of the state in the Lake Superior Basin, with the exception of whole effluent toxicity (WET), which is addressed in part 7052.0240.

C. If the agency develops an assessment and remediation plan that meets the provisions of this part, meets the public participation provisions of subpart 6, and has been approved by the EPA as meeting the requirements under *Code of Federal Regulations*, title 40, section 130.6, then the assessment and remediation plan may be used in lieu of a TMDL if one of the following conditions ~~are~~ is met:

Subp. 2. **Determination of TMDL allocations.** The agency must determine TMDL allocations as described in this subpart.

I. If the agency establishes separate TMDLs for different segments of the same watershed, and if each of these separate TMDLs ~~include~~ includes WLAs for the same GLI pollutant for one or more of the same point sources, then water quality-based effluent limits (WQBELs) for the GLI pollutant and point sources must be consistent with the most stringent of those WLAs to assure attainment of all applicable water quality standards and criteria.

**7052.0210 MIXING ZONES.**

Subp. 3. **Mixing zones for BCCs.** After the effective date of this chapter, acute and chronic mixing zones shall not be allowed for new and expanded discharges of BCCs to the Lake Superior Basin. Acute and chronic mixing zones for existing discharges of BCCs must be phased out by March 23, 2007, except under the provisions in items A to E. After the effective date of this chapter for new and expanded discharges and March 23, 2007, for existing discharges, WLAs developed under part 7052.0200, subparts 2 and 3, for discharges of BCCs must be set equal to the most stringent applicable water quality standard or site-specific criterion for the BCC in question. The provisions for exceptions to the acute and chronic mixing zone phase-out for existing discharges of BCCs are in items A to E.

**7052.0220 REASONABLE POTENTIAL FOR CHEMICAL-SPECIFIC WQBELS.**

Subpart 1. **Applicability.** Where the agency determines, using factors specified under *Code of Federal Regulations*, title 40, section 122.44, paragraph (d)(1)(ii), that a GLI pollutant is or may be discharged to surface waters of the state at a level which has the reasonable potential to cause or contribute to an excursion above any water quality standard listed or referenced in part 7052.0100 or water quality criterion developed according to part 7052.0110, WQBELs must be included in the permit. When facility-specific effluent monitoring data are available, the agency must make the reasonable potential determination by developing preliminary effluent limitations (PELs) and comparing them to the projected effluent quality (PEQ) as described in this part.

Subp. 5. **Intake credits.** Intake pollutants must be evaluated on a pollutant-by-pollutant, outfall-by-outfall basis. The conditions in items A to I apply to the agency’s consideration of intake pollutants, in the absence of a TMDL or an assessment and remediation plan approved under part 7052.0200, subpart 1, item C, when establishing effluent limitations in a permit.

A. There is no reasonable potential for the discharge of an identified intake pollutant or pollutant parameter to cause or contribute to an excursion above a water quality standard listed or referenced in part 7052.0100 or a water quality criterion developed under part 7052.0110 if a discharger demonstrates to the satisfaction of the agency that the following conditions exist:

(2) the facility does not contribute any ~~measurable~~ additional mass of the identified intake pollutant to its wastewater;

~~Subp. 8. **Once-through noncontact cooling water.** WQBELs shall not be required for a discharge consisting solely of noncontact cooling water that is used once-through unless either item A or B applies.~~

~~A. A WQBEL based on aquatic life standards or criteria for a GLI pollutant determined under part 7052.0200, subpart 5, or based on WET under part 7052.0240, subpart 6, is required if the agency determines a limitation is necessary to protect aquatic life, unless the discharger demonstrates that the presence of the pollutant or WET is due solely to its presence in the intake water.~~

~~B. The discharger uses or proposes to use additives in the noncontact cooling water that require WQBELs based on the determinations under subpart 2, 3, or 4.~~

~~If a discharge consists of combined once-through noncontact cooling water and other waste streams, this subpart applies to the once-through noncontact cooling water and subparts 2 to 4 must be applied to the other waste streams to determine whether WQBELs are required for those other waste streams.~~

**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

---

### 7052.0230 ADDITIVITY.

Subp. 4. **Acute aquatic life additivity.** The additive effects of acute aquatic life toxicity of GLI pollutants in effluents where individual QWBELs have been established under part 7050.0211, subpart 1, or 7052.0200, subpart 5, as FAVs must be calculated according to part 7050.0222, subpart 7, item ~~D~~ B.

### 7052.0250 QWBELS BELOW QUANTIFICATION LEVEL.

Subp. 2. **Analytical method and quantification level used to assess compliance.** The agency must use the provisions in items A to D when assessing compliance with a QWBEL below the quantification level.

B. The quantification level shall be the minimum level specified in or approved under *Code of Federal Regulations*, title 40, part 136, for the method for that GLI pollutant. If no such minimum level exists, ~~but a method detection level is available, the method detection level must be multiplied by 3.18 to determine a minimum level.~~ or if the method is not specified or approved under *Code of Federal Regulations*, title 40, part 136, the quantification level shall be the lowest quantifiable level approved by the agency. The agency must specify a higher quantification level if the permittee demonstrates that a higher quantification level is appropriate because of effluent-specific matrix interference.

Subp. 4. **GLI pollutant minimization program.** The agency shall include a condition in the permit requiring the permittee to develop and conduct a GLI pollutant minimization program for each GLI pollutant with a QWBEL below the quantification level. The goal of the GLI pollutant minimization program is to reduce all sources of the GLI pollutant to maintain the effluent at or below the QWBEL. The GLI pollutant minimization program must include at least the following:

C. submittal of a control strategy to reduce GLI pollutant loading to the industrial or municipal wastewater treatment system influent or to the effluent if there is no discrete treatment system;

### 7052.0260 COMPLIANCE SCHEDULES.

Subp. 2. **New dischargers.** When a permit containing a QWBEL for a GLI pollutant is issued to a new discharger, the permittee must comply with such limitation upon commencement of the discharge. Compliance schedules must be included for new or more stringent QWBELs and for new or improved analytical methods or new lower quantification levels that are contained in any subsequently modified or reissued permit.

Subp. 3. **Existing dischargers.** An existing permit that is reissued or modified, on or after the effective date of this chapter, to contain a new or more stringent QWBEL, a new or improved analytical method, or a new lower quantification level for a GLI pollutant must have a compliance schedule for the permittee to comply with that limitation. A compliance schedule may go beyond the term of the permit. The compliance schedule must not extend beyond five years from the date of permit issuance or modification.

When the compliance schedule goes beyond the term of the permit, an interim permit limitation effective upon the expiration date must be included in the permit and addressed in the permit's fact sheet or statement of basis. The administrative record for the permit must reflect the final limitation and its compliance date.

Where a schedule of compliance is established that exceeds one year from the permit issuance or modification date, the schedule must provide interim requirements and dates for their achievement. The time between interim dates may not exceed one year. If the time necessary for completion of any interim requirement is more than one year and is not readily divisible into stages for completion, the permit must require specific dates for annual submission of progress reports on the status of any interim requirements.

### 7052.0300 NONDEGRADATION STANDARDS.

Subp. 4. **High quality waters.** Where, for any individual BCC, the water quality of an OIRW is better than the quality necessary to support the propagation of fish, shellfish, and wildlife and recreation in and on the water, that water shall be considered high quality for that BCC and the quality must be maintained and protected under the implementation and demonstration requirements of parts 7052.0310 and 7052.0320. On a pollutant-specific basis, the agency shall allow a lowering of water quality if it determines the lowering of water quality is necessary to accommodate important economic or social development in the area in which the water is located, in accordance with part 7052.0310, subpart 3. If a lowering of water quality is allowed, existing and designated uses must be fully protected.

## Board of Veterinary Medicine

### Adopted Permanent Rules Relating to Inactive Licenses

The rules proposed and published at *State Register*, Volume 22, Number 21, pages 922-923, November 24, 1997 (22 SR 922), are adopted as proposed.

## Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* §§ 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only.

The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

## Department of Labor and Industry

### Occupational Safety and Health Division

### Proposed Exempt Permanent Rules Relating to Occupational Safety and Health; Adoption of Federal Standards by Reference

#### Proposed Revisions to the Occupational Safety and Health Standards and Request for Comments

**NOTICE IS HEREBY GIVEN** that the Department of Labor and Industry, Occupational Safety and Health Division (Minnesota OSHA) proposes to adopt the following revisions to the Department of Labor and Industry, Occupational Safety and Health Rules, as authorized under *Minnesota Statutes* § 182.655 (1996). This notice proposes the adoption by reference of corrections and amendments to Occupational Safety and Health Standards that have already been proposed and adopted by the Federal Occupational Safety and Health Administration (Federal OSHA).

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

Any person may file with the Commissioner written objections to the proposed amendments stating the grounds for those objections and may request a public hearing. A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed amendments within the 30-day comment period. Requests for hearing must include the name and address of the person submitting the request, define the reasons for the request, and discuss any proposed changes. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes* § 182.655 and *Minnesota Rules* 5210.0010 to 5210.0100.

Written comments or requests for a public hearing should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155-4307. A complete copy of the standards proposed for adoption is available by writing to this address, or by calling (612) 297-3254 or (612) 282-5806.

Gretchen B. Maglich  
Commissioner

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

## Exempt Rules

---

### SUMMARY OF CHANGES

The following is a brief summary of the proposed amendments. Persons interested in reviewing the complete *Federal Register* notices referenced below may obtain copies from the above address.

(A) "Methylene Chloride; Final Rule; Amendment; Extension of Start-Up Date for Compliance." On September 15, 1997, Federal OSHA announced in the *Federal Register* that the start-up date for most provisions of the methylene chloride standard has been expanded by 30 days to November 6, 1997 for larger employers. Employers with fewer than 20 employees and foam manufacturers with 20 to 99 employees have substantially later start-up dates which are not changed.

By this notice, Minnesota OSHA proposes to adopt the final rule, amendment, and extension of start-up date for compliance as published in the *Federal Register* on September 15, 1997.

(B) "Methylene Chloride; Final Rule; Amendment; Extension of Start-Up Dates for Compliance." On October 20, 1997, the *Federal Register* published a notice extending the start-up date for most provisions of the methylene chloride standard for larger employers by 45 days to December 21, 1997. Larger employers were required to commence initial monitoring by September 7, 1997, and that date is unchanged. OSHA is also extending the start-up date for initial monitoring for foam manufacturers with 20 to 99 employees by 45 days to December 21, 1997. Employers with fewer than 20 employees have later start-up dates, which are not changed.

By this notice, Minnesota OSHA proposes to adopt the final rule, amendment and extension of start-up dates for compliance, as published in the *Federal Register* on October 20, 1997.

(C) "Methylene Chloride; Final Rule; Partial Stay of Start-Up Dates for Compliance." On December 18, 1997, federal OSHA published in the *Federal Register* an announcement stating that they had received a motion, filed jointly by various unions, for reconsideration of certain provisions of the methylene chloride standard. Concerns were related to start-up dates for installation of engineering controls and use of respiratory protection for certain employers. The motion requests an interim stay of those compliance dates pending OSHA's ruling on the motion for reconsideration.

Upon preliminary evaluation of the motion, OSHA found good cause to grant in part the movants' request for an interim stay of the start-up dates. Accordingly, for those employers subject to the motion who would otherwise need to use respiratory protection or install engineering controls on or before April 10, 1998, OSHA is hereby delaying until August 31, 1998, the requirement to use respiratory protection to achieve the 8-hour TWA PEL, and to December 10, 1998, the requirement to achieve the 8-hour TWA PEL and the STEL through engineering controls.

By this notice, Minnesota OSHA proposes to adopt the final rule and partial stay of start-up dates for compliance, as published in the *Federal Register* on December 18, 1997.

(D) "Respiratory Protection; Final Rule; Request for Comment on Paperwork Requirements." The Occupational Safety and Health Administration (OSHA) published in the *Federal Register* the final respiratory protection standard. This standard replaces the standards adopted by OSHA in 1971 (29 CFR 1910.134 and 29 CFR 1926.103), and it applies to general industry, construction, shipyard, longshoring, and marine terminal workplaces. The standard requires employers to establish or maintain a respiratory protection program to protect their respirator-wearing employees. This requires a written plan as well as periodic program evaluation. The new standard reflects current respirator technology and better ways to ensure they fit properly. The revised standard also clarifies responsibility for administering a respirator program and its provisions, adds definitions, and provides specific guidance on respirator selection, use, hazard evaluation, medical evaluations, fit testing, and training.

The standard will simplify respiratory protection requirements by deleting duplicative provisions and revising other respirator-related provisions in OSHA standards to make all of them consistent. It also addresses respirator use in Immediately Dangerous to Life or Health (IDLH) atmospheres, including interior structural firefighting. During interior structural firefighting (an IDLH atmosphere by definition), self-contained breathing apparatus is required, and two firefighters must be on standby to provide assistance or perform rescue when two firefighters are inside the burning building.

By this notice, Minnesota OSHA proposes to adopt the final rule and request for comment on paperwork requirements, as published in the *Federal Register* on January 8, 1998.

**5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.**

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

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the *Federal Register* on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

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

T. *Federal Register*, Volume 62:

[For text of subitems (1) to (5), see M.R.]

(6) *Federal Register*, Vol. 62, No. 178, page 48175, dated September 15, 1997: “Methylene Chloride; Amendment; Extension of Start-Up Dates for Compliance.”

(7) *Federal Register*, Vol. 62, No. 202, page 54382, dated October 20, 1997: “Methylene Chloride; Amendment; Extension of Start-Up Dates for Compliance.”

(8) *Federal Register*, Vol. 62, No. 243, page 66275, dated December 18, 1997: “Methylene Chloride; Partial Stay; Final Rule; Partial Stay of Start-Up Dates for Compliance.”

U. *Federal Register*, Vol. 63, No. 5, page 1152, dated January 8, 1998: “Respiratory Protection; Final Rule; Request for Comment on Paperwork Requirements.”

