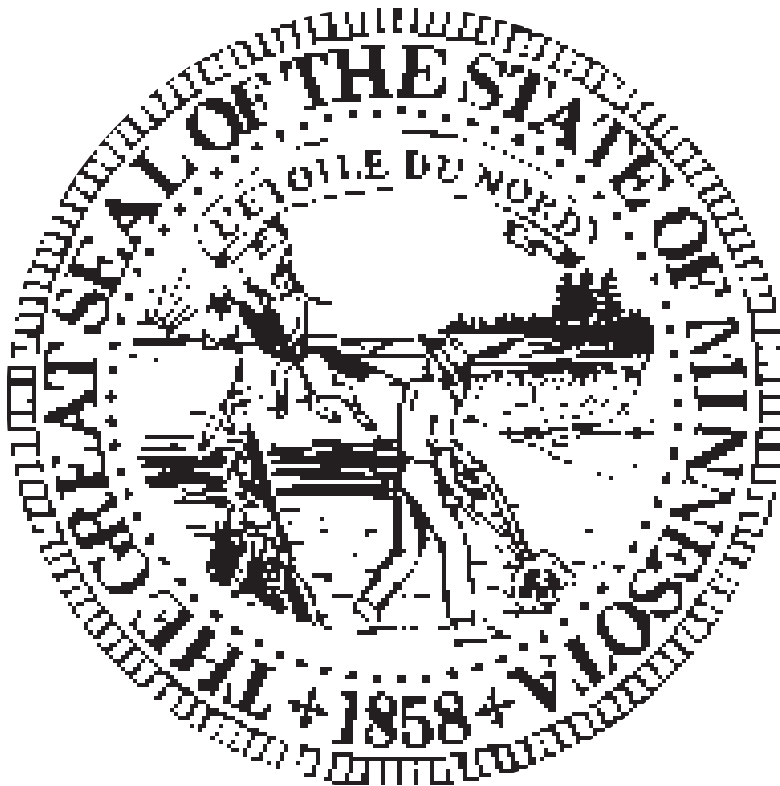


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**Rules and Official Notices Edition**



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# 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.

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#26	Monday 28 December	Noon Wednesday 16 December	4:30 p.m. Monday 21 December
#27	Monday 4 January 1999	Noon Wednesday 23 December	4:30 p.m. Monday 28 December
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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 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 (651) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

## Comments on Planned Rules or Rule Amendments

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

## Rules to be Adopted After a Hearing

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

## Rules to be Adopted Without a Hearing

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

# Environmental Quality Board

## Proposed Permanent Rules Relating to Animal Feedlots

### Notice of Hearing

**Proposed Amendment to Rules Governing the Environmental Review Program: Application of ‘Connected Actions’ Provision to Animal Feedlots and Mandatory Environmental Assessment Worksheet and Exemption Requirements for Animal Feedlots, *Minnesota Rules*, parts 4410.4300, subpart 29 and 4410.4600, subpart 19.**

**Public Hearing.** The Minnesota Environmental Quality Board intends to adopt rules after a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The agency will hold a public hearing on the above-entitled rules at the following times and places:

- Thursday, January 21, 1999, in Room 301, Centennial Bldg., 658 Cedar Street, St. Paul, MN, commencing at 9:00 a.m. and continuing until all testimony has been received.
- Monday, January 25, 1999, in Conference Center A of the John Votka Conference Center, South Central Technical College, 1920 Lee Boulevard, North Mankato, MN. Two sessions: 1:30 p.m. until 4:30 p.m. & from 7:00 p.m. until all testimony has been received.
- Tuesday, January 26, 1999, in Edson Auditorium of the Student Center, University of Minnesota, 600 East Fourth Street, Morris, MN. Two sessions: at 1:30 p.m. until 4:30 p.m. & from 7:00 p.m. until all testimony has been received.

Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

**Administrative Law Judge.** The hearing will be conducted by Administrative Law Judge Allan Klein who can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7609, and FAX (612) 349-2665.

The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge.

**Subject of Rules.** The proposed rule amendment includes three main parts: (1) it would eliminate the requirement that certain multi-site animal feedlots be treated as ‘connected actions;’ (2) it would lower the size thresholds at which new feedlots and expansions require preparation of Environmental Assessment Worksheets; and (3) it would change the Exemption category for feedlots, to exempt certain feedlot projects that are not now exempted from the program. Eliminating the application of ‘connected actions, provisions to animal feedlots would mean that the number of animal units at the various sites of multi-site feedlot proposals would no longer be aggregated because they are ‘connected actions’ when determining if an Environmental Assessment Worksheet (EAW) is mandatory. The size thresholds (measured in ‘animal units’) at which animal feedlot projects automatically require preparation of an EAW, which is now 2,000 animal units for total confinement feedlot facilities, is proposed to be lowered to 1,000 animal units,

except that in certain locations with a heightened potential for water pollution it is proposed that any new feedlot or feedlot expansion be required to prepare an EAW. The threshold below which a new feedlot project would be exempt from the program is proposed to be raised from 100 to 300 animal units and the modification of an existing feedlot without any expansion of its capacity is proposed to also be exempted provided the feedlot is no larger than 300 animal units. The proposed amendments would be made at *Minnesota Rules*, parts 4410.4300, subpart 29 and 4410.4600, subpart 19. The proposed threshold revisions may be modified as a result of the public hearing and all persons who may be affected by the changes are encouraged to participate.

**Statutory Authority.** The proposed rules are authorized by *Minnesota Statutes*, section 116D.04. The Environmental Quality Board was directed to amend the rules by *Minnesota Laws* 1998, chapter 401, section 54. A copy of the proposed rules is published in the *State Register* and is attached to this notice as mailed.

**Agency Contact Person.** The agency contact person is: Gregg Downing at Environmental Quality Board, 300 Centennial Building, 658 Cedar Street, St. Paul, MN 55155, telephone (651) 205-4660, FAX: (651) 296-3698. For TTY, contact Minnesota Relay Service at 800-627-3529 and ask for the Environmental Quality Board at Minnesota Planning.

**Statement of Need and Reasonableness.** A Statement of Need and Reasonableness is now available for review at the agency offices and at the Office of Administrative Hearings. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings. The statement is also available at the Environmental Quality Board section of the Minnesota Planning website at [www.mnplan.state.mn.us](http://www.mnplan.state.mn.us).

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rule amendments. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified as a result of the rule hearing process. Modifications must be supported by data and views presented during the rule hearing process, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate.

**Adoption Procedure After The Hearing.** After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings, and can make these requests at the hearing or in writing to the agency contact person stated above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148 or 1-800-657-3889.

**Order.** I order that the rulemaking hearing be held at the dates, times, and locations listed above.

Dated: 7 December 1998

Rodney W. Sando  
Chair

<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>
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## Proposed Rules

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### 4410.4300 MANDATORY EAW CATEGORIES.

[For text of subs 1 to 28, see M.R.]

Subp. 29. **Animal feedlots.** The PCA is the RGU for the types of projects listed in items A and B unless the county will issue the feedlot permit, in which case the county is the RGU.

A. For the construction of an animal feedlot facility with a capacity of 1,000 animal units or more or the expansion of an existing facility by 1,000 animal units or more ~~or construction of a total confinement animal feedlot facility of 2,000 animal units or more or the expansion of an animal feedlot facility by 2,000 animal units or more if the expansion is a total confinement facility~~, the PCA shall be the RGU if the facility is not in an area listed in item B.

B. For the construction or expansion of a feedlot which is located wholly or partially in any of the following sensitive locations: shoreland, a delineated flood plain, a state or federally designated wild and scenic river district, the Minnesota River Project Riverbend area, the Mississippi headwaters area, a wellhead protection area designated under chapter 4720, or within 1,000 feet of a known sinkhole.

The provisions of part 4410.1000, subpart 4, regarding connected actions do not apply to animal feedlots. The provisions of part 4410.1000, subpart 4, regarding phased actions apply to feedlots.

With the agreement of the proposers, the RGU may prepare a single EAW to collectively review individual sites of a multisite feedlot proposal.

[For text of subs 30 to 36, see M.R.]

### 4410.4600 EXEMPTIONS.

[For text of subs 1 to 18, see M.R.]

Subp. 19. **Animal feedlots.** The following activities are exempt:

A. the construction of an animal feedlot facility of less than ~~400~~ 300 animal units or the expansion of an existing facility by less than 100 animal units, no part of either of which is located within a shoreland area, delineated flood plain, state or federally designated wild and scenic rivers district, the Minnesota River Project Riverbend area, ~~or the Mississippi headwaters area, is exempt~~, a wellhead protection area designated under chapter 4720, or 1,000 feet of a known sinkhole; and

B. the modification without expansion of capacity of any feedlot of no more than 300 animal units if the modification is necessary to secure a Minnesota feedlot permit.

