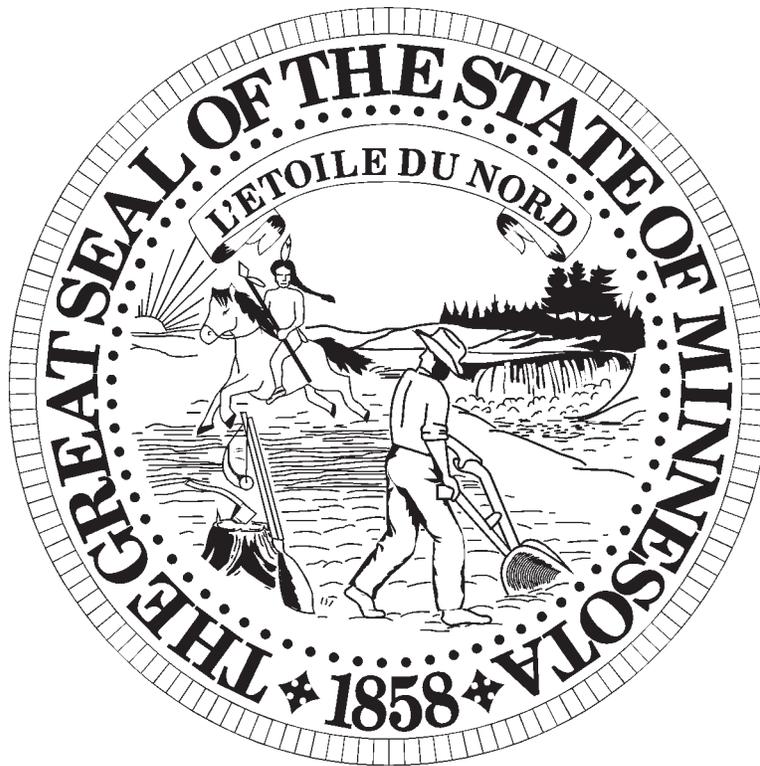


State of Minnesota

# State Register



**Rules and Official Notices Edition**

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

**Monday 21 August 2006**  
**Volume 31, Number 8**  
**Pages 229 - 280**

# 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, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

**PUBLISHING NOTICES:** Submit ONE COPY of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. E-MAIL submissions to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us), or FAX to: (651) 297-8260. Please follow FAX by sending originals and applicable forms or letters. The charge is \$14.40 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page is about 4/10s of a page in the *State Register*, or \$57.60. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

### SUBSCRIPTION SERVICES:

Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8774. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at **website:** <http://www.comm.media.state.mn.us> .

- **State Register: On-line subscription** – \$180, includes Early View, LINKS, INDEX, and Sidebar Table of Contents *sent to you via E-mail*.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- "Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

## Printing Schedule and Submission Deadlines

Vol. 31 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Both Adopted and Proposed RULES
# 8	Monday 21 August	Noon Tuesday 15 August	Noon Wednesday 9 August
# 9	Monday 28 August	Noon Tuesday 22 August	Noon Wednesday 16 August
# 10	<b>TUESDAY 5 SEPTEMBER</b>	Noon Tuesday 29 August	Noon Wednesday 23 August
# 11	Monday 8 September	Noon Tuesday 5 September	Noon Wednesday 30 August

Copyright © 2006 Communications Media Division, Department of Administration, State of Minnesota.

USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	
Carol L. Molnau, Lt. Governor	(651) 296-3391	Dana B. Badgerow, Commissioner	(651) 296-1424
Mike Hatch, Attorney General	(651) 297-4272	Communications Media Division:	
Patricia Anderson, State Auditor	(651) 297-3670	Mary Mikes, Director	(651) 297-3979
Mary Kiffmeyer, Secretary of State	(651) 296-2079		
		<i>State Register:</i>	
		Robin Panlener, editor	(651) 297-7963
		John Mikes, assistant editor	(651) 297-4616
		Jessie Rahmeyer, subscriptions	(651) 297-8774