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

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the *Federal Register* on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, the incorporation and redesignation of the regulatory text of the General Industry Occupational Safety and Health Standards (29 CFR Part 1910) that have been identified as applicable to construction work as published in the *Federal Register*, Volume 58, No. 124, dated June 30, 1993, and corrected in Volume 58, No. 143, dated July 28, 1993; and additional changes as follows:

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

N. *Federal Register*, Vol. 63, No. 5, page 1152, dated January 8, 1998: “Respiratory Protection; Final Rule; Request for Comment on Paperwork Requirements.”

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

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

# Official Notices

---

---

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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

---

## Board of Accountancy

### Request for Comments on Planned Amendment to Rules Governing Administration, Examination, Licensing, Professional Conduct, Continuing Professional Education, and Practice Monitoring

#### *Minnesota Rules 1100*

**Subject of Rules.** The Board of Accountancy requests comments on its planned amendments to the rules governing administration, examination, licensure, discipline, continuing professional education, practice monitoring, and regulation of certified and licensed public accountants. The Board is considering rules that make the following changes:

**1100.0100, Subp. 4c. Change in the definition of “financial statement.”** The change in the definition of “financial statements” is being made to conform the definition with the definition commonly accepted in the profession, that used by the American Institute of Certified Public Accountants (“AICPA”). When the Board last revised the rules comprising its Code of Professional Conduct, the Board’s intent was to conform its Code of Professional Conduct (including applicable definitions) in most areas to the AICPA Code of Professional Conduct. This allowed the Board to take advantage of the AICPA’s expertise and resources and to simplify compliance for licensees by having one definition of financial statement. In addition 1100.0100, Subp. 4e is added to define generally accepted accounting principles consistent with the definition commonly used in the profession.

**1100.0100, Subp. 7b. Add definition of “Nonresident licensee.”** This definition is added to clarify that the term “nonresident licensee” when used in the rules means a person holding a license whose principal place of business is not located in Minnesota.

**1100.0100, Subp. 10a. Practice of Public Accounting in the State of Minnesota.** This definition is added to clarify Subpart 10 and provides that such practice means engaging in the acts described in Subpart 10 for a client in Minnesota, whether or not the person engaging in the acts is physically located in Minnesota.

**1100.0700, Subp. 2. Clarification of the date as used in 1100.0700, Subp 2.** The Board proposes to add “preceding or following the date of the CPA examination applied for “ to the 90-day need requirement test applicable to nonresident applicants for the CPA examination. In addition, the changes further clarify the need requirement relating to attending school in Minnesota and working in Minnesota.

**1100.1100, Subp. 2. Clarification of requirement that experience need for licensure be “in public practice.”** The Board proposes to add the words, “in public practice” to “actively licensed certified public accountants” (“CPA”), and “actively licensed public accountants” (“LPA”) to clarify that “in public practice” modifies both CPA and LPA. This revision is consistent with Board’s past practice and current intent.

**1100.1100, Subp. 6.B. and D. Change of terminology from “examination” to “audit.”** This change was made by the AICPA in 1988 and is being made in the Board’s rules to continue the Board’s policy of conforming its definitions to those used by the AICPA.

**1100.1100, Subp. 6. D. and E. Clarification of Qualifying Self-Employment.** The Board proposes to add “or education” to Subp. 6 D and E consistent with the education or experience wording in Subp. 6 A, B and C.

**1100.1300, Subp. 6. Extension of time period for forfeiture of examination fee.** This change permits applicants who are unable to be present at an examination to apply the fee paid to subsequent examinations within the next year before the fee is forfeited. Currently, the fee would need to be applied to the next examination offered by the Board.

**1100.1300, Subp. 11. Establishment of Emergency examination procedures.** This change establishes emergency examination procedures in those circumstances when conditions exist which make it impossible for the Board to conduct the examination at the time, date or place scheduled, or make it impossible for a majority of examination candidates to attend the examination at the time, date and place scheduled. The change provides that the Board shall waive certain rules to avoid hardship on candidates affected.

**1100.1400, Subp. 2. Clarification of reexamination rules.** This change clarifies the rule consistent with Board past practice and intent and makes it clear that applicants who have passed two of the sections of the examination must be reexamined in all failed sections at each examination for which the applicant applies.

**1100.1750. Requirement that unlicensed certificate holders register with the Board.** This change permits the Board to more



effectively keep track of persons who have passed the Uniform Certified Public Accountant Examination and have been issued a certified public accountant certificate by the Board but who have not met the experience requirement for licensure and are not eligible for licensure. The Board currently regulates such persons.

**1100.1900. Issuance and renewal of licenses.** This change will clarify the procedure for issuing and renewing licenses. The first section (Subp. 2) will govern initial licensure, the next two sections (Subp. 3 and 4) will govern renewal, and the final two sections (Subp. 5 and 6) will govern matters common to issuance of initial licenses and renewal of licenses. This change also requires all certificate holders who are described in *Minnesota Statutes*, section 326.19, subdivision 4, clause (2) to make an election as to whether they want to claim experience under *Minnesota Statutes*, section 326.19, subdivision 4, clause (2) for work they have performed. The change also clarifies the type of work which qualifies as experience under *Minnesota Statutes*, section 326.19, subdivision 4, clause (2).

**1100.2110. Types of licenses.** These changes clarify that licensees must meet the experience requirements provided for by rule; clarify, establish and revise licensure requirements for licensees employed by government agencies; broaden the eligibility for the retirement exemption; establish procedures for reinstatement of licenses by persons exempt from licensure because of retirement or disability; clarify the requirements for temporary licenses and for exemption from licensure for incidental practice, and defining "good standing" for temporary licensing and exemption for incidental practice. These changes are being made to make the Board's procedures easier to understand and comply with, or clarify the license status of licensees employed by government agencies, and to resolve several unintended problems caused by the creation of certain exemptions from licensing.

**1100.2115, Subp. 3. Reciprocal licensing.** This change specifies that an applicant who has been actively licensed as a CPA, LPA or equivalent outside of Minnesota, but in another United States jurisdiction, within five of the ten years immediately preceding application need not provide information on employment verification and personal reference forms required by this subpart.

**1100.2115, Subp. 4. Reciprocal licensing.** These changes clarify the requirements the Board must meet before issuing a reciprocal license.

**1100.3550. Use of CPA and LPA designation.** These changes clarify the use of the CPA and LPA designation by persons holding CPA and LPA certificates but who are not licensed or by inactive licensees, by CPAs and LPAs who are actively licensed but not in public practice, by persons exempt from licensure by reason of retirement or disability, and by CPA and LPA firms. Changes in this part do not address use of the CPA and LPA designation by CPAs and LPAs who are actively licensed and engaged in the practice of public accounting.

**1100.3600, Subp. 2c. Continuing professional education late filing fee.** Consistent with part 1100.6500, this change extends the reporting date for continuing professional education by 15 days from June 30 to July 15.

**1100.3600, Subp. 2d. Registration fee for unlicensed certificate holders.** This change provides for a fee for the annual registration created by part 1100.1750.

**1100.3600, Subp. 3. Refunding, reapplying application fees.** This change extends the period of time to one year during which an applicant's fee for a canceled examination can be applied. See also 1100.1300, Subp. 6.

**1100.3600, Subp. 3a. Examination cancellation fees.** This change clarifies the exact dates after which part or all of the examination fee would be forfeited in the case where the applicant cancels sitting for the examination.

**1100.3600, Subp. 3c. Certificate replacement fees.** This change provides for a fee for issuing a replacement CPA or LPA certificate.

**1100.4300. Acts discreditable to the profession.** These changes involve the restructuring of this part to make it easier to understand by prohibiting acts discreditable to the profession in subpart 1, defining certain acts constituting acts discreditable to the profession in subparts 2 through 7, including three new acts discreditable to the profession found in subparts 5 through 7, and delete from subpart 1 conduct that is prohibited or constitute violations elsewhere in the rules or in Chapter 326.

**1100.4650 and 1100.4900. Incorporation by reference of documents.** These changes update documents incorporated by reference from the 1994 to the 1997 version.

**1100.6500, Subps. 1-4. Continuing professional education reporting date.** Changes in these subparts extend the reporting date from June 30 to July 15. The CPE hours reported continues to cover the fiscal period from July 1 to June 30.

**1100.6500, Subp. 6. Transition provisions relating to annual minimum CPE to be reported.** Changes provided by this subpart will change, on a cycle basis, the minimum number of CPE hours to be reported from 20 to 40.

**1100.6700, Subp. 2. CPE reporting by nonresident licensees.** This change provides that nonresident active licensees can comply with the detail CPE reporting requirements by signing a statement to the effect that the nonresident active licensee has met the CPE requirements of the licensee's state of principal place of business.

**1100.6700, Subp. 4. Clarification of CPE hour requirement for formerly active licensees reentering public practice.**

## Official Notices

---

These changes clarify that the 50 hours required to be reported by subpart A is in addition to any hours required by subpart B and can be included in the next annual CPE report to the extent the hours fall within the annual reporting period. These changes are consistent with current practice.

**1100.7200. Credit for Publications.** This change clarifies the amount of hours which can be allowed for published articles and books and removes the one year restriction of 25 percent of reported hours. The 25 percent maximum remains in affect for the three-year reporting cycle requirement.

**1100.9150. Incorporation by reference.** This change updates documents incorporated by reference from 1994 to 1997.

**1100.9300. Exemption from quality review.** This change updates requirements for quality review consistent with AICPA changes and provides that LPUs are exempt from the requirement in part 1100.9200 if they do not perform audits, reviews, compilations or examinations of prospective financial statements.

**1100.9800, Subp. 1. Practice monitoring, liability of manager.** This change provides for discipline against the manager of a licensed practice unit for the LPU's failure to comply with corrective agreements.

**1100.0100, Subp. 6c; 1100.0200, Subp. 2 and Subp. 2a; 1100.0500; 1100.0800, Subp. 1 and Subp. 2; 1100.1700, Subp. 1; 1100.2115, Subp. 2; 1100.2150; 1100.3250; 1100.3400; 1100.3600, Subp. 2; 1100.4000; 1100.6500, Subp. 1.** Modifications in these sections represent minor corrections or changes providing clarification or required as a result of legislative changes or prior rule amendments.

**Persons Affected.** Applicants for examination as a certified public accountant, holders of Certified Public Accountant and Licensed Public Accountant certificates, Certified Public Accountants and Licensed Public Accountants and Licensed Firms.

**Statutory Authority.** *Minnesota Statutes* sections 326.18 and 326.12 authorize the Board to adopt rules necessary to implement and enforce sections 214.12 and 326.165 to 326.229

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on April 20, 1998. The Board does not contemplate appointing an advisory committee to comment on the planned amendment to its rules.

**Rules Draft.** The Board has prepared a draft of the planned rule amendments.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rule, and requests for more information on this planned rule should be addressed to:

Dennis J. Poppenhagen  
Executive Secretary  
Board of Accountancy  
Suite 125  
85 East Seventh Place  
St. Paul, Minnesota 55101  
Telephone (612) 296-7937  
TTY (612) 297-5353

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

Comments submitted in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt a rule is started. The board is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 2 February 1998

Dennis J. Poppenhagen  
Executive Secretary

## Board of Animal Health

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

The Board of Animal Health quarterly meeting will be Wednesday, March 11, 1998. The meeting will convene at 9:30 a.m. in conference room 1 in the Minnesota Department of Agriculture Building, 90 W. Plato Blvd., St. Paul, MN 55107.

## Department of Commerce

### Notice Regarding Actuarial Equivalence — Values and Factors for Comprehensive Health Insurance

#### I. Determination of Average Semiprivate Hospital Room and Board Level of Surgical Charges.

Pursuant to *Minnesota Rules*, part 2740.9914 (1997), the Commissioner of Commerce published the following values and factors for 1998:

	Base Year			
	1984	1996	1997	1998
Surgical Value	4,000	7,096	7,536	8,187
Surgical Factor	1.000	1.774	1.884	2.047
ASP Value	170	473	502	518
ASP Factor	1.000	2.782	2.953	3.047
Comp Factor	1.000	2.318	2.461	2.587

#### II. Test for Actuarial Equivalence for Plans Other than Medicare Supplement Plans.

Pursuant to *Minnesota Rules*, part 2740.9949 (1997), the Commissioner of Commerce publishes the following revised point values used to determine plans which are actuarially equivalent to qualified plans 1, 2, and 3 for 1998:

Qualified Plan Number	If plan has the indicated number of points, then plan is actuarially equivalent to the qualified plan identified.
1 (\$1,000 Deductible)	1,081
2 (\$ 500 Deductible)	1,225
3 (\$ 150 Deductible)	1,371

III. Historical values, factors and points with respect to Items I and II, above, for years 1984 through 1994 were published in the *State Register* on December 27, 1993 (18 S.R. 1577).

Dated: 19 February 1998

David B. Gruenes  
Commissioner of Commerce

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Actuarial Committee

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA), Actuarial Committee will be held at 1:00 p.m. on Thursday, March 5, 1998. The meeting will take place at Blue Cross Blue Shield of MN, Main Building, 6th floor meeting room, 3535 Blue Cross Road, Eagan, MN.

For additional information, please call Lynn Gruber at (612) 593-9609.

## Department of Health

### Request for Comments Reissued on Planned Amendment to Rules Governing fees for licensure of

### **individual morticians, funeral directors, and mortuary science trainee (intern) licenses and funeral establishment permits, *Minnesota Rules*, part 4610.2800**

**Special Note.** The Minnesota Department of Health published a Request for Comments regarding these planned rule amendments on July 7, 1997, and then published proposed rule amendments on December 1, 1997. During the 30-day comment period, the Mortuary Science Program encountered certain unexpected expenses and, because of this, determined that the proposed fee increases in the rule amendments would not be sufficient. The Department will withdraw the proposed rule amendments published in December. The Department is reissuing this Request for Comments and will re-propose rule amendments in approximately 60 days.