[For text of subs 20 to 26, see M.R.]

## Department of Public Service

### Proposed Permanent Rules Relating to Energy Code Changes

#### Notice of Intent to Adopt Rules Without a Public Hearing

##### **Proposed Amendment to Rules Governing the Minnesota Energy Code, *Minnesota Rules*, Chapter 7672.**

**Introduction.** The Department of Public Service intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Bruce Nelson, Senior Engineer, Department of Public Service, 121 East 7th Place, Suite 200, St. Paul, MN 55101, phone: (651) 297-2313, FAX (651) 297-1959, email [bnelson@dpsv.state.mn.us](mailto:bnelson@dpsv.state.mn.us), TTY phone (651) 297-3067. To insure consideration, comments and requests for a public hearing must be received in writing. Comments and requests for a public hearing received by email can not be considered as in writing for this purpose.

**Subject of Rules and Statutory Authority.** The proposed rules are about rules governing portions of the State Energy Code for one- and two-family residential buildings. The Energy Code (Chapter 7672), a part of the State Building Code, was adopted in June, 1998. Chapter 7672 will become effective on July 20, 1999. The rule amendments proposed herein are intended to improve coordination of Chapter 7672 with the rest of the State Building Code, to clarify the applicability of Chapter 7672, to relax some requirements, and to make other provisions more stringent. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 216C.19, subdivision 8, 216C.195, and 16B.165. A copy of the proposed rules is published in the *State Register*.



**Comments.** You have until 4:30 p.m. on Friday, January 22, 1999, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Comments received by email can not be considered as in writing for this purpose. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make regarding the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting written comments, you may also request in writing that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on January 22, 1999. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Requests received by email can not be considered as in writing for this purpose. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, this proposed amendment will be withdrawn unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action.

**Alternative Format.** Upon request, this Notice 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.

**Modifications.** The proposed rules may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness will be available on December 21, 1998 from the agency contact person. This statement will contain a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at no cost from the agency.

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

Dated: 7 December 1998

Krista L. Sanda, Commissioner

#### **7672.0100 AUTHORITY AND PURPOSE.**

This chapter is adopted pursuant to *Minnesota Statutes*, section 216C.19, subdivision 8. The purpose of this chapter is to establish the minimum energy code criteria necessary to construct new and ~~remodeled~~ altered elements of buildings classified as Group R, Division 3 Occupancies detached one- and two-family residential buildings dwellings, as well as to provide alternatives for demonstrating compliance with those minimum criteria. The intent of these criteria is to provide a means for furnishing quality indoor air, assuring building durability, and permitting energy efficient operation.

#### **7672.0200 APPLICATION.**

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

Subp. 2. **New and ~~remodeled~~ buildings.** This chapter applies to all new and ~~remodeled~~ elements of buildings classified as Group R, Division 3 Occupancies detached one- and two-family residential buildings dwellings.

Subp. 3. **Existing residences.** Additions, alterations, and repairs to existing buildings classified as Group R, Division 3 Occupancies detached one- and two-family residential buildings dwellings must comply with part 7672.1200.

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## Proposed Rules

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Subp. 4. **Mixed occupancy.** If a building houses more than one occupancy, each portion of the building must conform to the requirements for the occupancy housed in that portion. ~~If minor accessory uses occupy no more than ten percent of the area of any floor of a building, the major use is considered the building occupancy.~~

[For text of subps 5 and 6, see M.R.]

### 7672.0400 INCORPORATIONS BY REFERENCE.

Subpart 1. **Incorporated items.** The following standards and references are incorporated by reference:

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

K. HVI Standard 920, Product Certification Procedure;

L. Manual J, Load Calculation for Residential Winter and Summer Air Conditioning, 7th ed., Air Conditioning Contractors of America;

~~L.~~ M. The Model Energy Code, 1995 Edition, Chapter 4, as published by the Council of American Building Officials, Falls Church, Virginia;

~~M.~~ N. MNcheck, residential energy code compliance personal computer program published by the Minnesota Department of Public Service;

~~N.~~ Q. NFRC 100-91, Procedure for Determining Fenestration Product Thermal Properties (Currently Limited to U-values), and NFRC 100, 1997 ed., Procedure for Determining Fenestration Product U-factors, National Fenestration Rating Council;

~~O.~~ P. UL181A, Duct Sealing for Flexible Ducts, and UL181B, Duct Sealing for Fiberglass Ducts, Underwriters Laboratories, Inc.;

~~P.~~ Q. UL1812, Ducted Heat Recovery Ventilators, Underwriters Laboratories, Inc.; and

~~Q.~~ R. UL2034, Single and Multiple Station Carbon Monoxide Detectors, Underwriters Laboratories, Inc.

S. ANSI Z21.47 Gas-Fired Central Furnaces (except Direct-Vent Central Furnaces).

[For text of subp 2, see M.R.]

### 7672.0500 DEFINITIONS.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Building envelope.** "Building envelope" means the elements of a building which enclose conditioned spaces through which thermal energy may be transferred to or from ~~the exterior or semiconditioned~~ unconditioned spaces.

[For text of subps 6 to 9, see M.R.]

Subp. 10. **Gross wall area.** "Gross wall area" means the building envelope wall area bounding interior space from grade to the roof/ceiling assembly enclosing conditioned ~~or semiconditioned~~ space, including opaque wall, window, and door area.

For basement walls with an average below-grade area less than 50 percent of the total wall area, including openings, all walls, including the below-grade portion, are included as part of the gross wall area. Windows and doors in basement walls are also included in the gross wall area.

[For text of subps 11 to 15, see M.R.]

Subp. 16. **Interior air barrier.** "Interior air barrier" means a material or combination of materials which are durable and installed at the warm side of the building envelope and continuously sealed to resist the passage of air and airborne moisture from a conditioned ~~or semiconditioned~~ space into the building envelope. Acceptable air barrier materials include supported four mil polyethylene, gypsum board, wood products, rigid insulation, plastic, metal, sealed concrete products, and any air impermeable material that qualifies as a draft stop, fire stop, or fire block.

[For text of subps 17 to 19, see M.R.]

Subp. 20. **Roof/ceiling assembly.** "Roof/ceiling assembly" means all components of the roof/ceiling envelope through which heat flows, thus creating a building transmission heat loss or gain, where the assembly is exposed to outdoor air and encloses a conditioned ~~or semiconditioned~~ space.

The gross area of a roof/ceiling assembly consists of the total interior surface of the assembly, including skylights exposed to the conditioned ~~or semiconditioned~~ space.

[For text of subps 21 to 24, see M.R.]

Subp. 25. **Unconditioned space.** "Unconditioned space" means space within a building which is ~~neither not~~ neither not conditioned ~~nor semiconditioned~~, including outdoor space and spaces within a building with uncontrolled ventilation to outdoors.

[For text of subps 26 to 29, see M.R.]

**7672.0600 MINIMUM ENVELOPE CRITERIA.**

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

Subp. 2. **Foundation walls and slabs on grade.**

A. Foundation walls enclosing conditioned ~~or semiconditioned~~ spaces, including exposed edges of slabs on grade, must be insulated. The insulation must be continuous except where the insulation must be interrupted for purposes such as penetrations or structural requirements, provided that the insulation is sealed or tightly abutted at the penetration or structural member.

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

E. If foundation wall insulation is on the interior, a moisture barrier must be located between the insulation and the foundation wall from the floor to grade.

[For text of subps 3 to 11, see M.R.]

**7672.0800 METHODS FOR COMPLIANCE.**

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

Subp. 4. **Cookbook method.**

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

B. Insulation in floor rim joist areas must be ~~R-13~~ R-10 minimum.

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

[For text of subps 5 to 9, see M.R.]

**7672.0900 MECHANICAL SYSTEMS.**

Subpart 1. **Equipment sizing.**

A. HVAC equipment must be sized according to the ASHRAE Handbook of Fundamentals ~~or~~ ACCA Manual J, or an equivalent method. Oversizing of heating equipment must not exceed 43 percent and oversizing of cooling equipment must not exceed 21 percent.

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

C. Indoor design conditions temperature must be not greater than 72 degrees Fahrenheit for heating and not less than 74 degrees Fahrenheit for cooling.

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Duct insulation.**

A. ~~Ducts in wall and floor cavities of the thermal envelope must be a minimum of R-8 between the duct and unconditioned or semiconditioned space~~ Duct insulation requirements are provided in the state Uniform Mechanical Code, chapter 1346.

B. ~~Ducts running outside the thermal envelope, including ducts in attics and ceilings, must be a minimum of R-8 between the duct and unconditioned space.~~

C. ~~Ducts within concrete or in contact with the ground must be insulated to R-5.~~

[For text of subps 5 to 7, see M.R.]

Subp. 8. **Protection against depressurization.** Provision must be made to limit excessive depressurization in buildings with fuel burning appliances.