## Minnesota Legislative Information

**Senate Public Information Office** (651) 296-0504  
State Capitol, Room 231, St. Paul, MN 55155  
**Website:** [www.senate.leg.state.mn.us/departments/secretary/seninfo.htm](http://www.senate.leg.state.mn.us/departments/secretary/seninfo.htm)

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

## Minnesota State Court System

**Court Information Office** (651) 296-6043  
MN Judicial Center, Rm. 135, 25 Rev. Dr. Martin Luther King Jr Blvd.,  
St. Paul, MN 55155 **Website:** [www.courts.state.mn.us](http://www.courts.state.mn.us)

## Federal Register

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

## Minnesota Rules: Amendments & Additions

Rules Index - Vol. 31, #8, Monday 21 August 2006 ..... 232

## Proposed Rules

### Administration Department

Don't Waste Time..... 233

### Pollution Control Agency

Municipal Division: Proposed Permanent Rules Relating to Hazardous Waste Manifests..... 233

## Expedited Emergency Rules

### Natural Resources Department

Adopted Expedited Emergency Game and Fish Rules: Youth Waterfowl Day, Early Goose Hunting, Waterfowl Feeding and Resting Areas..... 248

Division of Fish and Wildlife: Adopted Expedited Emergency Game and Fish Rules: Wildlife Management Areas, Game Refuges, Ruffed and Spruce Grouse Seasons, Pheasant Season, Gray Partridge Season, Mourning Dove Season..... 250

Adopted Expedited Emergency Game and Fish Rules: 2006 Deer Season..... 252

## Official Notices

### Agricultural Society (Minnesota State Fair)

General Business Meetings on August 25 and September 3, 2006..... 268

### Comprehensive Health Association

Meeting of Executive Committee on August 28, 2006..... 268

### Human Services Department

Health Care Purchasing and Delivery Systems Division, Health Care Administration: Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs..... 268

### Pollution Control Agency

Industrial Division: Intent to Reissue State Disposal System (SDS) General Permit MNG120000 for Metal Finishing Pretreatment Discharges..... 269

Municipal Division: Request for Comments on Planned Rule Amendments to Minnesota Rules Chapters 7150 and 7105 Governing Underground Storage Tanks (UST)..... 270

## State Contracts

### Administration Department

Save Time and Money..... 271

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: MCF -Shakopee 92 Bed Expansion..... 271

### Colleges and Universities, Minnesota State (MnSCU)

#### Alexandria Technical College:

Availability of Request for Proposal (RFP) for Owner Representative Selection for the Law Enforcement Center and Renovation of Classrooms, Library, and Bookstore.....272

### Chancellor's Office:

Availability of Request for Proposal (RFP) for Owner's Representative for Minnesota State Colleges and Universities Systemwide Initiatives – Design and Construction..... 272

### Dakota County Technical College:

Bids for Library Shelving..... 272

### Minneapolis Community & Technical College:

Intent to Request Proposals for an Independent Evaluation of the Power of "You Program"..... 273

### St. Cloud Technical College:

Request for Proposals for Packaged Water Chiller..... 273

### Judicial Branch

Request for Proposals for a Comprehensive Funding Analysis and Recommendation of Optimal Funding and Service Provision Structures for Minnesota's Drug Courts..... 273

### Teaching Board

Request for Proposals for a Study to Determine the Degree of Alignment Between Minnesota Teacher Licensing/Preparation Standards and Minnesota K-12 Academic Standards for Students..... 274

### Transportation Department (Mn/DOT)

Contracting Opportunities for a Variety of Highway Related Technical Activities (the "Consultant Pre-Qualification Program")..... 275

Professional/Technical Contract Opportunities..... 275

## Non-State Contracts & Grants

### County of Steele

Advertisement for Proposals for Inmate Phone Services..... 276

### Dakota County

Request for Proposal (RFP) for Driving With Care Services.... 276

### Metropolitan Airports Commission

Request for Qualifications Statements for Legislative Consultant Services..... 277

### Metropolitan Council

Advertisement for Sealed Bids for Installation of Switchgear and Cabling for 2 MW Generators..... 277