**Subject of Rules.** The Minnesota Department of Health requests comments on its planned amendment to rules governing mortuary science fees. The Department is considering rule amendments that increase the fee amounts to recover the current negative balance that exists and would provide the revenues needed to meet the expenses of the next several years. The last fee increase was August 1, 1987. The proposed increases have been adjusted to more accurately reflect actual time spent by the Mortuary Science Section with the individual activity.

**Persons Affected.** The amendment to the rules would affect the individuals and funeral establishments currently being licensed. The increase should have minimal impact given the modest amount of the proposed fees and the length of time since the last increase.

**Statutory Authority.** The present *Minnesota Rules*, part 4610.2800, governs mortuary science fees. Part 4610.2800 was adopted under the authority of *Minnesota Statutes*, sections 144.12, 144.122, 149.04, and 149.05, implementing provisions of *Minnesota Statutes*, chapter 149. All of chapter 149 was repealed by *1997 Minnesota Laws*, chapter 215, section 47, effective August 1, 1997. Many rule parts in *Minnesota Rules*, chapter 4610, were repealed by *1997 Minnesota Laws*, chapter 215, section 46. However, *1997 Minnesota Laws*, chapter 215, section 46, states in pertinent part: "Notwithstanding *Minnesota Statutes*, section 14.05, *Minnesota Rules*, parts 4610.0420, 4610.0500, 4610.0600, 4610.0650, and 4610.2800, are not repealed." *1997 Minnesota Laws*, chapter 215, enacted *Minnesota Statutes*, chapter 149A, to replace chapter 149. The new rulemaking authority to amend part 4610.2800 is in *Minnesota Statutes*, section 149A.03.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing until further notice is published in the *State Register* that the Department intends to adopt or withdraw the rules. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

**Rules Drafts.** The Department has prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules, and requests for more information on these planned rules should be addressed to: David Benke, 121 East Seventh Place, P.O. Box 64975, St. Paul, MN 55164-0975, or by calling (612)282-3828. TTY users may call the Department at (612)623-5522.

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

**Note:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 23 February 1997

Anne Barry, Commissioner  
Department of Health

## Higher Education Facilities Authority

### Notice of Public Hearing on Revenue Obligations on Behalf of Bethel College and Seminary

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Bethel College & Seminary, a Minnesota nonprofit corporation (the "College"), as owner and operator of Bethel College, an institution of higher education, at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on March 18, 1998 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$24,000,000 to finance (a) the acquisition, installation and equipping of a new four-story residence hall (the "Residence Hall"); (b) an addition to the Fine Arts Center including classrooms, offices and expansion of chemistry laboratories ("Expansion"); (c) the acquisition of The Arden Office Building located at the intersection of Hamline and County Road F to provide office space for the Development Office and the Continuing Studies Office (the "Arden Office Building"); (d) the acquisition and installation of campus network wiring to complete the wiring of the College campus to inter-connect all offices, classrooms and residence halls ("Wiring"); (e) the remodeling of spaces in the College complex to accommodate relocations associated with the additions to the Fine Arts Center ("Remodeling"); (f) the construction of an on campus baseball field ("Baseball Field"); (g) the construction of a parking lot expansion ("Parking Lot"); (h) the refunding of the Authority's outstanding Mortgage Revenue Bonds, Series W (Bethel College), dated August 1, 1978, originally issued to finance the construction of two housing residences with appurtenant furnishings and equipment and site improvements (the "Refunding") and (i) the refinancing of debt originally incurred to finance an addition to Nelson Dormitory and a classroom and office addition to the Robertson Building (the "Refinancing" and collectively, the "Project"), owned or to be owned and operated by the College and located on its main campus, the principal street address of which is 3900 Bethel Drive, St. Paul, MN 55112.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 23 February 1998

By Order of the Minnesota Higher Education Facilities Authority  
J. Luther Anderson  
Executive Director

## Higher Education Facilities Authority

### Notice of Public Hearing on Revenue Obligations on Behalf of St. Olaf College

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of St. Olaf College, a Minnesota nonprofit corporation (the "College"), as owner and operator of St. Olaf College, an institution of higher education, at the Authority's offices at Suite 450 Galtier Plaza, 175 East Fifth Street, St. Paul, Minnesota on March 18, 1998 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$15,500,000 to finance (a) the acquisition, construction and equipping of a student union type facility of approximately 175,000 square feet for food service operation, student organization offices and support areas, student governmental offices, the bookstore, a movie theater, a student-programmed entertainment facility, the telecommunications center, a post office facility, and conference and banquet facilities (the "Buntrock Commons Project"); (b) the acquisition and installation of electrical generator (the "Generator"); (c) the acquisition and installation of hardware and software for general academic and administrative computing, telecommunications and networking ("Computers"); (d) the acquisition and installation of hardware and software for financial and human resources/payroll information system ("Payroll System"); (e) classroom renovations and the acquisition of new classroom furnishings ("Classroom Renovation"); (f) the acquisition of residence hall furniture ("Furniture") and (g) various improvements relating to roadways, parking lots, heating control systems, cooling systems and the campus utility distribution system ("Infrastructure" and collectively, the "Project"), owned or to be owned and operated by the College and located on its main campus, the principal street address of which is 1520 St. Olaf Avenue, Northfield, MN 55057-1098.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 23 February 1998

By Order of the Minnesota Higher Education Facilities Authority  
J. Luther Anderson  
Executive Director

## Department of Human Services

### Notice of Changes to the Authorization List of Health Services as a Condition of Minnesota Health Care Program Payment

The following is a listing of adds, deletes and changes to the current authorization list. The newly added and changed codes will require authorization on or after April 1, 1998. As authorized by *Minnesota Statutes*, section 256B.0625, subdivision 25, the following list includes all health services that have been added, changed, or deleted from authorization as a condition of Minnesota Health Care Programs (MHCP) payment. The list is presented in sections: Dental Services, Vision Care Services, Medical Supplies and Equipment, Prosthetics and Orthotics, Hearing Aids, Drugs, Rehabilitative Services, and All Other Services. The criteria used to develop this list are as follows:

- A. The health service could be considered, under some circumstances, to be of questionable medical necessity.
- B. Use of the health services needs monitoring to control the expenditure of program funds.
- C. Less costly, appropriate alternatives to the health services are generally available.
- D. The health service is newly developed or modified.
- F. The health service is of a continuing nature and requires monitoring to prevent its continuation when it ceases to be beneficial.
- G. The health service is comparable to a service provided in a skilled nursing facility or hospital but is provided in a recipient's home.
- H. The health service could be considered cosmetic.

**These newly added or changed codes will require Authorization for services provided on or after April 1, 1998.**

#### I. Dental

No updates this publication.

#### II. Vision Care Services

No updates this publication

#### III. Medical Supplies and Equipment; Prostheses and Orthoses

No updates this publication

#### IV. Hearing Aids

No updates this publication

#### V. Drugs

#### CHANGED

The following drugs require authorization from the first day of service, or as indicated. For authorization contact Care Delivery Management Incorporated (CDMI), M-F 8:00 am - 4:30 pm, metro: 456-5275, outstate: 1-800-382-5275, fax: 612-405-7459.

Alglucerase (Ceredase)

Agents used to promote smoking cessation (including patches, nasal spray, gum, inhaler)

Botulinum Toxin Type A (Botox)

Demeclocycline (Declomycin)

Epoetin Alfa/Erythropoietin/EPO (Epogen and Procrit)

Filgrastim/G-CSF (Neupogen)

Granisetron (Kytril) [for more than 4 consecutive weeks of continuous treatment]

Interferon Alfa-n3 (Alferon N)

InterferonGamma-1b (Actimmune)

Lansoprazole (Pevacid) [for more than 8 consecutive weeks of continuous treatment]

Omeprazole (Prilosec) [for more than 8 consecutive weeks of continuous treatment]

Ondansetron (Zofran) [for more than 4 consecutive weeks of continuous treatment]

Sargramostim/GM-CSF (Leukine and Prokine)

For services performed in physician office: (Authorization comes from physician)

<u>Service Code</u>	<u>Service Description</u>
J0205	Alglucerase
J0585	Botulinum Toxin Type A
J1626	Granisetron [for more than 4 consecutive weeks of continuous treatment]
J9215	Interferon Alfa-n3
J9216	Interferon Gamma -1b
J2405	Ondasetron [for more than 4 consecutive weeks of continuous treatment]
J2820	Sargramostim/GM-CSF

Authorization requests will not be accepted by CDMI for drugs which do not appear on the above list.

**VI. Rehabilitative Services**

No updates this publication

**VII. All Other Services**

1. Non-investigative Services

**ADDED CODES**

<u>Service Code</u>	<u>Service Description</u>
90816*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient;
90817*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient; with medical evaluation and management services;
90818*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient;
90819*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient; with medical evaluation and management services;
90821*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient;
90822*29	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient; with medical evaluation and management services;
90823*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient;
90824*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 20 to 30 minutes face to face with the patient; with medical evaluation and management services
90826*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient;
90827*29	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 45 to 50 minutes face to face with the patient; with medical evaluation and management services

## Official Notices

---

- 90828\*29 Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient;
- 90829\*29 Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient, partial hospital or residential care setting, approximately 75 to 80 minutes face to face with the patient; with medical evaluation and management services

### CHANGED CODES

<u>Service Code</u>	<u>Service Description</u>
76070*26	Computerized tomography, bone density study.
76075*27	Dual energy X-ray absorptiometry (DEXNA), bone density study.
76076*28	Dual energy X-ray absorptiometry (DEXA), bone density study, one or more sites.

### DELETED CODES (No longer requires Authorization)

<u>Service Code</u>	<u>Service Description</u>
21720	Division of sternocleidomastoid for torticollis, open operation; without cast application.
64772	Transection or avulsion or other spinal nerve extradural (for Dx of spasmodic torticollis)
56356	Hysteroscopy, surgical; with endometrial ablation (any method)
71550	Magnetic resonance imaging chest (excluding myocardium), with or without contrast material(s).

### II. Investigative List Alpha Order

#### ADDED

Chronic electrostimulation of the pallidum for Parkinson's disease.

#### CHANGED

Knee Cartilage ((Meniscus) Transplants including autologous chondrocyte implementation.

Transurethral destruction of ~~prostate~~ prostate tissue by microwave or thermography

Transurethral destruction of ~~prostate~~ prostate tissue by radio frequency thermography

#### DELETED (no longer requires authorization)

Angioscopy/vascular endoscopy (no specific code)

Cold laser treatment for pain or healing

Isolated Limb Perfusion

### III. Investigative List Numeric

#### ADDED CODES

<u>Service Code</u>	<u>Service Description</u>
61855	Twist drill or burr hole(s) for implantation of neurostimulator electrodes; subcortical
61885	Incision and subcutaneous placement of cranial neurostimulator pulse or receiver, direct or inductive coupling ( <del>for Parkinsonism</del> )

#### CHANGED CODES

<u>Service Code</u>	<u>Service Description</u>
36468, 36469, 36470, 36471	- Moved to the Non-Investigative list.



**DELETED CODES (no longer needs authorization)**

<b>Service Code</b>	<b>Service Description</b>
50590	Lithotripsy, extracorporeal shock wave
*26	Authorization is required after 1 per calendar year
*27	Authorization is required after 1 per calendar year.
*28	Authorization is required after 1 per calendar year.
*29	Codes 90816 through 90829 when provided in other than an inpatient place of service shall be subject to the same practice parameters and service coverage limitations as other outpatient, individual psychotherapy codes (90804 through 90815) unless authorized.

## Department of Human Services

### 1998 Capitation Rates for Prepaid Medical Assistance and Prepaid General Assistance Medical Care

The rate setting methodology used for the 1998 Prepaid Medical Assistance (PMAP) and Prepaid General Assistance Medical Care (PGAMC) programs has been finalized. The methodology resulting in monthly capitation rates paid to health plans for CY 1998 contracts is available upon request from:

Jason Wiley  
Managed Care Rate Setter  
Department of Human Services  
444 Lafayette Road N.  
St. Paul, MN 55155-3853  
(612) 215-0120

## Legislative Coordinating Commission

### Board of Trustees Candidate Advisory Council

### Candidates Sought for the Board of Trustees of the Minnesota State Colleges and Universities (MnSCU)

The Board of Trustees Candidate Advisory Council is currently seeking candidates for the Board of Trustees of the Minnesota State Colleges and Universities to fill four positions on the Board, one in congressional district 7 as well as 3 at-large seats.

The Council is responsible for recruiting and recommending candidates to the governor for appointment to the Board of Trustees. Members of the Board of Trustees receive per diem and expenses.

For further information and/or application forms, please contact Barb Patterson at (612) 296-9002, 85 State Office Building, St. Paul, MN 55155. Applications must be received by 5:00 p.m. March 16, 1998.

## Pollution Control Agency

### Notice of Total Maximum Daily Load (TMDL) List of Stream Segments & Lakes Which Have Impaired Uses

In accordance with the requirements of Section 303(d) of the Federal Clean Water Act (CWA), the Minnesota Pollution Control Agency (MPCA) is today publishing its 1998 list of stream segments and lakes which have impaired designated uses and for which the MPCA proposes to complete total maximum daily load (TMDL) studies. TMDL studies define the maximum amount of each pollutant which can be released and assimilated in the receiving water from point and nonpoint sources and permit water quality standards to be met in the receiving water. Each TMDL is parameter-specific.

The CWA 303(d) list contains stream reaches and lakes that are not fully supporting designated uses, based on Water Quality Standards exceedences. The MPCA is required to list, prioritize, and attach a schedule which estimates starting dates and completion dates for each TMDL for each affected reach. These dates may be modified to accommodate priorities and scheduling needs that are discovered through basin management. It is the intent of the MPCA to provide local governments and citizens ample opportunity to review the 303(d) list of impaired waters and to assert their own water quality priorities with respect to these and other water bodies, as part of basin management. Modifications of the dates for undertaking TMDL studies that result from this process will serve only to reorder priorities, not delay the undertaking of TMDL studies. One term that may not be familiar is 'represented reach'. The reaches that are listed, for the most part, are based on data collected on the reach. In a few cases, reaches are listed because they are close to impaired reaches and deemed similar to the reach. These are designated 'represented reaches'.