EXCEPTION: Dwellings which contain only direct vent sealed combustion appliances and when the sum of the rated cfm's exhausting capacity of the largest mechanical exhausting devices in the three categories of clothes dryer (150 cfm default value), kitchen exhaust, and other exhaust does not exceed 425 cfm.

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

## Proposed Rules

A. The definitions in this item apply to this subpart.

[For text of subitem (1), see M.R.]

(2) “Closed controlled combustion ~~wood-burning~~ solid-fuel-burning appliance” means a wood stove, pellet stove, or fireplace capable of efficient heating and controlled combustion. The appliance must include doors with gaskets or flanges that permit tight closure, and glass or ceramic panels which must be tightly sealed or gasketed at their frames.

[For text of subitem (3), see M.R.]

(4) “Direct vented appliance” ~~means an appliance constructed so that combustion air comes directly from the outdoors via a sealed passageway and combustion products are expelled to the outdoors through an independent, sealed vent has the meaning given in the state uniform mechanical code, chapter 1346.~~

(5) “Direct vent sealed combustion appliance” has the meaning given in either unit (a), (b), or (c).

(a) A listed direct vent sealed combustion appliance able to function and draft properly in a negative pressure environment of 50 Pascals. (Note that a standard for this listing does not exist at the time of the adoption of this chapter.)

(b) A listed direct vent appliance in which joints throughout both the combustion chamber and combustion air inlet meet the requirements of ANSI Z21.47, section 4.4.9.

(c) A listed direct vent appliance which acquires all air for combustion through a dedicated, sealed, passage from the outside to a sealed combustion chamber, and all combustion products are vented, under positive pressure, to the outside through a separate dedicated, sealed vent.

(6) “Mechanical exhausting devices” means exhausting devices including kitchen range fan, bath fan, spa and pool fans, clothes dryer, central vacuum that exhausts to the outside, and radon mitigation system.

**EXCEPTION:** A central vacuum that exhausts to the outside is not a mechanical exhausting device for Prescriptive Paths 0 and 1.

~~(6) (7) “Power vented appliance” means an appliance where combustion air comes from inside the building and combustion products are positively conveyed, through the use of a fan or other mechanical means, to the outside by means of a dedicated, sealed vent has the meaning given in the state Uniform Mechanical Code, chapter 1346.~~

~~(7) (8) “Powered make-up air” means air that must be brought in from outdoors by means of a fan or fans to replace replenish the air expelled by mechanical exhausting devices. The make-up air must be powered by means of a fan capable of introducing outdoor air at a rate of no less than the required amount. Powered make-up air supply fans must be wired so as to activate whenever the associated exhausting device is activated.~~

(9) “Powered to match flow” means powered make-up air fan or fans which are rated for cfm air flow at not less than the rated amount of air flow of the associated mechanical exhausting devices.

B. One of the ~~four~~ five paths identified in this item must be followed to provide protection against excessive depressurization. Make-up air must be provided as required in item C. Requirements for combustion air (and dilution air) for vented combustion equipment are provided in chapter 1346.

Within each category of exhausting appliance (clothes dryer, kitchen range exhaust, and other exhaust), only the capacity of the largest exhausting appliance within each category must be considered when sizing for make-up air.

Within each category of combustion equipment, when atmospherically vented is specified, the combustion equipment may also be direct vented, or power vented, or direct vent sealed combustion. When direct or power vented is specified, the combustion equipment may also be direct vent sealed combustion.

### OPTION FOR COMPLIANCE - PATH 1

#### (1) PATH 0

Combustion Equipment  
Space Heating

Service Water Heating

Gas Hearth

Wood Hearth

#### PRESCRIPTIVE PATH 0

Direct vent  
sealed combustion

Direct vent  
sealed combustion

Direct vent  
sealed combustion

None

<u>CO Alarm Required</u>	<u>No</u>
<u>Ventilation Type</u>	
<u>People ventilation</u>	<u>Balanced or exhaust</u>
<u>Supplemental ventilation</u>	<u>Balanced or exhaust*</u>

\*Passive infiltration must not be used to provide make-up air for the supplemental ventilation in excess of 0.05 cfm/sf

<u>Make-Up Air Requirements</u>	
<u>Clothes dryer</u>	
<u>Less than or equal to 175 cfm</u>	<u>Passive infiltration</u>
<u>More than 175 cfm</u>	<u>Passive opening for cfms over 175</u>
<u>Kitchen Exhaust</u>	
<u>Less than or equal to 250</u>	<u>Passive infiltration</u>
<u>251 to 500 cfm</u>	<u>Passive opening for cfms over 250</u>
<u>More than 670 cfm</u>	<u>Powered to match flow for cfms over 670</u>
<u>Other Exhaust</u>	
<u>Up to 140 cfm</u>	<u>Passive opening</u>
<u>More than 140 cfm</u>	<u>Powered to match flow for cfms over 140</u>

<u>(2) PATH 1</u>	<u>PRESCRIPTIVE PATH 1</u>
<u>Combustion Equipment</u>	
<u>Space Heating<sup>†</sup> Gas/oil</u>	<u>Direct or power vented</u>
<u>Service Water Heating<sup>†</sup> Gas/oil</u>	<u>Direct or power vented</u>
<u>Hearth<sup>†</sup></u>	
<u>Gas Hearth</u>	<u>Direct or power vented</u>
<u>Wood <del>Hearth</del></u>	<u><del>None</del> Closed controlled combustion solid-fuel burning appliance*</u>

\*If a closed controlled combustion solid-fuel burning appliance is installed in Path 1, then the clothes dryer and any central vacuum that exhausts to the outside must be provided with make-up air by a passive opening to match flow, and a CO alarm must be installed.

<u>CO <del>Detector</del> Alarm Required</u>	<u>No</u>
<u>Ventilation Type</u>	
<u>People ventilation (<del>P</del>)</u>	<u>Balanced or exhaust</u>
<u>Supplemental ventilation (<del>S</del>)</u>	<u>Balanced or exhaust**</u>

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# Proposed Rules

\*Passive infiltration must not be used to provide make-up air for the supplemental ventilation in excess of 0.05 cfm/sf

~~Ventilation Amount~~

~~People ventilation (Pv) 15 cfm/bedroom plus 15 cfm~~  
~~Supplemental ventilation (Sv) 0.05 cfm/sf minus Pv~~

Make-Up Air Requirements

~~Clothes dryer (1 up to 160 cfm)~~  
Less than or equal to 175 cfm Passive infiltration  
More than 175 cfm Passive opening for cfm  
over 175 cfm

Kitchen Exhaust

Less than or equal to 250 cfm Passive opening<sup>s</sup>  
 More than 250 cfm Powered to match flow  
for cfm over 250 cfm

Other Exhaust

Less than or equal to ~~400~~ 140 cfm Passive opening<sup>s</sup>  
 More than ~~400~~ 140 cfm Powered to match flow for  
cfms over 140 cfm

~~OPTION FOR COMPLIANCE - (3) PATH 2~~

PRESCRIPTIVE PATH 2

Combustion Equipment

Space Heating<sup>+</sup> Gas/oil Atmospherically vented<sup>2\*</sup>

Service Water Heating<sup>+</sup> Gas/oil

Direct or power vented

Hearth<sup>+</sup>

Gas Hearth Atmospherically vented<sup>2\*</sup>  
 Wood Hearth Closed controlled or  
 decorative<sup>2\*</sup>

\*Only one atmospherically vented appliance may be installed.

CO ~~Detector~~ Alarm Required Yes

Ventilation Type

People ventilation (~~Pv~~) Balanced  
 Supplemental ventilation (~~Sv~~) Balanced or exhaust<sup>4\*</sup>

\*Passive infiltration or passive openings must not be used to provide make-up air for the supplemental ventilation in excess of 0.05 cfm/sf

~~Ventilation Amount~~

~~People ventilation (Pv) 15 cfm/bedroom plus 15 cfm~~  
~~Supplemental ventilation (Sv) 0.05 cfm/sf minus Pv~~

Make-Up Air Requirements

~~Clothes dryer (1 up to 160 cfm)~~  
Less than or equal to 175 cfm Passive opening<sup>s</sup>  
More than 175 cfm Powered to match flow for  
cfms over 175

Kitchen Exhaust

~~Less than or equal to 250 cfm Any~~  
~~More than 250 cfm~~ Powered to match flow  
 Powered to match flow

Other Exhaust  
~~Less than or equal to 100 efm~~ Any  
~~More than 100 efm~~ Powered to match flow  
~~Powered to match flow~~

OPTION FOR COMPLIANCE - (4) PATH 3

Combustion Equipment PRESCRIPTIVE PATH 3  
 Space Heating<sup>+</sup> Gas/oil Atmospherically vented<sup>2</sup>