Invitation for Bids (IFB) for the Rental of Two 2 MW Generators for Standby Power at the Effluent Pumping Station at the Metropolitan Wastewater Treatment Plant from March through May for Each of Four Years..... 278

### Metropolitan Council - Metro Transit

Sealed Bids Sought for Asphalt Repairs at Martin J. Ruter Garage...278

Sealed Bids Sought for Asphalt Repairs at Nicollet Garage..... 278

### Minnehaha Creek Watershed District

Call For Bids and Bid Notice for the Highway 26 Wetland Restoration Project..... 278

### University of Minnesota

Request for Proposal to Perform Pre-demolition Environmental Remediation, Facility Demolition and Site Restoration..... 279

Subscribe to Bid Information Service (BIS)..... 279

# 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 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

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

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

### Cumulative Rules Index,

#### Volume 31, Issues # 1-8

Monday 3 July 2006 - Monday 21 August 2006

#### Dentistry Board

3100.0100; .1400; .1700; .3600; .5100; .5300; .8100; .8500;  
.8700 (proposed)..... 25

#### Health Department

4685.0801 (adopted)..... 35  
4685.0935, s. 2; .2400; .3300, s. 11; 4736.0100; 4763.0310;  
.0320; .0330 (repealed)..... 35

#### Labor & Industry Department

5200.1000 -.1120 (proposed)..... 91  
5205.0030; 5207.0005; .0100; .1000;  
5208.1500 (proposed)..... 159  
5205.0030 s. 5; 5207.0100, s. 5; .1000, s. 8  
(proposed repealer)..... 159

#### Natural Resources Department

6230.0200; .0290; .0400; 6234.0200; .0400; .0500;  
6240.0250 (adopted expedited emergency)..... 264  
6230.0290 (repealed expedited emergency)..... 264  
6232.0200; .0300; .0350; .0400; .0800; .1300; .1400;  
.1600; .1750; .1970; .2100; .2500; .4700 (adopted  
expedited emergency)..... 266  
6232.0900; .2550; .2560 (adopted expedited  
emergency)..... 208  
6232.0900 and 6232.2550, expires December 31, 2006  
(adopted expedited emergency)..... 208

6232.2560 expires December 31, 2006 (adopted  
expedited emergency)..... 208  
6232.4300; .4400; .4500; .4600  
(adopted expedited emergency)..... 36  
6232.4700 s. 86 (repealed expedited emergency)..... 266  
6236.0700; 6236.0810; 6237.0400; 6237.0550  
(adopted expedited emergency)..... 55  
6240.0610; .1200; .1850; .2100 (adopted  
expedited emergency)..... 262  
6264.0400 (adopted expedited emergency)..... 207  
6264.0400 s. 34; amendments 6264.0400 s. 33, 34  
(expedited emergency repealer)..... 227

#### Pollution Control Agency

7045.0020; .0090; .0125; .0127; .0137; .0212; .0261; .0262;  
.0265; .0270; .0292; .0302; .0322; .0325; .0375; .0385;  
.0452; .0474; .0476; .0482; .0556; .0580; .0582; .0588;  
.0675 (proposed)..... 233  
7045.0020, s. 54; .0261, s 5, 9 (proposed repealer)..... 233  
7046.0010; .0020; .0031; .0040; .0045; .0050; .0060; .0065;  
.0070 (proposed)..... 92

#### Racing Commission

7869.0100; 7870.0420; 7873.0188; 0190; 7877.0110; .0130;  
.0170; .0175; .0180; 7883.0160; 7884.0120; .0125; .0140;  
.0190; .0210; .0230; 7890.0100; .0110; .0120; .0130; .0140;  
.0150; .0160 (proposed)..... 100  
7877.0175 s. 6; 7884.0150 s. 1 (proposed repealer)..... 100

(continued next page)

# Minnesota Rules: Amendments and Additions

## Public Safety Department

3050.2900; .3100; .3400; .3600; .3700; .3750; .3800

(proposed)..... 129

3050.3100, s 2, 3; .3400, s 2 (proposed repealer)..... 129

## Transportation Department

8800.1600; .1650; .1700; .1800; .1900; .2000; .2100;