The Table below explains the TMDL prioritization scheme. Lastly, it contains an estimate as to how long it will take to complete a TMDL for a given cause.

<u>Cause in priority order:</u>	<u>Criteria for internal ordering:</u>	<u>Complexity in years:</u>
1] excess ammonia	how severe & how frequent?	1 - 2 years*
excess mercury	water quality standard exceedence	10 - 12 years
2] low dissolved oxygen	how frequent & how severe?	4 - 5 years
3] excess fecal coliform	geometric mean (organisms/ 100mL)	3 - 4 years
4] excess turbidity	how frequent & how severe?	2 - 3 years

\* When excess ammonia is linked to excess nutrients in the watershed, the complexity (and schedule) will increase accordingly.

Note: Water quality standards for un-ionized ammonia, mercury, dissolved oxygen, fecal coliform, and turbidity are contained in Mn Rules Ch 7050 & 7052.

Minnesota's proposed list is being published today for the purpose of providing opportunity for public notice and comment. The comment period will end on March 30, 1998. Comments may be directed to the following address:

Mr. Howard D. Markus, TMDL Coordinator  
Watershed Assistance Section  
Water Quality Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4196

If you have further questions, you may contact Mr. Markus at (612) 296-7295 or (800) 657-3864.

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>LAKE SUPERIOR BASIN</b>					
Ball Club Lake	04010101	16-0182	Aquatic life	Mercury <sup>1</sup>	1999//2010
Devil Track Lake	04010101	16-0143	Aquatic life	Mercury <sup>1</sup>	1999//2010
Devilfish Lake	04010101	16-0029	Aquatic life	Mercury <sup>1</sup>	1999//2010
Elbow Lake	04010101	16-0096	Aquatic life	Mercury <sup>1</sup>	1999//2010
Greenwood Lake	04010101	16-0077	Aquatic life	Mercury <sup>1</sup>	1999//2010
Homer Lake	04010101	16-0406	Aquatic life	Mercury <sup>1</sup>	1999//2010
McDonald Lake	04010101	16-0235	Aquatic life	Mercury <sup>1</sup>	1999//2010
Musquash Lake	04010101	16-0104	Aquatic life	Mercury <sup>1</sup>	1999//2010
Northern Light Lake	04010101	16-0089	Aquatic life	Mercury <sup>1</sup>	1999//2010
Sawbill Lake	04010101	16-0496	Aquatic life	Mercury <sup>1</sup>	1999//2010
Tom Lake	04010101	16-0019	Aquatic life	Mercury <sup>1</sup>	1999//2010
Beaver River, Headwaters to Lake Superior	04010102-009		Aquatic life	Mercury <sup>1</sup>	1999//2010
Brule River, Headwaters to Lake Superior	04010101-015		Aquatic life	Mercury <sup>1</sup>	1999//2010
Knife River, Headwaters to Lake Superior	04010102-012		Aquatic life	Mercury <sup>1</sup>	1999//2010
Lester River, Headwaters to Lake Superior	04010102-015		Aquatic life	Mercury <sup>1</sup>	1999//2010
Poplar River, Mistletoe Cr./Poplar R. to Lake Superior	04010101-030		Aquatic life	Mercury <sup>1</sup>	1999//2010
St. Louis Bay, Through Reach to Lake Superior	04010201-003		Aquatic life	Mercury <sup>1</sup>	1999//2010
St. Louis River, Cloquet R. to Pine R.	04010201-013		Aquatic life	Mercury <sup>1</sup>	1999//2010
St. Louis River, Midway R. to St. Louis Bay	04010201-109		Aquatic life	Mercury <sup>1</sup>	1999//2010
Talmadge River, Headwaters to Lake Superior	04010102-102		Aquatic life	Low Oxygen <sup>2</sup>	2005//2010
Lester River, Headwaters to Lake Superior	04010102-015		Aquatic life	Turbidity	2004//2007
Knife River, Headwaters to Lake Superior	04010102-012		Aquatic life	Turbidity	2001//2004
Beaver River, Headwaters to Lake Superior	04010102-009		Aquatic life	Turbidity	2007//2010

## Official Notices

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>UPPER MISSISSIPPI RIVER BASIN, Upper Portion</b>					
Jewitts Creek, Headwaters to N. Branch Crow R.	07010204-017		Aquatic life	Ammonia <sup>5</sup>	2006//2007
Mississippi River, Minnesota River to LD #2	07010206-401		Aquatic life	Mercury <sup>1</sup>	1999//2010
	07010206-301		Aquatic life	Mercury <sup>1</sup>	1999//2010
	07010206-201		Aquatic life	Mercury <sup>1</sup>	1999//2010
Jewitts Creek, Headwaters to N. Branch Crow R.	07010204-017		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Sauk River, Lake Osakis to Sauk Lake	07010202-012		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Clearwater River, Clear Lake to Lake Betsy	07010203-315		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Mississippi River, Headwaters to Schoolcraft R.	07010101-033		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
Mississippi River, Pine R. to Brainerd Dam	07010104-226		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
Ashley River, Headwaters to Sauk Lake	07010202-015		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Long Prairie River, Eagle Cr. To Crow Wing R.	*** 07010108-005		Aquatic life	Low Oxygen <sup>2</sup>	1997//2002
	*** 07010108-004		Aquatic life	Low Oxygen <sup>2</sup>	1997//2002
	*** 07010108-002		Aquatic life	Low Oxygen <sup>2</sup>	1997//2002
	07010108-001		Aquatic life	Low Oxygen <sup>2</sup>	1997//2002
Mississippi River, Ball Club R. to Black Water/Pokegoma L.	07010101-004		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
	*** 07010101-005		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
	*** 07010101-008		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
Elm Creek, Headwaters to Mississippi R.	07010206-007		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Mississippi River, Grand Rapids Dam to Prairie R.	07010103-131		Aquatic life	Low Oxygen <sup>2</sup>	2001//2005
Mississippi River, Sauk R. to St. Cloud Dam	07010203-210		Swimming	Fecal Coliform <sup>3</sup>	2007//2010
Clearwater River, Clear Lake to Lake Betsy	07010203-315		Swimming	Fecal Coliform <sup>3</sup>	2007//2010
Mississippi River, Minnesota R. to Metro Wastewater Facility	07010206-401		Swimming	Fecal Coliform <sup>3</sup>	2007//2010
Swan River, Headwaters to Mississippi R.	07010104-030		Swimming	Fecal Coliform <sup>3</sup>	2002//2005
Sauk River, Mill Cr. to Mississippi River	07010202-001		Swimming	Fecal Coliform <sup>3</sup>	2007//2010
Mississippi River, Prairie R. to Splithand Cr.	07010103-023		Aquatic life	Turbidity	2003//2005
Mississippi River, Rice R. to Little Willow R.	07010104-015		Aquatic life	Turbidity	2003//2005
Mississippi River, Prairie R. to Willow R.	07010103-002		Aquatic life	Turbidity	2003//2005

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>MINNESOTA RIVER BASIN</b>					
Chippewa River, Dry Weather Cr. to Minnesota R.	07020005-001		Aquatic life	Ammonia <sup>4,5</sup>	1998//2001
Redwood River, JD#3 to Three Mile Cr.	** 07020006-106		Aquatic life	Ammonia <sup>4,5</sup>	2000//2005
Minnesota River (Marsh L) to Lac Qui Parle R. (Minnesota R.)	07020001-002		Aquatic life	Ammonia <sup>4,5</sup>	2002//2006
Cedar Run Creek, Headwaters to Cedar Lake	07020009-405		Aquatic life	Ammonia <sup>5</sup>	2003//2007
Center Creek, George Lake to Blue Earth R.	07020009-010		Aquatic life	Ammonia <sup>5</sup>	2003//2007
Minnesota River, Bevens Cr. To Mississippi R.	07020012-004		Aquatic life	Mercury <sup>1</sup>	1999//2010
	07020012-201		Aquatic life	Mercury <sup>1</sup>	1999//2010
	07020012-101		Aquatic life	Mercury <sup>1</sup>	1999//2010
	07020012-003		Aquatic life	Mercury <sup>1</sup>	1999//2010
* Minnesota River Basin: Headwaters to Bevens Cr				Low Oxygen <sup>2</sup>	1992//2001
Redwood River, JD#3 to Three Mile Cr.	** 07020006-106		Aquatic life	Low Oxygen <sup>2</sup>	2000//2005
Judicial Ditch #3, Marshall County, source (unnamed) DT to JD#3	07020009-204		Aquatic life	Low Oxygen <sup>2</sup>	2000//2005
Lac Qui Parle River, W. Br. Lac Qui Parle R. to Ten Mile Cr.	07020003-002		Aquatic life	Low Oxygen <sup>2</sup>	2002//2007
Pomme de Terre River, Mud Cr. to Marsh Lake	07020002-001		Aquatic life	Low Oxygen <sup>2</sup>	2002//2007
Blue Earth River, Maple R. to Minnesota R.	07020009-001		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Cottonwood River, JD 30 to Minnesota R.	07020008-001		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Watonwan River, Perch Cr. to Blue Earth R.	07020010-001		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Minnesota River, Forest Prairie Cr. To Bevens Cr.	07020012-013		Swimming	Fecal Coliform <sup>3</sup>	2000//2004
	*** 07020012-019		Swimming	Fecal Coliform <sup>3</sup>	2000//2004
	*** 07020012-008		Swimming	Fecal Coliform <sup>3</sup>	2000//2004
Center Creek, George Lake to Blue Earth R.	07020009-010		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Yellow Medicine River, South Branch, Source to Yellow Medicine R.	07020004-028		Swimming	Fecal Coliform <sup>3</sup>	2004//2008
Minnesota River, Blue Earth R. to Minnesota R. nr Ottawa	07020007-002		Swimming	Fecal Coliform <sup>3</sup>	2006//2010
	*** 07020007-003		Swimming	Fecal Coliform <sup>3</sup>	2006//2010
	*** 07020007-001		Swimming	Fecal Coliform <sup>3</sup>	2006//2010
Yellow Medicine River, Spring Cr. to Minnesota R.	07020004-022		Swimming	Fecal Coliform <sup>3</sup>	2004//2008
Pomme de Terre River, Mud Cr. to Marsh Lake	07020002-001		Swimming	Fecal Coliform <sup>3</sup>	2002//2007

## Official Notices

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>MINNESOTA RIVER BASIN (cont'd)</b>					
Blue Earth River, W. Br. Blue Earth R. to Coon Cr.	07020009-019		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Elm Creek, Cedar Run Cr. to Blue Earth R.	07020009-004		Swimming	Fecal Coliform <sup>3</sup>	2003//2007
Minnesota River, Chippewa R. to Stoney Run Cr.	07020004-019		Swimming	Fecal Coliform <sup>3</sup>	2002//2006
Chippewa River, Dry Weather Cr. to Minnesota R.	07020005-001		Swimming	Fecal Coliform <sup>3</sup>	1998//2001
Redwood River, Coon Cr. to Three Mile Cr.	07020006-001		Swimming	Fecal Coliform <sup>3</sup>	2000//2005
Minnesota River, Cottonwood R. to Little Cottonwood R.	07020007-010		Swimming	Fecal Coliform <sup>3</sup>	2006//2010
Minnesota River, Nine Mile Cr. to Mississippi R.	07020012-101		Swimming	Fecal Coliform <sup>3</sup>	2000//2004
Minnesota River, Bevens Cr. to Sand Cr.	07020012-004		Aquatic life	Turbidity	2000//2004
<b>ST. CROIX RIVER BASIN</b>					
Grindstone River, Headwaters to Kettle R.	07030003-021		Swimming	Fecal Coliform <sup>3</sup>	2001//2005
Sunrise River, North Branch, Headwaters to Sunrise R.	07030005-034		Swimming	Fecal Coliform <sup>3</sup>	2001//2005
<b>UPPER MISSISSIPPI RIVER BASIN, Lower Portion</b>					
Mississippi River, Pine Cr. to Root R.	07040006-001		Aquatic life	Ammonia <sup>5,6</sup>	2004//2006
Mississippi River, LaCrosse R. to Pine Cr.	07040006-002		Aquatic life	Ammonia <sup>5,6</sup>	2004//2006
Mississippi River, Trimble R. to Cannon R.	07040001-006		Aquatic life	Ammonia <sup>5,6</sup>	2003//2005
Garvin Brook, Headwaters to Mississippi R.	07040003-023		Swimming	Fecal Coliform <sup>3</sup>	2002//2006
Root River, S. Fk. Root R. to Mississippi R.	07040008-001		Swimming	Fecal Coliform <sup>3</sup>	2001//2005
*** 07040008-002			Swimming	Fecal Coliform <sup>3</sup>	2001//2005
Straight River, Maple Cr. to Crane Cr.	07040002-021		Swimming	Fecal Coliform <sup>3</sup>	1999//2003
Zumbro River, South Fork, Cascade Cr. To Middle Fk. Zumbro R.	07040004-016		Swimming	Fecal Coliform <sup>3</sup>	2000//2004
Whitewater River, South Fork, Source to Split at 122 S. Fk. Whitewater R.	07040003-222		Swimming	Fecal Coliform <sup>3</sup>	2002//2006
Robinson Creek, Headwaters to N. Br. Root R.	07040008-418		Swimming	Fecal Coliform <sup>3</sup>	2001//2005
Prairie Creek, Headwaters to Cannon R.	07040002-033		Swimming	Fecal Coliform <sup>3</sup>	1999//2003
Salem Creek, Split at 220 to S. Fr. Zumbro R.	07040004-120		Swimming	Fecal Coliform <sup>3</sup>	2000//2004