Service Water Heating<sup>+</sup> Gas/oil Atmospherically vented<sup>2</sup>

~~Hearth~~<sup>+</sup>  
 Gas Hearth Direct vent ~~or none~~  
 Wood Hearth None

CO ~~Detector~~ Alarm Required Yes

Ventilation Type  
 People ventilation (~~Pv~~) Balanced  
 Supplemental ventilation (~~Sv~~) Balanced

~~Ventilation Amount~~  
 People ventilation (~~Pv~~) 15 efm/bedroom plus 15 efm  
 Supplemental ventilation (~~Sv~~) 0.05 efm/sf minus Pv

Make-Up Air Requirements  
 Clothes dryer (~~± up to 160 efm~~)  
Any Powered to match flow

Kitchen Exhaust  
~~Less than or equal to 250 efm~~ Any Powered to match flow  
~~More than 250 efm~~ ~~Powered to match flow~~

Other Exhaust  
~~Less than or equal to 100 efm~~ Any Powered to match flow  
~~More than 100 efm~~ ~~Powered to match flow~~

OPTION FOR COMPLIANCE

(5) PERFORMANCE PATH

Combustion Equipment  
 Space Heating<sup>+</sup> Gas/oil Any vented appliance

Service Water Heating<sup>+</sup> Gas/oil Any vented appliance

~~Hearth~~<sup>+</sup>  
 Gas Hearth Any vented appliance  
 Wood Hearth Any vented appliance

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# Proposed Rules

CO <del>Detector</del> Alarm Required	Yes
Ventilation Type	
People ventilation ( <del>Pv</del> )	Performance
Supplemental ventilation ( <del>Sv</del> )	Performance
Ventilation Amount	
People ventilation ( <del>Pv</del> )	15 efm/bedroom plus 15 efm
Supplemental ventilation ( <del>Sv</del> )	0.05 efm/sf minus Pv
Make-Up Air Requirements	
Clothes dryer ( <del>1 up to 160 efm</del> )	Performance
Kitchen Exhaust	
Less than or equal to 250 efm	Performance
More than 250 efm	Performance
Other Exhaust	
Less than or equal to 100 efm	Performance
More than 100 efm	Performance

\*Requirements for combustion and dilution air for vented combustion equipment are provided in chapter 1305.

² Supplemental ventilation greater than 0.05 efm/sf requires a passive opening\*.

³ If any solid fuel fired appliance or atmospherically vented fireplace (not both) is used, then space heat must be direct or power vented.

⁴ Supplemental ventilation greater than 0.05 efm/sf requires powered air supply.

(6) As an alternative to the make-up air cfm requirements in subitems (1) to (5), aggregate make-up air cfms may be provided according to this subitem. The aggregate make-up air cfm requirement is the sum of the air flow capacity of the largest mechanical exhausting devices in each of three categories: clothes dryer (150 cfm default value), kitchen exhaust, and other exhaust. All other requirements of subitems (1) to (5) for ventilation type, make-up air for ventilation, and CO alarm must be met. Make-up air for mechanical exhausting devices in excess of the cfms indicated in this subitem must be provided by a source powered to match flow.

	<u>Path 0</u>	<u>Path 1</u>	<u>Path 2</u>	<u>Path 3</u>	<u>Performance</u>
<u>Maximum cfms of make-up air for mechanical exhausting devices that can be provided by infiltration</u>	<u>425</u>	<u>175*</u>	<u>0</u>	<u>0</u>	<u>Performance</u>
<u>Maximum cfms of make-up air for mechanical exhausting devices that can be provided by infiltration and by passive openings</u>	<u>985</u>	<u>565</u>	<u>175</u>	<u>0</u>	<u>Performance</u>

\*If a closed controlled combustion solid-fuel burning appliance is installed in Path 1, then a passive opening must be installed to provide make-up air for the clothes dryer and for any central vacuum that exhausts to the outside.

C. Make-up air required in item B must be provided according to this item.

(1) A means of providing make-up air must have one or more inlets to the dwelling. Make-up air must be available whenever the associated exhausting device is activated. Manually-operated dampers must not be installed in make-up air openings.

(2) Make-up air must be provided by means of passive infiltration, passive opening, powered source, or a combination of those sources. When item B specifies passive infiltration, make-up air may also be provided by passive opening, or powered source. When item B specifies passive opening, make-up air may also be provided by powered source.



(3) Make-up air requirements of 175 cfm and greater must be introduced into the dwelling either in each space containing combustion appliances or into the same space containing the exhaust inlets. The same space means without separation of walls, floors, or doors.

**Table (4) Table to Size Passive Make-Up Air Openings**  
**Make-Up Air - CFM Provided by Smooth Ductwork<sup>a</sup>**

Duct Diameter <sup>b,c,d</sup>	Prescriptive Path 2 ( <del>5</del> Pascals)	Prescriptive Path 1 ( <del>25</del> Pascals)	Prescriptive Path 0
3 inches	15	35	<u>50</u>
4 inches	30	60	<u>90</u>
5 inches	45	100	<u>140</u>
6 inches	65	140	<u>200</u>
7 inches	85	190	<u>270</u>
8 inches	110	250	<u>350</u>
9 inches	140	320	<u>450</u>
10 inches	<del>175</del> <u>180</u>	<del>390</del> <u>400</u>	<u>570</u>

<sup>a</sup> This table assumes 20 feet of smooth unobstructed duct with three 90-degree elbows and a screened hood. For other combinations of lengths and elbows, adjustments to duct size shall be made according to accepted duct calculation methods using pressures of 5 Pascals for Prescriptive Path 2, 25 Pascals for Prescriptive Path 1, and 50 Pascals for Prescriptive Path 0.

<sup>b</sup> This table assumes a round duct. (An equivalent Δ rectangular duct with equivalent friction loss is acceptable.)

<sup>c</sup> If a make-up air opening is used with no duct or elbows, the diameter can be decreased by one inch.

<sup>d</sup> If flex duct is used, increase diameter by one inch. Flex duct must be stretched with minimal sags.

(5) Verification of the make-up air system shall be performed by visual and physical examination to ensure that all components are functioning in the manner intended.

~~C. D.~~ The performance path option for compliance must be conducted according to this item. Protection against depressurization ~~may~~ must be demonstrated for any vented combustion appliance according to ~~the performance method of this item or either CGSB Standard 51.71-, or~~ when tested according to the requirements of subitem (1), the pressure within the dwelling unit must not decrease from atmospheric pressure by more than the values in subitem (2).

[For text of subitems (1) and (2), see M.R.]

(3) A carbon monoxide ~~detector~~ alarm which conforms to the UL2034 Standard must be ~~permanently~~ installed according to the manufacturer's instructions.

**7672.1000 RESIDENTIAL VENTILATION SYSTEM.**

Subpart 1. **General.** All new residential buildings covered by this chapter must be equipped with a residential ventilation system meeting the requirements of this part.

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

B. Exhaust requirements for kitchens and baths ~~must be installed according to the requirements of~~ are provided in the Minnesota State Building Code.

~~C.~~ As an alternative to the requirements of subparts 3 to 6, the residential ventilation system may be designed, installed, and tested according to the alternate performance procedure in subpart 7.

Subp. 2. **Definitions.** The definitions in this subpart apply to this chapter.

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

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

## Proposed Rules

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D. "Heat recovery ventilator" or "energy recovery ventilator" means a device or combination of devices applied to transfer energy from the exhaust air stream for use within the dwelling or an attached building. The use of the term heat recovery ventilator includes energy recovery ventilator.

E. "People ventilation" means the cfm of outdoor air needed for normal occupancy of the house. It is designed to be operated whenever the house is occupied. The air flow rate depends upon the number of bedrooms in the house.

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

Subp. 3. **Outdoor air requirements.** Residential ventilation systems must be installed as required by this subpart to provide not less outdoor air than the ~~people ventilation and supplemental ventilation air quantities together~~ total ventilation rate (cfm) of 0.05 times the area of the house in square feet. For the purposes of equipment requirements and protection against depressurization requirements of this chapter, the total ventilation rate may be divided into people ventilation and supplemental ventilation rates. If the total ventilation rate is not divided, then the most stringent requirement for either people or ventilation rate must apply.

A. The people ventilation rate is 15 cfm for each bedroom plus an additional 15 cfm. The minimum people ventilation rate is 45 cfm, or when baths or kitchens are chosen to be continuously ventilated the minimum people ventilation rate is the continuous ventilation rate required by the State Building Code, whichever is greater.

B. The supplemental ventilation rate is the conditioned floor area of the house ~~divided by 20~~ multiplied by 0.05 (in cfm) less the people ventilation rate. The conditioned floor area includes the basement.

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

### Subp. 4. **Equipment requirements.**

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

B. Fans must be designed to deliver design air flow.

[For text of subitem (1), see M.R.]

(2) Ventilation system design must be based on fan air flow ~~must be tested in accordance with~~ and rated according to HVI Standard 916.