.2200; .3200; .3800; .3900 (proposed)..... 112

## Proposed Rules

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

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

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

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Department of Administration

### Don't Waste Time

Obtain MORE and FASTER information. You receive much more with a subscription than viewing the *State Register* on our website. Subscribe and receive many LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will also receive ALL the current rules, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (normal cost \$260 - an \$80 savings). Here's what you receive:

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

And it's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or **Fax:** (651) 297-8260, or **E-mail:** [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us)

## Pollution Control Agency

### Municipal Division

### Proposed Permanent Rules Relating to Hazardous Waste Manifests

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

Proposed Amendment to Rules Governing Hazardous Wastes, *Minnesota Rules*, 7045.0020, 7045.0090, 7045.0125, 7045.0127, 7045.0137, 7045.0212, 7045.0261, 7045.0262, 7045.0265, 7045.0270, 7045.0292, 7045.0302, 7045.0322, 7045.0325, 7045.0375, 7045.0385, 7045.0452, 7045.0474, 7045.0476, 7045.0482, 7045.0556, 7045.0580, 7045.0582, 7045.0588, 7045.0675

**Introduction.** The Minnesota Pollution Control Agency (MPCA) intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, 1400.2300 to 1400.2310 and the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also

# Proposed Rules

---

submit a written request that a hearing be held on the rules until 4:30 p.m., September 22, 2006.

**MPCA Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the MPCA contact person. The MPCA contact person is: Carol Nankivel, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194; **Phone:** (651) 297-8371; **e-mail:** [carol.nankivel@pca.state.mn.us](mailto:carol.nankivel@pca.state.mn.us); TTY users may call the MPCA at (651) 297-5353 or 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules will amend the state hazardous waste rules to reflect changes to the federal hazardous waste regulations and also to make changes to the state system for reporting shipments of hazardous waste. The proposed rules will adopt the federally mandated system for the use of a uniform hazardous waste manifest and associated changes to rules that govern the use of hazardous waste manifests. The proposed rules will also amend the state rules to reflect the federal regulations addressing the transfrontier shipment of hazardous waste to foreign countries. These, and the changes to adopt the use of the federal uniform manifest, are proposed to provide consistency with federal regulations.

The proposed rules will also make changes to Minnesota's system for tracking hazardous waste shipments. The rules formerly required that generators and facilities involved in the transportation of hazardous waste notify the MPCA of their activities. The rules will make changes to the existing process for notification, but will continue to require notification of regulatory authorities.

The statutory authority to adopt the rules is in *Minnesota Statutes*, section 116.07, subpart 4. The proposed rules are published below.

**Comments.** You have until 4:30 p.m. on September 22, 2006, 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 MPCA contact person by that date. Comment is encouraged. 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 on the legality of the proposed rules must also be made during this comment period.

**Requests for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on September 22, 2006. 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. Any request that does not comply with these requirements is not valid and cannot be counted by the MPCA when 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 valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for the hearing are withdrawn to reduce the number below 25, the MPCA must give written notice of this to all persons who requested a hearing, explain the actions the MPCA took to cause the withdrawal, and ask for written comments on this action. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**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 MPCA 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 MPCA, and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rule* 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness (SONAR).** A SONAR is now available from the MPCA contact person. This SONAR 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 probably cost of the proposed rules. Copies of the SONAR may be obtained from the MPCA contact person listed above.

**Request to Have the MPCA Citizens' Board (Board) Make a Decision on the Rule if No Hearing is Required.** If a hearing is required, the Board will make the final decision on whether to adopt the proposed rules. However, even if no hearing is required, you may submit a request to the Commissioner or a Board member to have the Board make the decision on whether to adopt the proposed rules. Your request must be in writing, must state to whom it is directed and must be received by the MPCA contact person by 4:30 p.m. on September 22, 2006. Under *Minnesota Statutes*, section 116.02, where a hearing is not required, the Board will only make the decision on the rule if the MPCA Commissioner grants your request or if a Board member makes a timely request that the decision be made by the Board. If you have any questions regarding the process to have the Board make a decision on a final rule adoption if no hearing is required, or need Board member information, you should contact the MPCA contact person listed in this notice.