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>UPPER MISSISSIPPI RIVER BASIN, Lower Portion (cont'd)</b>					
Whitewater River, North Fork, Unnamed Cr. to Middle Fk. Whitewater R.	07040003-120		Swimming	Fecal Coliform <sup>3</sup>	2002//2006
Vermillion River, Headwaters to S. Br. Vermillion R.	07040001-312		Swimming	Fecal Coliform <sup>3</sup>	1999//2003
Cannon River, Pine Cr. To Mississippi R.	*** 07040002-002		Swimming	Fecal Coliform <sup>3</sup>	1999//2003
	07040002-001		Swimming	Fecal Coliform <sup>3</sup>	1999//2003
Mississippi River, La Crosse R. to Root R.	*** 07040006-001		Swimming	Fecal Coliform <sup>3</sup>	2004//2008
	07040006-002		Swimming	Fecal Coliform <sup>3</sup>	2004//2008
Mississippi River, Root R. to Coon Cr.	07060001-021		Swimming	Fecal Coliform <sup>3</sup>	2004//2008
Garvin Brook, Headwaters to Mississippi R.	07040003-023		Aquatic life	Turbidity	2002//2006
Mississippi River, Hay Cr. to Lake Pepin	07040001-204		Aquatic life	Turbidity	2003//2007
Root River, Thompson Cr. to Mississippi R.	07040008-001		Aquatic life	Turbidity	2001//2005
Mississippi River, L&D #3 to Trimble R.	07040001-108		Aquatic life	Turbidity	2003//2008
Mississippi River, Trimble R. to Cannon R.	07040001-006		Aquatic life	Turbidity	2003//2008
Mississippi River, Coon Cr. to L&D 8	07060001-217		Aquatic life	Turbidity	2004//2008
Zumbro River, Indian Cr. to Mississippi R.	07040004-001		Aquatic life	Turbidity	2000//2004
Vermillion River, Dam to Mississippi R.	07040001-112		Aquatic life	Turbidity	1999//2003
Mississippi River, Lk. Pepin to Rush R.	07040001-104		Aquatic life	Turbidity	2003//2008
Cannon R, Belle Cr. to Mississippi R.	07040002-001		Aquatic life	Turbidity	1999//2003
Mississippi River, Root R. to Coon Cr.	07060001-021		Aquatic life	Turbidity	2004//2008
Whitewater River, Whitewater R., N.Fk. to Mississippi R.	07040003-018		Aquatic life	Turbidity	2002//2006
Whitewater River, N. Fk., Unnamed Cr. to Middle Fk. Whitewater R.	07040003-120		Aquatic life	Turbidity	2002//2006
Mississippi River, Zumbro R. to Whitewater R.	07040003-008		Aquatic life	Turbidity	2004//2008

## Official Notices

Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>CEDAR-DES MOINES RIVER BASIN</b>					
Des Moines River Below Windom Dam, Windom Dam to Jackson dam	07100001-101		Aquatic life	Ammonia <sup>4,5</sup>	2002//2007
Shell Rock River, Albert Lea Lake to Goose Cr.	07080202-009		Aquatic life	Ammonia <sup>5</sup>	2004//2007
Des Moines River, Windom Dam to Jackson Dam	07100001-101		Aquatic life	Low Oxygen <sup>2</sup>	2002//2007
Cedar River, Roberts Cr. to Austin Dam upper	07080201-321		Swimming	Fecal Coliform <sup>3</sup>	2004//2007
Cedar River, Rose Cr. to Woodbury Cr.	07080201-016		Swimming	Fecal Coliform <sup>3</sup>	2004//2007
Shell Rock River, Albert Lea Lk. to Goose Cr.	07080202-009		Swimming	Fecal Coliform <sup>3</sup>	2004//2007
Des Moines River, Windom Dam to Jackson Dam	07100001-101		Aquatic life	Turbidity	2002//2007
<b>RED RIVER BASIN</b>					
Red R, Moorhead/Fargo Dam A to Sheyenne R. * 09020104-102			Aquatic life	Ammonia <sup>5</sup>	1998//1999
Rabbit River, Unnamed Dt. to Bois De Sioux R.	09020101-114		Aquatic life	Ammonia <sup>5</sup>	1998//1999
Roseau River, Hay Cr. to Canada Border	09020314-002		Aquatic life	Low Oxygen <sup>2</sup>	2006//2010
Bois de Sioux River, Rabbit R. to Ottertail R.	09020101-001		Aquatic life	Low Oxygen <sup>2</sup>	2000//2004
Otter Tail River, Height of Land Lake to Big Pine L.	09020103-014		Aquatic life	Low Oxygen <sup>2</sup>	2000//2004
Red River of the North, Wild Rice R. to Moorhead/Fargo Dam	09020104-202		Swimming	Fecal Coliform <sup>3</sup>	2001//2004
Red R, Moorhead/Fargo Dam A to Sheyenne R.	09020104-102		Swimming	Fecal Coliform <sup>3</sup>	2001//2004
Red River of the North, Buffalo R. to Elm R.	09020107-009		Swimming	Fecal Coliform <sup>3</sup>	2001//2004
Otter Tail River, Breckenridge Lake to Bois de Sioux R.	09020103-101		Swimming	Fecal Coliform <sup>3</sup>	2001//2004
Red River of the North, Buffalo R. to Elm R.	09020107-009		Aquatic life	Turbidity	2006//2008
Red River of the North, Wilson Cr. to Red Lake River	09020301-004		Aquatic life	Turbidity	2006//2008
Red R, Wild Rice R. to Moorhead/Fargo Dam	09020104-202		Aquatic life	Turbidity	2005//2007
Red River of the North, Pembina R. to Canada Border	09020311-002		Aquatic life	Turbidity	2005//2007
Red River of the North, Wild Rice R. to Goose River	09020107-002		Aquatic life	Turbidity	2005//2007
Otter Tail R Blw Breckenridge Dam, Breckenridge Lake to Bois De Sioux R	09020103-101		Aquatic life	Turbidity	2002//2004



Reach	River Reach#	Lake #	Affected use	Pollutant or stressor	Target start//completion <sup>7</sup>
<b>RED RIVER BASIN (cont'd)</b>					
Red R Blw Breckenridge Dam, Breckenridge Dam to Whiskey Cr.	09020104-105		Aquatic life	Turbidity	2002//2004
Stony Creek, Hay Cr. to S.Br. Buffalo R.	09020106-108		Aquatic life	Turbidity	2005//2007
Buffalo River, Headwaters to Red River	09020106-001		Aquatic life	Turbidity	2005//2007
Otter Tail R, Pelican R. to Dayton Hollow Reservoir	09020103-701		Aquatic life	Turbidity	2002//2004
Red Lake River, Burnham Cr. to Unnamed Cr. Seg 2	09020303-003		Aquatic life	Turbidity	2006//2008
Red Lake River, Headwaters to Gently R.	09020303-009		Aquatic life	Turbidity	2006//2008
<b>RAINY RIVER BASIN</b>					
Hustler Lake	09030001	69-0343	Aquatic life	Mercury <sup>1</sup>	1999//2010
Baudette River, Headwaters to Rainy River	09030008-006		Aquatic life	Low Oxygen <sup>2</sup>	2004//2009
<b>MISSOURI RIVER BASIN</b>					
Rock River, Elk Cr. to Kanaranz R.	10170204-025		Aquatic life	Ammonia <sup>5</sup>	2004//2009
Split Rock Creek, Unnamed Cr. to Split Rock Cr.	10170203-132		Aquatic life	Low Oxygen <sup>2</sup>	2004//2009
Pipestone Creek, above Split Rock Creek, N.Br. Pipestone Cr. to Split Rock Cr.	10170203-033		Swimming	Fecal Coliform <sup>3</sup>	2004//2009
Rock River, Elk Cr. to Kanaranz R.	10170204-025		Swimming	Fecal Coliform <sup>3</sup>	2004//2009

<sup>1</sup> Impacts of mercury are mainly regional in expression, so the initial approach will be to complete two regional TMDLs, one in northern Minnesota and the other in the Metro region. This approach could change based on basin planning activities. U.S. EPA Region 5 accepts responsibility for the air-borne component of these TMDLs.

<sup>2</sup> Low Oxygen TMDL scheduling is dependent upon low flow conditions. The draft schedule may be changed accordingly.

<sup>3</sup> Because of similarities of sources, regional TMDLs for Fecal Coliform may be created in lieu of reach specific TMDLs.

<sup>4</sup> The wastewater facility in this reach has been upgraded to meet permitted ammonia effluent limits. If subsequent in-stream data are collected that demonstrate the reach is no longer impaired for ammonia, the reach will be deleted from this list.

<sup>5</sup> When excess ammonia is tied to excess nutrients in the watershed, the recommended schedule may have to be lengthened accordingly.

<sup>6</sup> The data collected from the monitored site may not be representative of the reach. Further studies of the condition of the reach will occur before the TMDL process proceeds further. If the site is found to not represent the reach, the reach will be re-assessed based on other available information.

<sup>7</sup> Subject to Basin Planning modifications

\* on-going TMDLs

\*\* completed TMDLs

\*\*\* represented reaches

## Official Notices

---

Following this introduction is the list of reaches that were on the 1996 303d list that are not included in the 1998 list. The parameters with the largest changes are Fecal Coliform (FC), Biology, and ammonia.

The water quality standards (WQS) for fecal coliform are as follows:

Class 2A	200 Orgs/100ml 400 Orgs/100ml	Not to exceed as a geometric mean of not less than 5 samples/calendar month or No more than 10% of samples/calendar month can individually exceed
Class 2Bd, 2B,2C,2D	200 Orgs/100ml  2000 Orgs/100ml	Not to exceed as a geometric mean of not less than 5samples/ calendar month or  No more than 10% of samples/calendar month can individually exceed
Class 7	1000 Orgs/100ml 2000 Orgs/100ml	Not to exceed as a geometric mean of not less than 5 samples/calendar month or No more than 10% of samples/calendar month can individually exceed

The standards for all Class 2 waters apply only between March 1 and Oct 31. The standards for Class 7 waters apply only between May 1 and October 31.

The 1996 Fecal Coliform methodology stated that if the ten year data set for a reach contained at least 10% monthly geometric means greater than 200 organisms per 100 ml, then that reach was placed on the 303d list. Since the data set typically contains a maximum frequency of one site visit per month, this methodology used essentially single monthly values instead of a geometric mean of not less than five per month, as stated in the rule. The methodology assumes that these data are similar enough from month to month that an assessment by year is equivalent and adequate to replace the monthly assessment listed in the Water Quality Standards.

In addition, some reaches are included in the list with little or no data because it was assumed that nearby reaches with data can represent them adequately. The 1996 methodology is overly sensitive to sparse data, resulting in a greater likelihood of 'false positives', or reaches listed which really are not degraded in terms of fecal coliform.

A special study was conducted by this Agency to begin to address the assumptions discussed above in late July through September 1997. The results of the study suggest that, for most streams, any single value in a month does not represent the month adequately. It also suggested that 'represented reaches' should not extend more than one reach up- or downstream from a reach that has been monitored. Also, an analysis of the last ten years FC data demonstrate that different months have significantly different geometric mean concentrations and should not be assumed equivalent. These conclusions suggested the 1996 list contained a number of 'false positives'.

The 1998 FC methodology has been modified as follows: Data were aggregated over the ten year period October 1985 to September 1995 by month by reach. If the geometric mean for any month (all years combined) exceeded 200 organisms per 100 ml, that reach was placed on the 1998 303d list. In addition, if at least 10% of the entire data set for a reach during the ten year period exceed 2000 organisms per 100 ml, then that reach was also placed on the list. In addition, represented reaches will only be included if they are contiguous to a reach that has been monitored. The 1998 methodology focuses on *monthly* analyses of the 200 organisms/ 100ml standard and brings in the aspect that stream reaches showing a minimum threshold number of high individual values have impaired use and should be included on the list. This approach better approximates the requirements of the fecal coliform standard as written, in light of the inability to meet the high data frequency required for a strict comparison because of an incomplete dataset.

The second parameter of concern is aquatic biota (Biology) as represented by Index of Biotic Integrity (IBI) values, based on fish collections. This measure was used for the first time in 1996. That action is being re-considered for the 1998 list. There are no current water quality standards for the IBI, which is an aggregate of ten metrics, and does not lend itself to modeling. Reaches demonstrating low IBI values will be included in the basin planning process, which is the appropriate forum for dealing with this complex issue.

The third parameter with significant changes was Ammonia. Ammonia exceedences were further assessed with respect to known upstream point sources on the reach and the status of wastewater treatment facility improvements within the 10 year assessment period. Where the water quality standard for ammonia on a river reach was exceeded before a facility upgraded to meet permitted ammonia effluent limits, but no water quality standard exceedences occurred after a facility upgraded, the ammonia exceedences were not used for placement on the 303d list. This does not mean that there is no longer any concern, but that we have not seen any water quality standard violations since a solution was implemented. Because ammonia exceedences may be correlated with low flow conditions, the MPCA will continue to evaluate these reaches and identify those that may still need TMDLs.

In summary, the four most common reasons that a reach appeared on the 1996 303d list but does not appear on this 1998 303d list are [1] a change in the fecal coliform methodology, [2] BIOLOGY as an appropriate 'cause', [3] an upgrade at a wastewater treatment facility for ammonia exceedences, and [4] the change in data sets from data years 1985 - 1994 to 1987 - 1996.