~~(3) Single point exhaust and supply fans must be rated to provide design air flow at not less than 0.25 inch water column.~~

~~(4) Inline fans, multiple ducted fans, and heat recovery ventilator fans must be rated to provide design air flow at 0.40 inch water column.~~

C. Heat recovery ventilator rated design flow rate must be the average flow rate for a one-hour period at the ventilation design conditions. The average hourly ventilation capacity must be determined in consideration of any reduction of exhaust or outdoor air intake, or both, for defrost or other equipment cycling.

(1) Performance must be tested according to CAN/CSA-439, by an approved laboratory meeting the requirements of part 7678.0500, subpart 9, item B. Products certified according to HVI Standard 920 meet the requirements of this subitem.

EXCEPTION: As an alternative to parts 10.6 and 10.7 of CAN/CSA-439, the manufacturer must certify the heat exchanger outdoor air intake and exhaust flow rates and low temperature reduction factor at continuous conditions not less stringent than the ventilation design conditions.

(2) Heat recovery ventilators must meet UL1812 or equivalent.

(3) A label stating the manufacturer or provider of the equipment warranty, ~~ventilation design condition average hourly ventilation capacity net air flow, and tested performance~~ sensible recovery efficiency at 32 degrees Fahrenheit and the ventilation design condition must be permanently affixed to the equipment.

(4) All heat recovery ventilation systems must be equipped with readily accessible air filters.

D. Residential ventilation system fans to provide the people ~~capacity~~ ventilation must have a maximum sound rating of 1.5 sonas. Surface mounted fans designed to provide people ventilation must have a maximum sound rating of 1.0 sonas. Testing must be in accordance with HVI Standard 915.

EXCEPTION: Heat recovery ventilator fans and in-line fans ~~which are not within the scope of HVI Standard 915~~ are exempt from sound testing or rating requirements.

### Subp. 5. **Distribution and installation requirements.**

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

B. Outdoor air inlets in a habitable room ~~or provisions for air to a supply duct system~~ with design flow greater than 20 cfm for a residential ventilation system not circulating outdoor air through a forced air system must be designed and installed to temper incoming air to not less than 40 degrees Fahrenheit at ventilation design conditions (outdoor temperature of minus 13 degrees

Fahrenheit). Tempered air is measured at the point of distribution to the habitable room when the mechanical ventilation system is neither in defrost mode nor serving as a source of make-up air.

C. Outdoor air must be delivered to each habitable room by individual inlets, separate duct systems, or a forced air system. Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means where permitted by the Minnesota State Building Code. When outdoor air is not delivered to habitable rooms by either individual inlets or a separate duct system, the forced air system must be controlled according to item H, subitem (2).

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

K. Labeling must be provided to notify occupants of purposes and precautions for residential ventilation system components.

[For text of subitem (1), see M.R.]

(2) Heat recovery ventilators must ~~have a permanently affixed label identifying the manufacturer and stating the rated efficiency~~ be labeled as required in subpart 4, item C, subitem (3).

[For text of subitem (3), see M.R.]

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

~~M. Written certification must be provided ensuring that all components of the residential ventilation system are functioning in the manner intended, including fans, ducts, controls, dampers, grilles, and registers.~~

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

**Subp. 7. Performance path.**

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

B. The ventilation air capacity specified in subpart 3 must be met. Outdoor air must be delivered to each habitable room.

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

**7672.1100 SERVICE WATER HEATING.**

[For text of subps 1 to 6, see M.R.]

**Subp. 7. Pipe insulation.**

A. Minimum pipe insulation for domestic and service water heating systems must comply with this subpart. Pipe insulation is assumed to have a k-value of 0.27. If the k-value of a product is less than 0.22, then the thickness must be adjusted to have an equivalent R-value.

(1) Pipes in conditioned ~~and semi-conditioned~~ spaces must have a one-half inch minimum of insulation.

[For text of subitems (2) to (4), see M.R.]

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

**7672.1200 ADDITIONS, ALTERATIONS, AND REPAIRS TO EXISTING RESIDENTIAL BUILDINGS.**

Subpart 1. **General.** Additions, alterations, and repairs to existing buildings classified as Group R, Division 3 Occupancies detached one- and two-family dwellings must comply with the requirements of this part only. Enforcement of this part for dwellings whose permit for initial construction was applied for prior to the effective date of this chapter shall not require compliance with either part 7672.0900, subpart 8, protection against depressurization, or part 7672.1000, residential ventilation system. For dwellings whose permit for initial construction was applied for on or after the effective date of this chapter, enforcement of this part shall require compliance with part 7672.0900, subpart 8, or 7672.1000 if the addition, alteration, or repair would require an increase in either the combustion air, ventilation air, or make-up air requirement.

Subp. 2. ~~Affecting~~ **Reducing air leakage.** If an addition or alteration ~~affects~~ reduces the air leakage characteristics or capacity of a building, and vented appliances are present that are not sealed or power vented and are without combustion air supply, then a combustion air supply must be provided according to the Minnesota State Building Code, chapter 1346. Alterations that will likely ~~effect~~ reduce the air leakage characteristics or capacity of a building include attic insulation, wall insulation, applying siding underlayment, or the replacement of a majority of window or door units.

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## Adopted Rules

EXCEPTION: A combustion air supply need not be provided where either:

A. a worst case draft test is performed according to Children, Families, and Learning Worst Case Draft Test and documentation is provided that the vented appliances continue to draft within established parameters of the worst case draft test procedure; or

B. a test is performed according to CGSB Standard 51.71, The Spillage Test, and the measured levels of house depressurization can be tolerated by the fuel burning appliances in the house.

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

Subp. 4. **Conversions.** A change in the occupancy ~~or use~~ of an existing building ~~or structure constructed under this chapter classified as Group R, Division 3 Occupancies detached one- or two-family dwelling~~ which would require an increase in demand for either fossil fuel or electrical energy supply ~~shall not be permitted unless requires that the building or structure is made to comply with the requirements of either this chapter or chapter 7674 or 7676 as appropriate for the converted building.~~

EXCEPTION: Existing HVAC and service water heating equipment within an existing building is not required to be replaced.

[For text of subps 5 to 8, see M.R.]

**INCORPORATIONS BY REFERENCE:** Part 7672.0400: HVI Standard 920, Product Certification Procedure; ANSI Z21.47, Gas-Fired Central Furnaces. Available at State Law Library and Minitex interlibrary loan system.

## 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.

## Department of Transportation

### Adopted Permanent Rules Relating to the Transportation Revolving Loan Fund

The rules proposed and published at *State Register*, Volume 23, Number 9, pages 497-501, August 31, 1998 (23 SR 497), are adopted with the following modifications:

#### 8805.0100 DEFINITIONS.

Subp. 6. **Benefit-cost analysis.** "Benefit-cost analysis" evaluates the benefits to society of a project in comparison to the project's costs. Benefits are the additions to society's resources that result from a program or project. Costs are the resources used to carry out the program or bring about the project. ~~Wherever~~ Whenever possible, benefits and costs are valued in monetary terms to permit comparison and aggregation. ~~Discounting reduces future benefits and costs to a single present value equivalent. The net present value of each investment alternative is the present value of benefits less the present value of costs. A positive net present value is desirable.~~

#### 8805.0500 PROJECT CERTIFICATION.

Subpart 1. **Certification decision.** The commissioner shall make a decision of whether to certify a project after the commissioner reviews the application under part 8805.0300 and has evaluated the project using the criteria listed in part 8805.0400. A project shall be certified by the commissioner if it meets the eligibility criteria in part 8805.0200 and receives ~~a favorable rating from approval based on~~ the application of the criteria in part 8805.0400.

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rule-making 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.

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## Department of Agriculture

### Agronomy and Plant Protection Division

#### Notice of Adoption of Voluntary Best Management Practices for Managing Pests and Pesticides in Agronomic Crops

**NOTICE IS HEREBY GIVEN** that the State Department of Agriculture has adopted Voluntary Best Management Practices for managing pests and pesticides in agronomic crops.

The adoption of Best Management Practices is authorized by *Minnesota Statutes* 18B.04 which requires the Commissioner of Agriculture to develop Best Management Practices for pesticides impacting surface water and ground water of the state.

Notice that the proposed Voluntary Best Management Practices for managing pests and pesticides in agronomic crops was first published in the Monday, October 21, 1996 issue of the *Minnesota State Register*.