**Adoption and Review of Rules.** If no hearing is required, the MPCA 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,

---

---

# Proposed Rules

or want to register with the MPCA to receive notice of future rule proceedings, submit your request to the MPCA contact person listed above.

Brad Moore  
Acting Commissioner

## 7045.0020 DEFINITIONS.

[For text of subs 1 to 14, see M.R.]

### Subp. 15. **Designated facility.**

A. “Designated facility” means:

(1) a hazardous waste treatment, storage, or disposal facility which has been designated on the manifest by the generator pursuant to part 7045.0261 and:

~~A.~~ (1) (a) has received an agency permit or has interim status;

(2) (b) has received an agency a permit or has interim status from a state authorized by the United States Environmental Protection Agency; or

(3) (c) is subject to the requirements of part 7045.0125, subpart 5 or 6, or 9, item B, or part ~~7045.0685~~ 7045.0675; or

(4) if located outside Minnesota, has been exempted from the requirements to obtain a permit by the United States Environmental Protection Agency, has either received an Environmental Protection Agency permit or a permit from an authorized state, or has interim status;

B. has been designated on the manifest by the generator pursuant to part 7045.0261, or has been designated in the management plan required by part 7045.0230; and

(2) a generator site designated on the manifest to receive its waste as a return shipment from a facility that has rejected the waste according to part 7045.0476, subpart 6, or 7045.0582, subpart 6.

C. B. If a designated facility is located in an Environmental Protection Agency authorized state which has not yet obtained authorization to regulate the hazardous waste it is receiving as hazardous, the designated facility must be a facility allowed by the receiving state to accept the waste.

[For text of subs 15a to 52, see M.R.]

Subp. 53. **Manifest.** “Manifest” means the shipping document EPA Form 8700-22 (including, if necessary, EPA Form 8700-22A) originated and signed by the generator or offeror in accordance with part ~~7045.0261~~ the instructions in the appendix to Code of Federal Regulations, title 40, part 262, and the applicable requirements of this chapter.

Subp. 54. See repealer.

Subp. 54a. **Manifest tracking number.** “Manifest tracking number” means the alphanumeric identification number (a unique three-letter suffix preceded by nine numerical digits), which is preprinted in item 4 of the manifest by a registered source.

[For text of subs 55 to 62, see M.R.]

Subp. 62a. **Organization for Economic Cooperation and Development or OECD.** “Organization for Economic Cooperation and Development” or “OECD” means the organization defined in Code of Federal Regulations, title 40, section 262.58(a)(1).

[For text of subs 63 to 109, see M.R.]

## 7045.0090 ADOPTION AND INCORPORATION BY REFERENCE.

Subpart 1. **Applicability.** Except as specified in subpart subparts 2 and 3, the terms and standards identified in this subpart subparts 1a to 1e apply whenever federal regulations are adopted or incorporated by reference in this chapter whether or not this part is specifically referenced.

~~A.~~ Subp. 1a. **General terms.** Terms defined in *Minnesota Rules* and *Minnesota Statutes* that are also defined in *Code of Federal Regulations*, title 40, have the meaning given in part 7045.0020 and the applicable Minnesota statute.

~~B.~~ A. “EPA” and “agency” mean the Pollution Control Agency and its commissioner.

~~C.~~ B. “Generator” has the meaning given in part 7045.0020.

~~D.~~ C. “Hazardous waste” has the meaning given in part 7045.0020.

~~E.~~ D. “Regional administrator” and “director” mean the commissioner of the Pollution Control Agency.

~~F.~~ E. “State,” “authorized state,” “approved state,” or “approved program” means Minnesota.

~~G.~~ F. “Waste” has the meaning given in part 7045.0020.

~~H.~~ References to “*Code of Federal Regulations*, title 40, part 261, subpart C,” or “*Code of Federal Regulations*, title 40, parts 261.20 to 261.24,” or “characteristic hazardous waste” mean the characteristics established in part 7045.0131.