**1996 303d reaches not on the 1998 303d list**
**Lake Superior Basin**

Amity Creek	04010102-115	Fecal Coliform
Knife River	04010102-012	Fecal Coliform
Miller Creek	04010201-103	Biology
Schmidt Creek	04010102-203	Fecal Coliform
Schmidt Creek	04010102-103	Fecal Coliform
Skunk Creek	04010102-110	Fecal Coliform
St Louis River	04010201-003	Fecal Coliform
Talmadge River	04010102-102	Fecal Coliform

**Upper Mississippi River Basin**

Crow River	07010204-001	Fecal Coliform
Crow River, North Fork	07010204-002	Fecal Coliform
Jewitts Creek	07010204-017	Fecal Coliform
Mississippi River	07010203-009	Fecal Coliform
Mississippi River	07010203-001	Fecal Coliform
Mississippi River	07010206-201	Fecal Coliform
Rum River	07010207-005	Fecal Coliform
Willow Creek	07010203-415	Fecal Coliform

**Minnesota River Basin**

Blue Earth River	07020009-015	Biology
Cedar Run Creek	07020009-405	Fecal Coliform
Cedar Run Creek	07020009-405	Low Oxygen
Center Creek	07020009-010	Biology
Elm Creek	07020009-004	Turbidity
Little Minnesota River	07020001-028	Ammonia
Minnesota River	07020004-011	Fecal Coliform
Minnesota River	07020004-010	Fecal Coliform
Minnesota River	07020004-008	Fecal Coliform
Minnesota River	07020004-001	Fecal Coliform
Minnesota River	07020007-021	Fecal Coliform
Minnesota River	07020007-019	Fecal Coliform
Minnesota River	07020007-018	Fecal Coliform
Minnesota River	07020007-016	Fecal Coliform
Minnesota River	07020007-015	Fecal Coliform
Minnesota River	07020007-013	Fecal Coliform
Minnesota River	07020007-011	Fecal Coliform

## Official Notices

---

### Minnesota River Basin (cont'd)

Minnesota River	07020007-009	Fecal Coliform
Minnesota River	07020007-008	Fecal Coliform
Minnesota River	07020007-005	Fecal Coliform
Minnesota River	07020007-004	Fecal Coliform
Minnesota River	07020012-020	Fecal Coliform
Minnesota River	07020012-004	Fecal Coliform
Minnesota River	07020012-201	Fecal Coliform
Minnesota River	07020012-201	Turbidity
Minnesota River	07020012-101	Turbidity
Redwood River	07020006-004	Biology
Redwood River	07020006-004	Fecal Coliform
Redwood River	07020006-009	Biology
Redwood River	07020006-009	Fecal Coliform
Redwood River	07020006-106	Biology
Three Mile Creek	07020006-005	Biology
Three Mile Creek	07020006-005	Low Oxygen

### St. Croix River Basin

Groundhouse River	07030004-016	Fecal Coliform
Kettle River	07030003-001	Fecal Coliform

### Lower Mississippi River Basin

Mississippi River	07040003-207	Fecal Coliform
Mississippi River	07040003-006	Fecal Coliform
Mississippi River	07040003-024	Fecal Coliform
Mississippi River	07040003-001	Fecal Coliform
Mississippi River	07040006-009	Fecal Coliform
Mississippi River	07060001-021	Ammonia
Vermillion River	07040001-112	Fecal Coliform
Whitewater River, North Fork	07040003-120	Ammonia

### Cedar Des Moines River Basins

Des Moines River	07010002-013	Fecal Coliform
Des Moines River	07010001-101	Fecal Coliform
Des Moines River, East Br	07100003-021	Fecal Coliform
Des Moines River, East Br	07100003-021	Ammonia

### Red River Basin

Bois de Sioux River	09020101-001	Biology
Buffalo River, South Branch	09020106-003	Biology
Buffalo River, South Branch	09020106-004	Biology
Mustinka River, West Branch	09020102-003	Biology
Otter Tail River	09020103-701	Fecal Coliform

**Red River Basin (cont'd)**

Rabbit River	09020101-114	Fecal Coliform
Rabbit River	09020101-114	Low Oxygen
Rabbit River	09020101-114	Turbidity
Red Lake River	09020303-003	Fecal Coliform
Red Lake River	09020303-009	Fecal Coliform
Red River of the North	09020104-105	Fecal Coliform
Red River of the North	09020104-205	Biology
Red River of the North	09020104-302	Biology
Red River of the North	09020301-004	Fecal Coliform
Red River of the North	09020301-008	Fecal Coliform
Red River of the North	09020311-002	Fecal Coliform
Roseau River	09020314-002	Fecal Coliform
Snake River	09020309-003	Biology
Tamarac River	09020311-207	Biology
Two River, Middle Branch	09020312-005	Biology
Two River, South Branch	09020312-004	Fecal Coliform
Two River, South Branch	09020312-U04	Biology
Whiskey Creek	09020104-006	Fecal Coliform
Whiskey Creek	09020104-006	Turbidity
Wild Rice River	09020108-003	Fecal Coliform
Wild Rice River	09020108-003	Ammonia

**Rainy River Basin**

Peppermint Creek	09030008-004	Fecal Coliform
Rainy River	09030004-001	Fecal Coliform
Williams Creek	09030009-116	Low Oxygen
Winter Road River	09030008-003	Fecal Coliform
Winter Road River	09030008-002	Fecal Coliform

**Missouri River Basin**

Pipestone Creek, above Split Rock Creek	10170203-033	Ammonia
---	--------------	---------

## Official Notices

---

### Minnesota Property Insurance Placement Facility

#### Meeting Notices of the Governing Board

**NOTICE IS HEREBY GIVEN** that the Annual Meeting of Member Companies of the Minnesota Property Insurance Placement Facility will be held at 8:30 a.m. on Wednesday, March 4, 1998. Notice is hereby given that the First Quarter Governing Board meeting of the Minnesota Property Insurance Placement Facility will be held at 9:30 a.m. on Wednesday, March 4, 1998. The meetings will be held at Minnesota Property Insurance Placement Facility located at 1201 Marquette Avenue, Suite 310; Minneapolis, Minnesota. For additional information please call 338-7584.

### Minnesota Racing Commission

#### Request for Comments on Planned Amendment to Rules Governing: *Minnesota Rules 7895.0125, Subpart 1 - Thoroughbred Registration, Broodmare Registration*

**Subject of Rules.** The Minnesota Racing Commission requests comments on its planned amendment to rules governing the registration of thoroughbred broodmares. The Commission is considering a rule amendment that would:

- Stipulate additional requirements for the registration of thoroughbred broodmares so as to be eligible to participate in the Breeders' Fund awards program.

**Persons Affected.** The proposed rule amendments would affect the horse owners and trainers competing at a licensed racetrack and those individuals throughout the state who participate in the breeding of thoroughbreds for racing.

**Statutory Authority.** The Commission's statutory authority to amend these rules is set out in *Minnesota Statutes*, sections 240.23 general rulemaking authority.

**Public Comment.** Interested persons or groups may submit comments or information on these planned rules in writing or orally until further notice. The Commission has appointed an advisory committee to comment on the planned rules.

**Rules Drafts.** The Commission has not yet prepared a draft of the planned rules amendments.

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared and requests for more information on these planned rules should be addressed to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
P.O. Box 630  
Shakopee, Mn 55379  
612-496-7950.

TTY users may call the Commission at 1-800-627-3529.

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

**Note:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started.

Dated: 19 February 1998

Richard G. Krueger  
Executive Director  
Minnesota Racing Commission

## Department of Revenue

### Presumed Legal Cigarette Prices

The presumed prices for wholesaler and retailers as provided for by *Minnesota Statutes* 325D are shown in this schedule. The computations are based on manufacturer's list prices available as of January 28, 1998. A wholesaler or retailer may sell for less if they can show that their actual costs of doing business is lower than the presumed minimum.

	Presumed Minimum Wholesale Price Per Carton	Presumed Minimum Retail Price Per Carton	Presumed Minimum Retail Price Per Pack
<b>Major Brands</b> (Kings, Regulars 100's, 120's) Examples of major brands: Marlboro, Winston, Merits, Virginia Slims, Kools, Capri, Kent, Newport, Carlton	\$18.96	\$20.48	\$2.05
<b>Players Lights 25's</b> (Kings, 100's)	\$18.96	\$20.48	\$2.05
<b>Marlboro 25's</b> (Kings)	\$18.96	\$20.48	\$2.56
Old Gold, Richland 20's, Best Value, GPC'S, Basics, Mistys, Raliegh Extra, Viceroy, Doral, Riviera, Magna, Sterling, Cambridge, Am Light, Montclair, Pyramid, Bristol, Alpine, Bucks, Stars & Bars, Quality Lights, Class A, Black and Yellow (Kings, Regulars 100's, 120's)	\$16.13	\$17.42	\$1.74
<b>Ligget Private Label</b> (Kings, Regulars, 100's,)	\$16.13	\$17.42	\$1.74

## Department of Public Safety

### Minnesota Auto Theft Prevention Program

#### Notice of Meeting of the Board of Directors

The Department of Public Safety, Minnesota Auto Theft Prevention Program, will be holding its Board of Directors meeting on March 12, 1998. The meeting will begin at 9:00 a.m. and will be held at the Minnesota Auto Theft Prevention Program (MATPP) office located at 1110 Centre Pointe Curve, Suite 405, Mendota Heights, MN. (Hwy 110 and Lexington Ave., west of Hwy 35W (South) on the south side of the GNB Technologies Bldg.). Meetings are open to the public. For more information you may contact the MATPP office at (612/405-6155).

# State Grants & Loans

---

---

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

---

## Department of Children, Families & Learning

### Office of Lifework Development

#### Notice of Request for Proposal for the Minnesota Learn and Earn Graduation Achievement Program

The Department of Children, Families & Learning has received state funds to develop and administer this program for low income, at risk students who will be entering the ninth grade in the fall of 1998. Eligible applicants must be from a public secondary school, a nonprofit community-based agency cooperating with a secondary school, an area learning center, or alternative learning program approved by the commissioner. Applicants must be willing to commit to four years (contingent upon funding). Applicants must meet all of the following requirements: at least 20 percent of the students at the school must be eligible to receive a free lunch, the area must have a high juvenile crime rate or have had an increase in juvenile crime over the past three years, programs must have a coordinator and community resources to provide students with support, and programs must have an established advisory committee which includes youth to support the program initiatives.

The Department has estimated that there should be one coordinator for every 25 students. Applicants should be prepared to begin in June 1998 with students who have completed eighth grade and will be entering ninth grade in the fall of 1998.

For a complete copy of the Request for Proposal, please contact Marlys Bucher, Department of Children, Families & Learning, 112 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101-2273. Telephone (612) 297-2481, fax (612) 296-3348. Proposals are due no later than 12:00 p.m., May 1, 1998.

## Department of Human Services

#### Notice of Availability of Funds to Continue Mental Health Services for Mentally Ill and Deaf or Hard of Hearing Adults

The Minnesota Department of Human Services (DHS) announces the availability of funding to continue mental health services for adults who have a mental illness and are deaf or hard of hearing. The Department plans to fund one or two projects to provide a range of mental health services in the greater metropolitan area, including residential treatment services and community support services. The grantee will receive an award for both FY 1999 and 2000 (July 1, 1999 through June 30, 2000). The annual grant award is expected to be approximately \$570,000 to \$620,000 annually. Based on satisfactory performance, it is expected that the grantee(s) will continue to be contracted with beyond the dates indicated above.

An additional \$50,000 to \$100,000 annually will be made available to a non-profit organization already providing residential programs and supported housing outreach to deaf and hard of hearing adults with mental illness. Only providers meeting these criteria are eligible to apply.

The notice does not obligate the state to complete the project. The state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Applications must follow DHS format, and are due by 4:00 p.m. on May 1, 1998. Interested parties should contact Jennifer Stenner (612-297-7863 TTY or 612-296-3980) at Deaf & Hard of Hearing Services Division for application instructions and forms.



## Department of Labor and Industry

### Workplace Safety Consultation Unit

#### Notice of Safety Grants for Employers for Abatement of Safety/Health Hazards

The Department of Labor and Industry (DLI) announces continuation of its safety hazard abatement matching grant program under *Minnesota Statutes*, section 79.253, and *Minnesota Rules*, parts 5203.0010 through 5203.0070. Employers covered by workers' compensation insurance, including those approved as self-insured employers, are eligible to apply for one or more safety/health matching grants to a total maximum match of \$10,000 each state fiscal year to abate safety hazards in their workplace. The safety/health hazards must have been identified in an on-site survey conducted by one of the following: 1) MNOSHA safety/health investigator, 2) DLI Workplace Safety Consultation safety/health consultant, 3) in-house employee safety/health committee, 4) workers' compensation underwriter, or 5) private safety/health consultant. The on-site safety/health survey must have resulted in specifically recommended safety practices or equipment designed to reduce the risk of injury to employees. Costs eligible for program participation are all or part of the cost of purchasing and installing recommended safety/health equipment, the cost of operating or maintaining safety/health equipment, and/or the cost of purchasing or renting real property, if necessary, to meet criteria established by the on-site safety/health survey. Program development, training and education, and employee costs will not be covered by this grant.

Grants are limited to a maximum total amount of \$10,000 per project or per state fiscal year if the same employer submits more than one grant application in a given state fiscal year. The state fiscal year encompasses the time period of July 1 of one year through June 30 of the following year. The employer must provide at least \$1.00 (one dollar) in project costs for every dollar awarded. No grant will be awarded for more than half the amount of the approved project. Grant applications received by August 15, November 15, February 15, and May 15, respectively, will be reviewed and processed for the following quarter. A total of at least \$200,000 will be available during each quarter. Proposals will be reviewed by the department and awards made on an ongoing basis. Qualified projects having the greatest impact and feasibility will be given priority. Projects will be judged according to the criteria established by the rule. Eligible applicants who seek assistance must submit their proposals to: James Collins, OSHA Management Team Director, Workplace Safety Consultation Unit, 443 Lafayette Road, St. Paul, MN 55155.

For further information or to request a grant application, please call Tracey Josephson, Grants Administrator, Workplace Safety Consultation Unit, at 612-297-2393.

# 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, and final submission date of completed contract proposal.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TTY (612) 297-5353 and ask for 296-2600].

---

## Higher Education Services Office

### Request for Proposals for Video Producer

The Minnesota Higher Education Services Office is requesting proposals from qualified professionals to provide proposals to produce a videotape about planning and financing post-secondary education by students and families. Proposals must be submitted no later than **March 25, 1998**.