Interested parties or groups may direct inquiries about Voluntary Best Management Practices for managing pests and pesticides in agronomic crops to the State Department of Agriculture at the following address:

Jerry Spetzman  
Minnesota Department of Agriculture  
90 West Plato Boulevard  
St. Paul, MN 55107  
Telephone (651) 297-7269, FAX (651) 296-7386  
Electronic Mail: [Jerome.Spetzman@State.MN.US](mailto:Jerome.Spetzman@State.MN.US)

Interested parties may also view the BMPs at the Department of Agriculture home page at [WWW.MDA.STATE.MN.US](http://WWW.MDA.STATE.MN.US)

## Department of Agriculture

### Minnesota Rural Finance Authority

#### Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C, for 160 Acres of Farmland in Moscow Township, Freeborn County

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on January 1, 1999, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 160 acres of farmland located in Section 20, Moscow Township, Freeborn County, Minnesota on behalf of Kevin D. and Marcy Viktora, a married couple (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$190,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 December 1998

Jim Boerboom  
RFA Director

## Department of Agriculture

### Minnesota Rural Finance Authority

#### Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C, for 140 Acres of Bare Farmland in Fairview Township, Lyon County

**NOTICE IS HEREBY GIVEN** that a public hearing will be held on January 1, 1999, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 140 acres of bare farmland located in Section 25, Fairview Township, Lyon County, Minnesota on behalf of Russ and Suzanne Louwagie, a married couple (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$182,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 December 1998

Jim Boerboom  
RFA Director

## Department of Children, Families and Learning

#### Notice of Application for Continued Funding From the Bureau of Justice Assistance

The Office of Drug Policy and Violence Prevention is submitting an application for continued funding from the Bureau of Justice Assistance. The Edward Byrne Memorial State and Local Law Enforcement Assistance (Byrne) Program, authorized by the Anti-Drug Abuse Act of 1998, is administered by the Bureau of Justice Assistance (BJA) of the Office of Justice Program (OJP), U.S. Department of Justice. The program is designed to assist States and local units of government in carrying out specific programs that offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on drug-related and violent crime, serious offenders, and multi-jurisdictional and multi-State efforts to support the National Drug Control Strategy. Those wishing to comment on the application may contact Mary Ellison at the Department of Children, Families and Learning (651) 582-8344.

## Department of Health

### Division of Environmental Health

#### Request for Comments on Planned Amendment to Rules Governing Public Water Supplies, *Minnesota Rules*, Chapter 4720

**Subject of Rules.** The Minnesota Department of Health requests comments on its planned amendment to rules governing Public Water Supplies. The Department is considering rule amendments that incorporate by reference the federal regulations found at *Code of Federal Regulations*, title 40, part 141. Recent amendments to the *Code of Federal Regulation* include: 1) technical corrections to the lead and copper rule; 2) technical corrections to the phase II and phase V rule; 3) changes to analytical methods; and 4) a requirement to develop and implement a capacity development program for new community and nontransient noncommunity public water supplies.

The planned amendment is required in order for the State to retain federally delegated program authority and existing levels of federal funding for the Department of Health's Public Water Supply Program. The Department plans on incorporating the required federal provisions as they exist at this time and, also, as subsequently amended.

This notice supersedes the Department of Health's previous Request for Comments Governing Public Water Supplies published in the *State Register* on September 8, 1997 (22 S.R. 401).

**Persons Affected.** The amendment to the rules would likely affect public water suppliers.

**Statutory Authority.** *Minnesota Statutes*, section 144.383, paragraph (e), authorizes the Department to adopt rules in order to insure safe drinking water in all public water supplies. The rules must be no less stringent than federal regulation.

**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 to withdraw the rules. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

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

**Agency Contact Person.** Written comments, questions, and requests for more information on these planned rules should be addressed to:

Dennis Maki  
Division of Environmental Health, Department of Health  
121 East Seventh Place, Suite 220  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
Phone: (651) 215-0756  
Fax: (651) 215-0979  
TTY: (651) 215-0707  
E-mail: [dennis.maki@health.state.mn.us](mailto:dennis.maki@health.state.mn.us)

**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.

## Department of Labor and Industry

### Labor Standards Unit

#### Notice of Additions to Commercial Prevailing Wage Rates

Additional classes of Labor, **Code 425, Drywall Taper in Crow Wing County; Code 409, Glaziers in Norman County; Code 424, Tile Setters in McLeod County AND in Polk County**, which were certified 10/26/98.

A correction has been made to **Labor Code 407, Electricians, in Itasca County**, which were certified 10/26/98.

Copies of the additional certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.65 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich  
Commissioner

## Department of Labor and Industry

### Notice of Correction to Highway/heavy Prevailing Wage Rates

A correction has been made to the Highway/Heavy Prevailing Wage Rates certified 11/16/98 due to an error in calculation for **Groups 2, 3, 4, 5, and 6: Regions 1, 3, 6, and 9.**

Copies of the corrected certifications may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or by calling (651) 296-6452. Charges for the cost of copying and mailing are \$1.00 for the first page and \$.65 for each additional page. Make check or money order payable to the State of Minnesota.

Gretchen Maglich  
Commissioner

## Department of Labor and Industry

### Notice of Membership of Rulemaking Advisory Committees

This publication contains the membership of rulemaking advisory committees that commented on rules under active consideration this year. This publication refers to those committees where the membership list has not been published in the *State Register*. This is being published in the *State Register* to comply with *Minnesota Statutes*, section 14.101, subd. 2. If you have any questions about this publication contact Mary Miller, Legal Services, by mail at the Minnesota Department of Labor and Industry, 443 Lafayette Road, St. Paul, Minnesota 55155 or by telephone at (612) 296-8726. TTY users may call the Department of Labor and Industry at (612) 297-4198.

Medical Fees Schedule Rulemaking: Minnesota Medical Association, Linda Carrol-Sherm; National Association of Social Workers' MN Chapter, Director; Minnesota Dental Association, Susan Lightfoot; Minnesota Optometric Association, James Meffert-Nelson; Minnesota Association of Optometrists & Opticians, Susan Ladwig; Minnesota Podiatrists Medical Association, Deb Siverhus; Minnesota Chiropractic Association, Kendra Calhoun; Minnesota Psychological Association, Rebecca Buller; Minnesota Pharmacists Association, William E. Bond; Minnesota Hospital and Health Care Partnership, Steve Rogness; Occupational Therapist Association, Louise Montague; Minnesota Academy of Physicians Assistants, Director; American Physical Therapy Association, Director; Minnesota Dental Association, Director; Minnesota Nurses Association, Marilyn Cunningham; Minnesota Health Information Management Association, JoAnn Yohn; HFMA/MAMA, Pat Johnson; AAHAM, Susan Hoel; Minnesota Medical Group Management Association, Jim Tierney; American Guild of Patient Account Management, Lois Wakefield; MMGMA, Greg Mauer; Minnesota Osteopathic Medical Society, Drenda Wedell.

High Pressure Piping Rules Advisory Committee: James Dowell; David Green, Pipefitter Local 126; Charles Lemke; Steven Pettersen; Aaron Toltzman, Western National Insurance Company; David Zitzmann; Charles Fritze, Jr.; David Grong; James O'Gary, I U O E Region 6; Gregory Rosier; Monica Vik.

## Department of Public Safety

### State Fire Marshal Division

### Notice of Publication of Rulemaking Advisory Committee

#### *Minnesota Rules*, Chapter 7512 Governing Fire Protection Systems

Pursuant to *Minnesota Statutes*, section 14.101, subdivision 2, the Department of Public Safety's State Fire Marshal Division is publishing the following list of rulemaking advisory committee participants:

Alan Moy, Sprinkler Contractor (NFSA)  
Frank Winiecki, Sprinkler Contractor (AFSA)  
John Loftus, Minnesota State Fire Chiefs Association  
Marilyn Arnlund, Fire Marshal's Association of Minnesota  
James Kelzenberg, Sprinkler Fitter (Local 417)  
Jerald Laumeyer, Sprinkler Fitter (Local 417)



Until August 1, 1998, this group assembled as a standing advisory committee to the State Fire Marshal Division. The committee's members were appointed by the Governor in 1993 and its duties included, but were not limited to, rules review. On August 1, 1998, the committee was officially dismantled by legislation and a new council was formed. The Department determined that, in light of the former committee's history with the rules revisions, the above-mentioned members would be reassembled as a rulemaking advisory committee for the sole purpose of reviewing any proposed rules before a notice of intent to adopt is published. This committee has no other duties.