Subp. 1b. **Hazardous waste management system general standards; Code of Federal Regulations, title 40, part 260.**

~~F.~~ References to “*Code of Federal Regulations*, title 40, part 260, subpart C,” or “*Code of Federal Regulations*, title 40, ~~parts~~ sections 260.20 to 260.41,” mean the petition processes established in part 7045.0075.

# Proposed Rules

## Subp. 1c. Identification and listing standards; Code of Federal Regulations, title 40, part 261.

A. References to “Code of Federal Regulations, title 40, part 261, subpart C,” “Code of Federal Regulations, title 40, sections 261.20 to 261.24,” or “characteristic hazardous waste” mean the characteristics established in part 7045.0131.

J. B. References to “Code of Federal Regulations, title 40, part section 261.4,” mean the exclusions listed in part 7045.0120.

K. References to “Code of Federal Regulations, title 40, part 270, subparts A to H,” or “Code of Federal Regulations, title 40, parts 270.1 to 270.230,” or any other reference to a hazardous waste facility permit mean the hazardous waste facility permit requirements in parts 7001.0500 to 7001.0730.

E. C. References to “Code of Federal Regulations, title 40, part section 261.6,” mean the use, reuse, recycling, and reclamation requirements of part 7045.0125.

## Subp. 1d. Permitted and interim status standards for owners and operators of hazardous waste treatment, storage, and disposal facilities; Code of Federal Regulations, title 40, parts 264 and 265.

M. A. References to “Code of Federal Regulations, title 40, part 264, subpart F,” or “Code of Federal Regulations, title 40, parts sections 264.90 to 264.101,” or “Code of Federal Regulations, title 40, part 265, subpart F,” or “Code of Federal Regulations, title 40, parts sections 265.90 to 265.94,” mean the requirements of parts 7045.0484, 7045.0485, 7045.0590, and 7045.0592 relating to groundwater protection, monitoring, and corrective action actions for releases.

N. B. References to “Code of Federal Regulations, title 40, part 264, subpart H,” or “Code of Federal Regulations, title 40, parts sections 264.140 to 264.151,” or “Code of Federal Regulations, title 40, part 265, subpart H,” or “Code of Federal Regulations, title 40, parts sections 265.140 to 265.150,” mean the financial assurance requirements of parts 7045.0498 to 7045.0524 and 7045.0608 to 7045.0624.

O. C. References to “Code of Federal Regulations, title 40, part 264, subpart O,” or “Code of Federal Regulations, title 40, parts sections 264.340 to 264.351,” or “Code of Federal Regulations, title 40, part 265, subpart O,” or “Code of Federal Regulations, title 40, parts sections 265.340 to 265.352,” mean the thermal treatment standards of parts 7045.0542 and 7045.0640.

P. D. References to “Code of Federal Regulations, title 40, part 264, subpart N,” or “Code of Federal Regulations, title 40, parts sections 264.300 to 264.317,” or “Code of Federal Regulations, title 40, part 265, subpart N,” or “Code of Federal Regulations, title 40, parts sections 265.300 to 265.316,” mean the landfill standards of parts 7045.0538 and 7045.0638.

Subp. 1e. Permit requirements; Code of Federal Regulations, title 40, part 270. References to “Code of Federal Regulations, title 40, part 270, subparts A to H,” “Code of Federal Regulations, title 40, sections 270.1 to 270.230,” or any other reference to a hazardous waste facility permit mean the hazardous waste facility permit requirements in parts 7001.0500 to 7001.0730.

Subp. 2. Exceptions to general terms. In the following cases, the terms identified in subpart 1a do not apply and the terms in items A and B continue to have the meaning in accordance with applicable EPA regulations.

A. “EPA identification numbers,” “EPA hazardous waste numbers,” “EPA test methods,” “EPA publications,” “EPA form(s),” “EPA guidance,” or “EPA acknowledgment of consent.”

B. “EPA,” “administrator,” or a synonymous term in any section of EPA regulations for which the Resource Conservation and Recovery Act, as amended, does not allow the EPA does not grant the state authorization to delegate its authority to the states. These include:

Subp. 3. Exceptions to adoption of standards; Code of Federal Regulations, title 40. In the following cases, the standards identified in subparts 1b to 1e do not apply and the standards continue to have the meaning in accordance with applicable EPA regulations.