The Request for Proposals (RFP) does not obligate the Higher Education Services Office to complete this project, and the Services Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$25,000.

Copies of the complete RFP are available from:

Communications  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612/296-9684

## Higher Education Services Office

### Request for Proposals for Production of SELF Loan Videotape

The Higher Education Services Office is requesting proposals from qualified professionals to produce a videotape to help prospective SELF (Student Educational Loan Fund) borrowers, SELF borrowers, and financial aid administrators understand the major features of SELF and their responsibilities and obligations. Proposals must be submitted no later than **March 25, 1998**.

The Request for Proposals (RFP) does not obligate the Services Office to complete this project, and the Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$15,000 for Fiscal Year 1998.

Copies of the complete RFP are available from:

Communications  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612/296-9684

## Higher Education Services Office

### Request for Proposals to Produce Videotape

The Minnesota Higher Education Services Office (MHESO) is requesting proposals from qualified professionals to produce a videotape for eighth-grade students about academic and financial preparation for future education and careers. Proposals must be submitted no later than *March 25, 1998*.

The Request for Proposals (RFP) does not obligate the Services Office to complete this project, and the Services Office reserves the right to cancel the solicitation if it is considered to be in its best interest.

The total cost of this proposal is not to exceed \$25,000.

Copies of the complete RFP are available from:

Communications  
Minnesota Higher Education Services Office  
400 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101  
612/296-9684

## Department of Human Services

### Aging Initiative and Minnesota Senior Health Options

#### I. Notice of Availability of Contract for Actuarial Services to Assist in the Incorporation of Long Term Care Services into the Prepaid Medical Assistance Program

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services (DHS) is seeking applications for professional services from recognized experts in actuarial science, health care policy, health plan rate setting, and long term care rate setting to assist in the Department's efforts to incorporate long term care services into the Prepaid Medical Assistance Program (PMAP) and the Minnesota Senior Health Options (MSHO) demonstration, a voluntary program offered under PMAP. The Department requests assistance in the development of innovative managed care rate setting methodologies for incorporating primary, acute, institutional and home and community based services (HCBS) into prepaid Medical Assistance (MA) for elderly persons. The population affected includes persons 65 and over who are eligible for Medicaid and who reside in nursing homes and the community who enroll in Medicaid managed care on a mandatory or a voluntary basis.

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.

##### A. Background of MA prepayment of long term care services

Since 1985, Minnesota has been enrolling recipients of public medical assistance programs, including seniors, in its managed care program, the Prepaid Medical Assistance Program (PMAP). Up to this point, only primary and acute care services have been included in PMAP. DHS is now exploring expanding the incorporation of nursing home services and home and community based services into its MA managed care contracts for the elderly.

DHS has recent experience incorporating long term care services into Medicaid managed care through MSHO, a demonstration project which combines Medicare and Medicaid financing and primary, acute and long term care service delivery systems for persons 65 and over who are dually eligible for both Medicare and Medicaid. Enrollment in MSHO began in March 1997 and is voluntary for eligible seniors living in nursing homes or the community within the 7 county Minneapolis/St. Paul metropolitan area. MSHO operates under the authority of federal Medicare 222 and Medicaid 1115 waivers from the Health Care Financing Administration. The waivers allow the State to combine the purchase of both Medicare and Medicaid services into one contract managed by the state.

The goals of MSHO are to provide services necessary to maximize independence of elders living in the community and to provide a coordinated services delivery system to those residing in nursing homes, as well as to ensure that services are provided in the most cost effective alternative setting feasible. Under MSHO, Medicare and Medicaid services and funding are supposed to be combined and utilized in conjunction with existing community services to provide a total care package for enrolled elders.

## Professional, Technical & Consulting Contracts

---

---

### **B. Scope of this Request for Assistance**

The actuarial contractor will work with state staff with expertise in long term care rate setting and managed care. The actuarial contractor will assist in the development of a methodology for incorporating prepayment of nursing facility and home and community based services into PMAP. The contractor will also assist in preparing and adjusting the MSHO rates as needed.

### **C. Projects Tasks**

The contractor will be expected to assist the state with the following project tasks:

1. Develop and select a rates methodology for prepayment of nursing facility and home and community based services under PMAP.
2. Explore risk sharing models to accompany potential rate setting models.
3. Prepare cost analyses related to potential rate setting models for DHS and federal waiver requests.
4. Develop annual MSHO and PMAP rates for nursing facility and home and community based services and make adjustments as needed.
5. Present rates methodologies as requested by the state.
6. Analyze the impact of changes in federal and state regulations and legislation on prepayment of MA long term care services.
7. Analyze the impact of proposed and/or actual changes in DHS policy on prepayment of MA long term care services.
8. Develop and review data requests for long term care rates.
9. Analyze data furnished by the state.
10. Make presentations to state staff on issues related to prepayment for long term care services.
11. Review Medicare Adjusted Community Rating (ACR) proposals required of MSHO risk contractors as requested by the state.
12. Develop budget neutrality agreements between the state and HCFA.

### **D. Cost**

The cost of this project will not exceed \$100,000 for services rendered on an as needed basis.

The total amount potentially available through this contract is approximately \$100,000 of which approximately \$25,000 will come from a grant awarded to the State of Minnesota by the Robert Wood Johnson Foundation for the Minnesota Senior Health Options demonstration.

## **II. Description of the Proposal**

### **A. A proposal submitted in response to this RFP must include the following:**

1. A statement of respondents' understanding of the project objectives, goals, tasks and timetables.
2. A preliminary outline of issues and major tasks to be addressed in the project.
3. Names and credentials of individuals who will be providing consulting services. Particular emphasis should be given to background which demonstrates an understanding of managed care rate setting innovations for elderly populations; familiarity with methods for identifying risk groups, service utilization patterns and predictors and case mix methodologies for elderly Medicare and Medicaid beneficiaries; and knowledge of long term care rate setting methodologies and their effect on senior care provider incentives and behavior.
4. A cost proposal outlining professional work hours by specific individual, position, rates, expenses and overhead rates.
5. A reference list of previous clients with whom similar projects have been contracted including contact person and telephone numbers.
6. A writing sample illustrating how analysis of various rate setting methodologies was performed and the outcome/or recommendation given to the client based on the analysis.

### **B. Criteria for Selection**

The contract will be awarded on the basis of the following criteria:

1. Relevant education, knowledge, experience and qualifications of individual consultants.
2. Demonstrated understanding of the innovative nature of these projects and familiarity with projects of similar nature around the country.
3. Demonstrated ability and willingness and to work flexibly with state staff in order to address issues and problems as they arise.

4. Completeness of proposal in addressing required RFP elements.
5. Cost effectiveness of proposal, i.e., effective use of contract resources as demonstrated in the cost proposal.
6. Demonstrated experience with rate-setting for Medicaid and Medicare services.
7. Demonstrated understanding of the unique issues involved in developing long term care and their interface with rates for primary and acute care services.
8. Knowledge of and understanding of various case mix and utilization adjustors/methodologies for both long term care and acute care service sectors.
9. Knowledge of suitability of various payment methodologies with programs that vary by factors such as voluntary versus mandatory enrollment and single versus multiple health plan options.
10. Knowledge of other states' experiences with purchasing long term care services under managed care models.

### **C. Workers' Compensation Requirement**

The successful responder will be required to submit acceptable evidence of compliance with state requirements for workers' compensation insurance coverage prior to execution of the contract.

### **D. Data Privacy**

The contractor will be required to comply with state and federal regulations and laws governing any data shared by the State with the contractor, including the Minnesota Government Data Practices Act, *Minnesota Statutes*, Chapter 13.

### **E. Notification of State Employees**

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

### **F. Proposal Submission**

Please submit three copies of the proposal to the contact person listed below by 4:00 p.m. by Friday April 3, 1998. Each copy must be signed by an authorized member of the firm or by the person making the bid. Terms of the proposal must be valid for the length of the project.

Proposals will be evaluated and a contractor selected by Wednesday, April 22, 1998. All respondents will receive a written notice of the results of the process. In some instances, an interview may be requested. The Department reserves the right to reject all proposals, if such action is deemed to be in the best interest of the Department.

### **G. Department Contact**

Please direct all inquiries and responses to:

Susan M. Westrich (612) 215-0127  
or  
Pamela J. Parker (612) 296-2140  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3854

## **Department of Natural Resources**

### **Office of Management and Budget Services Environmental Review and Assistance Unit**

### **Notice of Availability of a Request for Proposal for Preparation of an Environmental Impact Statement for the Toivola Peat Mining Project in St. Louis County, Minnesota**

The Minnesota Department of Natural Resources, a state agency, is seeking the assistance of a professional consultant with expertise and experience in the preparation of environmental impact statements to help the Department prepare an environmental impact statement for the Toivola Peat Mining Project in St. Louis County, Minnesota.

The project that is the subject of the environmental impact statement involves the development of approximately 1000 acres of bog at two sites for the purpose of mining and packaging horticultural peat for commercial sale. The department is seeking the services of a consultant who has special expertise in preparation of environmental review documents, peat mining engineering, surface

## Professional, Technical & Consulting Contracts

---

---

water hydrology, water and air quality analysis, and wildlife biology. The consultant must conduct the necessary data collection and prepare both a Draft and Final Environmental Impact Statement that fulfill the requirements of *Minnesota Rules* Parts 4410.0200 to 4410.7800. Furthermore, this request for proposals does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

The full RFP contains detailed information about the requirements for proposal content. For more information or to obtain a copy of the RFP contact:

Donald Buckhout  
Department of Natural Resources  
Office of Management and Budget Services  
500 Lafayette Road  
St. Paul, Minnesota 55155-4010  
(612) 296-8212

This is the only person designated to answer questions regarding this request for proposal.

Proposals from interested parties must be submitted to the department by 4:00 p.m. on Wednesday, March 25, 1998.

## Department of Natural Resources

### Minnesota Forest Resources Council

#### Notice of Request for Proposals for Development of Forest Practice Guidebook

**NOTICE IS HEREBY GIVEN** that the Minnesota Forest Resources Council through the Department of Natural Resources, Division of Forestry is requesting proposals to perform all steps necessary to prepare for publication of a guidebook of the text and associated visuals for the comprehensive set of integrated forest practice guidelines. The guidebook provides recommendations for riparian zone management, wildlife habitat, forest soil productivity, historic/cultural resources, water quality and wetlands protection, and visual quality best management practices. The guidebook is intended for use on all land ownerships.

Services needed by the Minnesota Forest Resources Council include, but are not limited to: editing and formatting the guideline text of the integrated sets of guidelines, development of the overall design and layout of the guidebook, development of stand alone brochures as part of the guidebook, and development of the appropriate graphics for the guidebook.

To obtain a copy of the complete Request for Proposal, contact:

Mike Phillips  
DNR/Division of Forestry  
500 Lafayette Road  
St. Paul, Minnesota 55155-4044  
(612) 297-4924  
e-mail: mike.phillips@dnr.state.mn.us

## North Hennepin Community College

### Request for Proposal (RFP) for Food Service at North Hennepin Community College

**Introduction:** North Hennepin Community College, Brooklyn Park, is soliciting bids for the management of its Food Service, beginning July 1, 1998.

**Proposal Due Date:** Vendor proposals are due no later than March 30, 1998. Proposals must be submitted to Kitty Hennemann, Director of Student Life, North Hennepin Community College, 7411 85th Ave N., Brooklyn Park, MN 55445. Specifications can be obtained by calling 424-0803.

**Site Inspection and Briefing:** North Hennepin Community College will host a briefing session and site inspection March 16, 1998, from 7:30 p.m. to 9:00 p.m. for interested bidders. Call Kitty Hennemann at 424-0803 to schedule an appointment.

**Proposal Issue Date:** February 23, 1998.

## Department of Transportation

### Notice of Availability of contract for Market Segmentation Research Project

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

The Minnesota Department of Transportation is requesting proposals for marketing research to be done for the Logistics 20/20 project. This research will consist primarily of a quantitative segmentation effort for the freight movement industry.

**Background:** In 1995, the Metro Division of Mn/DOT launched a pilot project called Logistics 20/20, which targeted the freight community in the eight-county metropolitan area. The mission of the Logistics 20/20 project follows:

- 1) To serve as a forum to exchange information with customers.
- 2) To incorporate freight issues into Mn/DOT's business cycle.
- 3) To build alliances with the freight community to support the economic vitality of Minnesota.

**One-to-one interviews were conducted with transportation managers at their places of business:** these interviewees were shippers and receivers in the food and construction industries. Data was gathered, evaluated and presented to senior staff at Mn/DOT Metro Division. Resulting recommendations were served as an opportunity for alliance building as a "Response Team" was formed with these same customers and Mn/DOT staff.

In order to expand upon and validate this segmentation project, it is desirable to pursue input from other industries in the Metro area.

**Scope of Project:** the purpose of the market research is two-fold: to validate an initial qualitative effort and to uncover new issues that may exist among shippers and carriers in the freight industry.

**The Contractor shall complete the following tasks:**

- 1) Attend study meetings to support sample and survey design and report and analysis.
- 2) Determine sample selection as stated in the study objectives.
- 3) Develop survey including revisions and final version.
- 4) Conduct pre-testing of survey document.
- 5) Specify methodology of data collection.
- 6) Determine data collection specifications: incidence, contact/cooperation rate interview length (minutes/pages, printing, e-mail, CATI or hard copy, postage or bulk mail, etc.).
- 7) Manage data entry, either key entered or automatic. Provide verification percentage if key entered.
- 8) Tabulate data, number of banners, banner design consultation, and significance testing.
- 9) Coding of open ends, including number of open ends and percentage of surveys used to develop codes.

**The Contractor shall provide the following deliverables:**

- 1) A report to include background, objectives linked to study goals/MOE's methodology, executive summary, detailed summary with data tables and significance testing explained, conclusions and recommendations, and an appendix with final survey, sample plan, banner definitions, and any other study materials used when communicating with customers.
- 2) Two presentations to local Mn/DOT clients.