## **Department of Trade and Economic Development**

### **Minnesota Agricultural and Economic Development Board**

#### **Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A, on Behalf of Lutheran Social Services of Minnesota**

**NOTICE IS HEREBY GIVEN** that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on January 13, 1999, at 9:00 a.m. o'clock, at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of one or more series of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf Lutheran Social Service of Minnesota, a Minnesota nonprofit corporation (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the financing of acquisition of vehicles and the acquisition of housing facilities to provide health care services (the "Project") at the following locations and in amounts not to exceed the following: Housing Facilities: (i) 8306 Nicollet Avenue South, Bloomington, MN, \$141,000; (ii) 7538 Bryant Avenue South, Richfield, Minnesota, 143,000; (iii) 301 West 73rd Street, Richfield, Minnesota, 159,000; (iv) 7021 12th Avenue South, Richfield, Minnesota, 123,000; Vehicles: (i) 1968 Foxridge Road, St. Paul, Minnesota, 44,000; (ii) 8306 Nicollet Avenue South, Bloomington, Minnesota, 23,000; (iii) 7536 Bryant Avenue South, Richfield, Minnesota, 23,000; (iv) 301 West 73rd Street, Richfield, Minnesota, 23,000; (v) 1205 NE Ninth Avenue, Brainerd, Minnesota, 39,000; (vi) 706 Tenth Street SW, Little Falls, Minnesota, 39,000; (vii) 9239 Idaho Street, Duluth, Minnesota, 22,000; (viii) 125 Park Avenue, International Falls, Minnesota, 23,000; (ix) 130-2 17th Street SW, International Falls, Minnesota, (x) 23,000; 820 Eickhof Boulevard, Crookston, Minnesota, 23,000; (xi) 714 East Highland, Fergus Falls, Minnesota, 40,000; (xii) 5225 T.H. No. 61, Red Wing, Minnesota, 28,000; (xiii) 1614 Cedar, Alexandria, Minnesota, 45,000; (xiv) 601 North Lakeshore Drive, Lake City, Minnesota, 23,000; (xv) 4130 Cedardale Lane South, Baxter, Minnesota, 44,000; (xvi) 2341 State Highway 200, Ada, Minnesota, 44,000; (xvii) 1151 33rd Street Southwest, Brainerd, Minnesota, 44,000; (xviii) 3430 Donald Street, Baxter, Minnesota, 44,000; (xix) 126 Shorewood Street, International Falls, Minnesota, 44,000; (xx) 5225 T. H. No. 61, Red Wing, Minnesota, 29,000; (xxi) 2831 Lexington Avenue, #101, Roseville, Minnesota, 29,000; (xxii) 411 Fifteenth Street, Red Wing, Minnesota, 29,000; (xxiii) 2485 Como Avenue, St. Paul, Minnesota, 29,000; (xxiv) 4911 West Highway 61, Red Wing, Minnesota, 29,000; (xxv) 316 Sunrise Lane, Atwater, Minnesota, 29,000; (xxvi) 1232 East Patricia Court, Marshall, Minnesota, 29,000; (xxvii) 1008 10th Street South, Brainerd, Minnesota, 29,000.

The initial owner of the Project is the Applicant and the Project will be owned, operated and managed by the Applicant. It is contemplated that the Project will be used as nursing homes, senior housing, assisted living or related facilities. The total estimated amount of the Board's proposed bond issues is an amount not to exceed \$3,000,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

This Notice of Public Hearing is being given pursuant to Section 147(f) of the *Internal Revenue Code* of 1986, as amended.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 9 December 1998

BY ORDER OF THE MEMBERS OF THE MINNESOTA  
AGRICULTURAL AND ECONOMIC DEVELOPMENT BOARD  
Paul Moe, Executive Director  
Minnesota Agricultural and Economic Development Board

# 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 Health

### Notice of Availability of Funds for Metro-Wide Community-Based Outreach and Patient Recruitment to Breast and Cervical Cancer Screening Program

The Minnesota Department of Health (MDH) is issuing a Request for Proposal (RFP) to distribute funds to organizations to raise awareness and provide education within the African-American and Asian populations of the Metropolitan Twin Cities area regarding breast and cervical cancer screening, and enroll women into the Minnesota Breast and Cervical Cancer Control Program (MBCCCCP).

Up to \$150,000 is available to fund up to 4 organizations to conduct the specified outreach and patient recruitment. Agencies will be funded from April 1, 1999 to September 30, 2000.

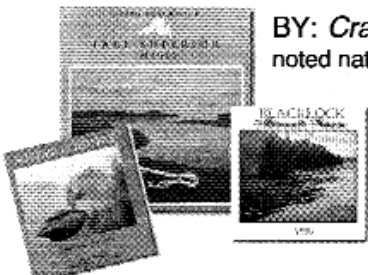
For a copy of the RFP, please contact:

Theresa Leonard, MPH  
Minnesota Department of Health  
Cancer Control Program  
717 Delaware Street SE  
PO Box 9441  
Minneapolis, MN 55440-9441  
(612) 676-5595


Proposals are due by 4:00 p.m. Friday, February 5, 1999

An informational meeting regarding this RFP will be offered on:


January 19, 1999  
2:30 - 4:30 p.m.  
Minnesota Department of Health Service Center  
Mississippi Room  
1645 Energy Park Drive  
St. Paul, Minnesota



BY: *Craig Blacklock*,  
noted nature photographer




BY: *Eleanor Ostman*,  
St. Paul Pioneer Press  
food columnist



BY: *Carrol Henderson*,  
DNR Non-Game Wildlife  
Specialist

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# 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].

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## Department of Administration

### Materials Management Division

#### Notice of Request for Proposals for Internet/Intranet Security

Request for Proposal to establish a statewide contract(s) for the system analysis, procurement, installation, maintenance, and training of Cisco-Pix, Checkpoint Firewall-1, and Secure Computing Sidewinder firewall systems.

A non-mandatory pre-proposal conference will be held on Tuesday, December 29, 1998, at 2:00 p.m. in Room 500 of the Centennial Office Building.

Proposals will be due on January 25, 1999, at 3:00 p.m.

Contact the Materials Management Division

50 Sherburne Avenue  
St. Paul, MN 55155  
(651) 296-2600 - Phone  
(651) 297-3996 - FAX

for a copy of the complete Request for Proposal.

## Department of Administration

#### Notice of Request for Proposal for Rental of Office/Training/Firing Range Space

The Department of Administration on behalf of the Minneapolis Community and Technical College; Center for Criminal Justice and Law Enforcement desires proposals for the rental of approximately 34,500 usable square feet of office/training/firing range space in the Twin Cities Metropolitan area. For requirements contact:

Department of Administration  
Real Estate Management Division  
309 Administration Building  
50 Sherburne Avenue  
St. Paul, Minnesota 55155  
Telephone: (651) 296-6674

Proposals must be submitted by 4:30 p.m., CST on Friday, January 22, 1999.

## Professional, Technical & Consulting Contracts

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### Attorney General' s Office

#### Request for Proposals to Provide Software and Services for Delivery, Installation, and Maintenance of a Case Management System

Opening Date: January 22, 1999

Time: 3:00 PM Central Standard Time

The purpose of the Request for Proposal (RFP) is to evaluate and select a vendor to provide the software and services for the delivery, installation and maintenance of a Case Management System (CMS) for the Office of the Minnesota Attorney General (AGO). The CMS being sought should be a pre-manufactured system, but it must be able to be customized to the specific needs of AGO and its divisions.

The AGO is a public law office with a total staff of 500 persons, virtually all of whom will be users of a CMS. The AGO represents all of Minnesota state government agencies and bodies and is occasionally asked to represent local government units. The AGO's review and coordination body for the CMS project is the Information Resource Committee (IRC) which is made up of attorneys, legal assistants, and support staff members

As the information needs of AGO staff grow, AGO has determined that the office needs a centralized computer system to improve office effectiveness and productivity. To meet this goal, AGO intends to acquire with legislatively appropriated funds a Case Management System (CMS).

For purposes of this RFP, the CMS shall generally be construed as a computer-based software system that will provide the ability of AGO to, among other things, easily discern the status of cases and other office activities, compare and relate the identities of, and ways to contact principals involved in, those activities, manage expenditures for the activities, permit professional staff to electronically record time spent on activities, to know when responses are due on cases, and to permit AGO managers to make informed human and financial resource decisions in the office. The CMS will automatically, and on command, be able to generate a variety of documents, labels, reports and calendars based on business rules as determined by the AGO.

Responses to the RFP are due to the AGO Contact by no later than January 22, 1999, when sealed responses will be opened and the names of responders read. An optional vendor's conference will be conducted on Friday, January 8, 1999 in St. Paul. Demonstrations by vendors may be requested and final selection of a vendor is anticipated by March 2, 1999, with a final contract executed with that vendor by approximately March 12, 1999. Delivery of the CMS installed on the AGO system ready for testing must occur no later than May 4, 1999, and completion of testing and training of AGO technical staff must occur by no later than June 30, 1999 with the CMS ready for end-user operation.

If you are interested in receiving a copy of the full RFP, please request one in person, by phone, by fax or by email from the AGO Contact, whose name, phone number, fax number and email address is given below. Provide the full name, address, phone number, and fax number of your company, as well as a specific contact individual.