(1) A. Code of Federal Regulations, title 40, part 262, subparts E and H, and part 263, subpart B; regarding governmental oversight of exports and transfrontier shipments of hazardous waste;

(2) B. Code of Federal Regulations, title 40, parts sections 268.5, 268.6, 268.42(b), and 268.44, regarding land disposal restrictions; and

(3) C. Code of Federal Regulations, title 40, part section 279.82(b) regarding state petitions to allow use of used oil as a dust suppressant; and

D. Code of Federal Regulations, title 40, Appendix to part 262, regarding the hazardous waste manifest.

## **7045.0125 MANAGEMENT OF WASTE BY USE, REUSE, RECYCLING, AND RECLAMATION.**

[For text of subs 1 to 8, see M.R.]

Subp. 9. Facility requirements. Unless exempted specifically in this part or parts 7045.0692 and 7045.0790 to 7045.0990, owners or operators of facilities which recycle hazardous waste are subject to the following requirements:

A. If the recyclable hazardous waste is stored before it is recycled, the owners or operators are subject to the requirements of parts 7023.9000 to 7023.9050, 7045.0450 to 7045.0534, 7045.0552 to 7045.0632, and 7045.1300 to 7045.1380, and chapter 7001. The recycling process itself is exempt from regulation except as provided in item C.

B. If the recyclable hazardous waste is recycled without storing before recycling, the owners or operators are subject to the requirements of parts 7045.0482, subpart 2; 7045.0556, subpart 2; 7045.0580; and 7045.0582.

C. Owners or operators of facilities subject to RCRA permitting requirements with hazardous waste management units that recycle

hazardous wastes are subject to the process vent and equipment leak standards in parts 7045.0549 and 7045.0551 and 7045.0647 and 7045.0648.

D. Owners and operators of fuel recycling facilities that accept recyclable fuel must register with the agency by submitting, on a form prescribed by the commissioner, a notification of the owners' or operators' intent to accept recyclable fuel. The information submitted must include the facility's name and address, a name and telephone number of a designated contact person, and a description of the process and equipment that will be used to manage the recyclable fuel. The facility will be considered to be registered to accept recyclable fuel upon receipt of written confirmation from the commissioner that the agency is aware of waste recycling activities at the facility.

[For text of subs 10 to 12, see M.R.]

**Subp. 13. Exports and imports.** Hazardous waste that is exported to or imported from designated member countries of the Organization for Economic Cooperation and Development (OECD), as defined in *Code of Federal Regulations*, title 40, section 262.58(a)(1), for purposes of recovery is subject to the requirements of part 7045.0322 if it is subject to either the manifesting requirements of parts 7045.0261 to 7045.0265 or the universal waste management standards of part 7045.1400.

## **7045.0127 RESIDUES IN EMPTY CONTAINERS AND EMPTY INNER LINERS.**

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

Subp. 2. **Empty containers or inner liners; definition.** A container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acute hazardous waste in part 7045.0135, subpart 2, 3, or 4, item E, is empty if:

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

C. no more than three percent by weight of the total capacity of the container remains in the container or inner liner if the container or inner liner is less than or equal to ~~H0~~ 119 gallons in size; or

D. no more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container or inner liner is greater than ~~H0~~ 119 gallons in size.

[For text of subs 3 and 4, see M.R.]

## **7045.0137 SMALL AMOUNTS OF UNRELATED CHEMICALS.**

~~For purposes of licensing only under parts 7045.0225 to 7045.0250;~~ A collection of small amounts of unrelated but compatible chemicals, including those for which the description of any sample or set of samples is not representative of the total waste, for example a lab pack, has the hazardous waste number of MN02.

## **7045.0212 IMPORTERS OF HAZARDOUS WASTE TRANSFRONTIER SHIPMENTS.**

A. Any person who exports or imports hazardous waste subject to the manifesting requirements of parts 7045.0261 to 7045.0265 or the universal waste management standards of part 7045.1400 to or from countries listed in *Code of Federal Regulations*, title 40, section 262.58(a)(1), for recovery must comply with part 7045.0322.