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

**Mn/DOT will provide the following:** project management and direction from the transportation perspective; advice and guidance regarding departmental policy as well as Metro market research standards. Mn/DOT has budgeted an amount not to exceed \$49,900.00 for this project.

It is anticipated that the contract period will begin April 1, 1998 and continue through September 30, 1998.

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, certifies Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal, and certified Economically Disadvantaged Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 4% preference in the evaluation of their proposal. For information regarding certification, contact the Materials Management Helpline at (612) 296-2600 TTY (612) 282-5799.

## Professional, Technical & Consulting Contracts

---

---

**Note: No more than 90% of the full amount due under the contract may be paid until the final deliverables of the contract have been reviewed by the agency and the agency has determined that the contractor has satisfactorily fulfilled the terms of the contract.**

Prospective responders who have any questions regarding this request for proposal may call or write:

Chris McMahon, Mn/DOT  
Metro Marketing Research  
1500 West County B  
Roseville, MN 55113  
(612) 582-1637 FAX (612) 582-1131

**Note: Other Mn/DOT personnel are not allowed to discuss the project with responders before the submittal of proposed deadline.**

Proposals shall be sent to and received by:

Mark Hagen  
Consultant Services Unit  
Minnesota Department of Transportation  
395 John Ireland Boulevard, Mailstop 680  
St. Paul, MN 55155

**Proposals must be received by 2:30 p.m., March 20, 1998.**

### **LATE PROPOSALS WILL NOT BE ACCEPTED**

Submit six (6) copies of the proposal. Proposals are to be sealed in a mailing envelope or package with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized representative of the company. Prices and terms of the proposal as stated must be valid for the length of the project.

The following will be considered minimum contents of the proposal:

1. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's view of the nature of the project.
2. Identify and describe the deliverables to be provided by the responder.
3. Outline the responder's background and experience with particular emphasis on local, state, and federal government work including all subcontractors. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the prior approval of Mn/DOT's Contract Administrator.
4. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a schedule and managing tool, as well as the basis for invoicing.
5. Identify the level of the Mn/DOT's participation in the project as well as any other services to be provided by the Mn/DOT.
6. Indicate if your firm is Targeted Group Business, Economically Disadvantage Business.

All proposals received by the deadline will be evaluated by representatives of Mn/DOT. In some instances, an interview may be part of the evaluation process.

Factors upon which proposals will be judged the following:

1. Expressed understanding of project objectives.
2. Project work plan.
3. Project cost detail.
4. Qualifications of both company and personnel. Experience of project personnel will be given greater weight than that of the company.

**Workers' Compensation:** The successful responder will be required to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.

**This request for proposal does not obligate Mn/DOT to complete the project, and Mn/DOT reserves the right to cancel the solicitation if it is considered to be in its best interest.**



---

---

# Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

---

## Dakota County

### Community Services Division

#### Request for Proposals for Out-Patient Mental Health Services for Dakota County Consumers

**Issued:** March 1, 1998; **Informational Meeting:** March 13, 1998; **Due:** April 30, 1998

**Eligible Applicants:** Eligible applicants are community agencies including non-profit and for profit, who are Minnesota Department of Human Services Rule 29 approved or whose staffing patterns meet Rule 29 approval requirements. The successful applicant(s) will enter into a contract with Dakota County Social Services.

**Description:** Eligible consumers include adults with serious and persistent mental illnesses and children with severe emotional disturbances. Out-patient mental health services are:

1. Adult and Children Psychiatric Services, including diagnostic assessment, medication management and monitoring, and assistance obtaining low cost or no cost medications.
2. Adult and Children Mental Health Therapy, including individual, family and group sessions.
3. Consultation and/or Educational Services including consultation to domestic abuse and homeless projects, law enforcement personnel, county social workers, and community support workers, educational services to mental health advocates and support groups and general education to consumers and the public.
4. Crisis Home Services including mental health nurses who provide community and home based assistance to consumers experiencing crisis. Services provided include service planning and coordination; direct services to consumers, family members and foster parents; and access to psychiatric consultation.

**Contract Period and Payment:** Contract award and renewal is on an annual basis and contingent upon Contractor(s) outcomes and fee collections and County Board authorization. Payment requirements for psychiatric, therapy and consultation/educational services are —

- All procedures for obtaining third party insurance payments will be followed before Dakota County is billed.
- Dakota County will not supplement third party insurance payment, including Medical Assistance (PMAP as well) and Medicare; payment received must be considered payment in full except for people who have a Medical Assistance spend-down, Medicare co-insurance and private insurance co-payment.
- In order to access Dakota County funding, individuals first must meet income guidelines as specified in the County's Fee Policy.
- The Dakota County sliding fee scale guidelines must also be applied to the consumer's Medical Assistance spend-down, Medicare co-insurance and private insurance co-payment.

Payment requirements for Crisis Home Services are —

- Dakota County will pay a lump sum for the provision of Crisis Home Services.

**For a copy of the RFP, phone:** Karen Keller, 450-2931 or **e-mail:** kkk3@nsc.co.dakota.mn.us.

**For additional information, contact:** Maribeth Lundeen, Dakota County Social Services Department, 14955 Galaxie Avenue, Apple Valley, MN 55124, (612) 891-7463.

## Non-State Public Bids, Contracts & Grants

---

---

### Metropolitan Council

#### Invitation for Bid Particle Size Analyzer

Sealed bids will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on March 16, 1998, at 2:00 P.M., at which time and place they will be publicly read for the acquisition of a Particle Size Analyzer.

Copies of the specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling 612-602-1499 or via Fax request at 612-602-1083. All bids to be considered must be submitted on Council approved bid forms.

The award will be based upon, but not necessarily limited to, factors of price, agreement to the Metropolitan Council's terms and conditions and past experience with the Metropolitan Council.

The Metropolitan Council reserves the right to accept or reject any and all bids, or any part of any bid, and to waive any minor irregularities and deviations from requirements outlined in the technical specifications.

### Metropolitan Council

#### Public Notice of Request for Proposal for Metropolitan Transit Police Legal Services

The Metropolitan Council is requesting proposals for the performance of legal services related to the operation of the Metropolitan Council's law enforcement agency known as the Metropolitan Transit Police. The legal services will include providing legal advice on law enforcement agency issues regarding the Metropolitan Transit Police. The Metropolitan Council operates and maintains regional transit systems and is authorized to establish a law enforcement agency to police the Metropolitan Council's transit property and routes and to make arrests under *Minnesota Statutes* sections 629.30 and 629.34. The Metropolitan Council anticipates the legal services contract will cover a twenty-four-month time period. A copy of the Request for Proposal may be obtained from:

Jay R. Lindgren, General Counsel  
Metropolitan Council  
Mears Park Centre  
230 East Fifth Street  
Saint Paul, Minnesota 55101-1634  
(612) 602-1723 *Voice*  
(612) 602-1640 *Facsimile*

In accordance with *Minnesota Statutes* section 473.144 the Metropolitan Council may not accept any bid or proposal for a contract or execute a contract for services in excess of \$50,000 with any firm or business having more than 20 full-time employees on a single working day during the previous 12 months unless the firm or business has an affirmative action plan for the employment of minority persons, women and disabled persons that has been approved by the Commissioner of Human Rights. A proposal will not be accepted by the Metropolitan Council unless the proposal includes one of the following: (1) a copy of the proposer's current and valid certificate of compliance from the Commissioner of Human Rights; or (2) a valid affidavit stating the proposer did not have more than 20 full-time employees on a single working day during the previous 12 months.

This request does not obligate the Metropolitan Council to complete the work contemplated in this notice and the Request for Proposal. The Metropolitan Council reserves the right to cancel this solicitation, reissue the Request for Proposal and to proceed to do the proposed work otherwise. All expenses incurred in responding to this notice and the Request for Proposal are the responsibility of and will be borne by the responding parties. All written proposals responding to the Request for Proposal must be received at the Metropolitan Council's Mears Park Centre offices in Saint Paul, Minnesota by **4:00 p.m.** on Thursday, **March 19, 1998.**

### Metropolitan Council Environmental Services

#### Public Notice for Letters of Interest for Programming and Design Development and Management for the Design/Build Project Metropolitan Wastewater Treatment Plant Work Space Improvements

**NOTICE IS HEREBY GIVEN** that the Metropolitan Council Environmental Services (MCES) is soliciting proposals for professional services for Programming and Design Development and Management for the design/build project MWWTP Work Space Improvements, Project Number 950500, which will provide new office and laboratory facilities at the Metropolitan Wastewater Treatment Plant.

The services to be provided include: develop laboratory workflow, define workspace layout, evaluate use of existing furniture

---

---

## Non-State Public Bids, Contracts & Grants

and equipment, preliminary design of up to a 30,000 gsf facility, preparation of Request for Qualifications (RFQ) and Request for Proposals (RFP) for the procurement of Design/Build proposals to deliver the project, assist with RFQ and RFP evaluations, provide assistance in the negotiation of a design/build agreement, and provide assistance during design and construction.

The tentative schedule for selecting a consulting firm for this project is as follows:

Proposals Received	March 20, 1998
Select Consultant	Week of March 23, 1998
Negotiate final Contract Agreement	Week of March 30, 1998
Notice To Proceed given	Week of April 27, 1998

All firms requesting a Request For Proposal are invited to submit a Letter of Interest asking for the Request For Proposals package.

All inquiries are to be addressed to:

Administrative Assistant, Contracts and Documents  
Metropolitan Council Environmental Services  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101

## Metropolitan Council Environmental Services (Council)

### Public Notice for Statements of Qualifications for Architectural, Structural, Civil, Environmental, Mechanical, Electrical, and Related Services for Professional Services in Support of In-House Projects

The COUNCIL is soliciting Statements of Qualifications (SOQ's) from parties interested in providing Professional Services in Support of In-House Projects. The COUNCIL intends to engage firms with specific Areas of Expertise in the disciplines of Architectural, Structural, Civil, Environmental, Mechanical, Electrical, (Power Distribution, Controls, Instrumentation, SCADA) and related technical services to complement its own staff in supporting its Business Units (MWWTP, Regional WWTP, Interceptors and Transit). Several firms will be prequalified and placed on retainer-type contracts not to exceed \$100,000 annually each.

The type of work envisioned for these firms includes providing supplemental design and technical assistance to COUNCIL staff on various council projects.

Firms interested in being considered for this work and wishing to receive an SOQ package are invited to submit a Letter Of Interest to:

Jan Bevins, Sr. Administrative Assistant  
Metropolitan Council Environmental Services  
Mears Park Centre  
230 East Fifth Street  
St. Paul, MN 55101

All inquiries regarding this SOQ are to be addressed to Harry Grounds at (612) 602-1811.

## Minnesota Historical Society

### Request for Bids for James J. Hill House Fire Suppression and Protection

The Minnesota Historical Society is seeking bids for furnishing all labor, materials, and equipment to provide a FM200 suppression system for fire suppression and fire protection in the James J. Hill House located at 240 Summit Avenue, St. Paul, Minnesota.

The project goal is to provide a completely NFPA2001 compliant FM200 suppression system in a room that measures approximately 48 feet by 32 feet. Due to the nature of this building, all equipment will need to be concealed and the existing building not be modified. This new system will be designed to replace the current halon system and detection system. This building will remain open during this installation and limited disruption will be considered. Additionally, a cross zoned Air sampling units will be utilized to initiate the system and the current fire alarm panel. Unit prices for Air sampling units installation must be included with the bid as well as unit cost for the installation of the FM200.

All bids must be received by Jenna E. Gruen, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard

## Non-State Public Bids, Contracts & Grants

---

West, St. Paul, MN 55102 or an authorized agent no later than 2:00 pm Central Time, Monday March 9, 1998. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. Late bids will not be considered.

Authorized agents for receipt of bids are the following: Jenna E. Gruen, Contracting Officer or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

**There will be a mandatory pre-bid meeting for all interested parties on Tuesday, March 3, 1998 at 11:00 am at the James J. Hill House located at 240 Summit Avenue, St. Paul, Minnesota. All parties wishing to submit a bid must attend this meeting.**

Copies of the plans will be available along with specifications at the mandatory pre-bid meeting to be held at the site on March 3, 1998. Also, available at the meeting will be procedures for submitting bids and the format for bids (bid sheets). A guided walk through will be conducted at the meeting to review project, needs, specifications and alternatives.

The Request for Bid is also available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (612) 297-5863 (jenna.gruen@mnhs.org).

Complete specifications and details concerning submission requirements are included in the Request for Bids.

## Minnesota Historical Society

### Request for Bids for Stabilization and Restoration of Stone Warehouse Lower Sioux Agency

The Minnesota Historical Society is seeking bids from qualified firms to provide all labor, materials and equipment to complete stabilization and restoration of Stone Warehouse at the Lower Sioux Agency according to Technical Specifications, Instructions to Bidders, Supplementary Conditions, General Conditions, Contract and the Request for Bid.

All bids must be received by Jenna E. Gruen, Contracting Officer for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 or an authorized agent no later than 2:00 pm Central Time, Thursday, March 19, 1998. A bid opening will be conducted at that time. Bids must be submitted in a sealed envelope with the project name clearly written on the envelope. A bid bond must be included. Late bids will not be considered.

Authorized agents for receipt of bids are the following: Jenna E. Gruen, Contracting Officer or any Work Service Center staff member in the Finance and Administration Division on the 4th floor of the History Center. Bids may not be delivered to the information desk, to the guard or to any location or individual other than as specified above.

The Request for Bid is available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (612) 297-5863 (jenna.gruen@mnhs.org).

**There will be a mandatory pre-bid meeting for all interested parties on Tuesday, March 10, 1998 at 11:00 am at the site. All parties wishing to submit a bid must attend this meeting.**

Complete specifications and details concerning submission requirements are included in the Request for Bids.

## University of Minnesota

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

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID information Service.

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