#### AGO Contact

Gilbert S. Buffington  
Assistant Attorney General  
Suite 200, 525 Park Street  
St. Paul, Minnesota 55103  
Phone: (651) 297-1139  
FAX: (651) 297-1235  
Email: [steve.buffington@state.mn.us](mailto:steve.buffington@state.mn.us)

## Minnesota Auto Theft Prevention Program

### Grant Availability for State, County, Local Police Departments, Governmental Agencies, Prosecutors, Judiciary, Businesses, Community and Neighborhood Organizations

The Board of the Minnesota Auto Theft Prevention Program announces the availability of over \$1,865,000.00 in grant funds accessible for the July 1, 1999 through June 30, 2000 grant period. Applications will be accepted from State, County, Local Police Departments, Governmental Agencies, Prosecutors, Judiciary, Businesses, Community and Neighborhood Organizations. This reimbursement grant program must be for projects dedicated to the area of auto theft. Grant application packets may be obtained by contacting Dennis Roske at the Auto Theft Prevention Program Office at (612) 405-6153 or 405-6155. To be considered, applications must be received in the MATPP office in Mendota Heights by 4:30 p.m. on December 31, 1998.

## Minnesota State Colleges and Universities (MnSCU)

### Invitation to Bid for Price Agreement Contract for Binding Books, Periodicals, Paperbacks and Newspapers

Sealed bids will be received by the system office of the Minnesota State Colleges and Universities, 500 World Trade Center, 30 East Seventh Street, St. Paul, Minnesota 55101, on or before January 28, 1999 at 2:00 P.M., at which time they will be publicly opened and read aloud.

Copies of the specifications and bid instructions may be obtained by calling Carol Zwinger at (651) 296-7506 or via FAX request at (651) 296-8488. All bids to be considered must be submitted on MnSCU approved bid forms.

The award will be based upon, but not necessarily limited to, factors of price, lead time, and agreement to MnSCU's terms and conditions.

MnSCU 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.

## Minnesota State Colleges and Universities

### Minnesota Satellite & Technology

#### Request for Proposal for Satellite Transponder Time for Digital Broadcasting

The Minnesota State Colleges and Universities, on behalf of Minnesota Satellite & Technology (hereinafter "MnSAT") request proposals for satellite transponder time for digital video and data satellite broadcasting purposes. Bandwidth and cost scenarios are requested for video and data transmission capacity, and for re-pointing of antennas.

The proposals are due by Noon, Friday, January 8, 1999. They will be opened at 2 PM in the MnSAT offices. To secure a copy of the Request for Proposal, please contact Ms. Barbara Knowles, 500 Minnesota World Trade Center, 30 East 7th Street, St. Paul, MN 55101. Requests may be made by telephone at (651) 296-2383, FAX at (651) 296-7978, or e-mail at [barbara.knowles@so.mnscu.edu](mailto:barbara.knowles@so.mnscu.edu).

## Department of Health

### Health Policy & Systems Compliance Division

#### Notice of Request for Proposals for Actuarial Services

The Minnesota Department of Health is seeking proposals from firms with strong qualifications in health plan operations and affairs. The MDH is the regulatory agency that licenses health maintenance organizations. The Managed Care Systems Section reviews premium rates for large group, small employer, individual, conversion, and Medicare supplement plans for actuarial justification and compliance with Minnesota laws. The contractor will be required to submit a letter of understanding for approval prior to the start of any project. The letter of understanding will include a description of the tasks to be completed, and estimated time line, a list of personnel that will work on the project and their hourly billing rate, and a detailed budget. Tasks will include: reviewing the health maintenance organization or community integrated services network rate information, requesting supporting documentation as appropriate, and recommending approval, disapproval or rate adjustment.

Details are contained in a request for proposals which may be obtained by contacting:

Sue Oudsema  
Minnesota Department of Health  
Health Policy and Systems Compliance Division  
121 East Seventh Place  
P.O. Box 64975  
St. Paul, Minnesota 55164-0975  
(651) 282-5608

Proposals are due by 4:00 p.m. on January 11, 1999.

## Professional, Technical & Consulting Contracts

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In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, certified 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 more information regarding certification, contact the Materials Management Helpline at (612) 296-2600 TTY (612) 282-5799.

## Minnesota Higher Education Services Office

### Request for Proposals for Independent Financial Advisory Services

The Minnesota Higher Education Services Office (MHESO) is requesting proposals from qualified independent financial advisors to provide fiscal consultation regarding funding for its supplemental student loan programs and to assist in the preparation of documents necessary to issue revenue bonds or other financing mechanisms as appropriate. Proposals must be submitted by January 29, 1999.

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 \$125,000.

Copies of the complete RFP are available from:

Financial Services Division  
Minnesota Higher Education Services Office  
1450 Energy Park Drive, Suite 350  
St. Paul, MN 55108-5227  
(651) 642-0516

## Department of Transportation

### TRIM

### Notice of Availability of a Contract for Leakage Study at Selected Minnesota Airports

The Minnesota Department of Transportation is requesting proposals from consulting firms with expertise in commercial air transportation to conduct a leakage study for the cities of Bemidji, Brainerd, Duluth, Fairmont, Grand Rapids, Hibbing, Rochester, Saint Cloud and Thief River Falls. Interested firms are invited to submit proposals to provide professional services for this project. Submittal should also include a summary of the firm's qualifications and experience in doing studies of this type.

The Department of Transportation has estimated that the cost of this project need not approach, but shall not exceed, \$50,000.00

It is anticipated that the contract period will begin on March 1, 1999 and continue through September 1, 1999 or six months from the beginning of the project.

For further information, or to obtain a copy of the complete Request for Proposals, contact: Lyle Mehrkens at 651-296-2081 or Dick Theisen at 651-296-2552. Mn/DOT Office of Aeronautics, 222 East Plato Boulevard, Saint Paul, MN 55107.

Proposals must be received at the above address no later than 4:00 PM on January 22, 1999.

The request does not obligate the State of Minnesota, Department of Transportation, to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

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# 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.

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## Minnesota Historical Society

### Request for Bids for Printing MHS Press Catalog

The Minnesota Historical Society is seeking bids for printing, binding, and mailing of the MHS Press Publications Catalog for Spring 1999.

The Request for Proposal is available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (651) 297-5863 [jenna.gruen@mnhs.org](mailto:jenna.gruen@mnhs.org).

All bids must be received by Jenna E. Gruen, Contracting Officer, or an authorized agent, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 by Tuesday, January 12, 1999 at 2:00pm central time. A bid opening will be conducted at that time. Late proposals 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.

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

## Minnesota Historical Society

### Request for Bids for Printing and Production of Three Issues of Planned Giving Newsletter

The Minnesota Historical Society is seeking bids for printing and production of the Minnesota Historical Society's new planned giving newsletter, "Remembering Minnesota." We will send the newsletter three times per year (spring, fall and winter issues) to approximately 9,000 individuals and couples who are largely 50 years old and above. The purpose of the newsletter is to educate donors about various planned gift options available through MHS. Bidder must provide well-written, technically correct text for each issue of the newsletter and reply booklet, which does not require significant rewriting and editing on the part of the Director of Planned/Major Gifts or any other Development Office or Minnesota Historical Society staff. Bidder must have a substantial number of planned giving articles and accompanying reply booklets from which to choose for each newsletter issue and keep current the content of articles, especially with regard to changes in relevant payout rates and estate tax laws.

The Request for Proposal is available by calling or writing Jenna Gruen, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone is (651) 297-5863 [jenna.gruen@mnhs.org](mailto:jenna.gruen@mnhs.org).

All bids must be received by Jenna E. Gruen, Contracting Officer, or an authorized agent, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 by Wednesday, January 13, 1999 at 2:00pm central time. A bid opening will be conducted at that time. Late proposals 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.

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

## Non-State Public Bids, Contracts & Grants

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### Metropolitan Council

#### Invitation for Bids on Computer Equipment Maintenance Services

Sealed bids will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on January 11, 1999, at 3:00 P.M., at which time and place they will be publicly read, for computer equipment maintenance services on an as-needed basis.

Copies of the specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling (651) 602-1499 or via FAX request at (651) 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, lead time, 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

#### Invitation for Bids on Radio System for Metro Mobility Fleet

Sealed bids will be received at the offices of the Metropolitan Council, Mears Park Centre, 230 East 5th Street, St. Paul, Minnesota, 55101, on January 11, 1999, at 2:00 P.M., at which time and place they will be publicly read, for the acquisition of a 220-222 MHz Radio System for the Metro Mobility fleet of buses. Bid will include equipment, air time and service as well as all installation requirements.

Copies of the specifications and bid instructions may be obtained from the offices of the Metropolitan Council or by calling (651) 602-1499 or via FAX request at (651) 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, lead time, 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.

### 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.





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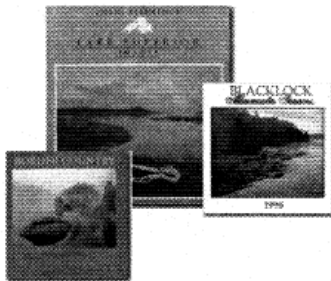
## A North Woods Holiday



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