B. Any person who imports hazardous waste into the state of Minnesota from a source outside the United States must comply with the standards applicable to generators established in parts 7045.0205 to ~~7045.0320~~ 7045.0325.

## **7045.0261 MANIFEST DOCUMENT; GENERAL REQUIREMENTS.**

Subpart 1. **When required.** Except as exempted in subpart 1a, a generator who transports or offers for transportation hazardous waste for off-site treatment, storage, or disposal or the owner or operator of a treatment, storage, and disposal facility who offers for transport a rejected hazardous waste load, must prepare a manifest (OMB Control number 2050-0039) on EPA Form 8700-22 and, if necessary, EPA Form 8700-22A, before transporting the waste off-site. Generators shall ~~use manifests in accordance with the requirements of items A to C and shall complete the manifest in accordance with subpart 6 and the instructions on the manifest included in the appendix to *Code of Federal Regulations*, title 40, part 262, as adopted by reference in part 7045.0325.~~

A. ~~For shipments from either in state or out of state to a facility located in Minnesota, the generator shall use a Minnesota manifest and, if necessary, continuation sheets as provided in subpart 10.~~

B. ~~For shipments from Minnesota to a facility located in a state (consignment state) that neither supplies nor requires the use of a manifest which is specific for that state, the generator shall use a Minnesota manifest and, if necessary, continuation sheets as provided in subpart 10.~~

C. ~~For shipments from Minnesota to a facility located in a state (consignment state) that requires the use of a manifest which is specific for that state, the generator shall use that manifest.~~

Subp. 1a. **Exemptions.** A generator may transport hazardous waste without a manifest as described in item A or B. Transporters exempt under this subpart must comply with all applicable requirements of *Minnesota Statutes*, sections 221.033 and 221.034, and *Code of Federal Regulations*, title 49, parts 171 to 199, as amended: under the following conditions:

# Proposed Rules

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

C. Feedstock and by-products being managed according to part 7045.0125, subparts 5 and 6, may be transported without a manifest.

D. Universal waste being managed by a handler according to part 7045.1400 may be transported without a manifest.

E. Waste being transported onsite as described in part 7045.0351, subpart 2, item A, may be transported without a manifest.

F. Spent lead-acid batteries being managed according to part 7045.0685 may be transported without a manifest.

Subp. 2. **Designation of facility.** A generator must designate on the manifest ~~either one facility which is permitted to handle the waste described on the manifest or one facility which in accordance with part 7045.0125 beneficially uses or reuses, or legitimately recycles, or reclaims the waste or treats the waste before beneficial use or reuse, or legitimate recycling or reclamation.~~

[For text of subs 3 and 4, see M.R.]

Subp. 5. **See repealer.**

Subp. 6. **Specific Minnesota hazardous wastes.**

A. If a generator located in the state of Minnesota produces a waste classified as hazardous in Minnesota which is not classified as hazardous in the state where the receiving facility is located, the generator must ensure that the facility is permitted to accept and manage the waste by the appropriate state agency.

B. If a waste is classified as hazardous in Minnesota and is assigned a Minnesota waste code, the Minnesota waste codes must be identified on the manifest in item 13.

Subp. 7. **Manifest information.** ~~The Minnesota manifest is based on the Uniform National Manifest that is required under United States Department of Transportation and United States Environmental Protection Agency regulations, as contained in *Code of Federal Regulations*, title 40, part 262, as amended, and *Code of Federal Regulations*, title 49, part 172, as amended. Manifest information requirements include those required by United States Department of Transportation and United States Environmental Protection Agency regulations and consist of the numbered items on the manifest set forth in the Appendix to *Code of Federal Regulations*, title 40, part 262, as amended, and adopted by reference in part 7045.0325. Additional state information requirements consist of the telephone number of the designated facility and the hazardous waste numbers specified in parts 7045.0102 to 7045.0143 for each hazardous waste specified on the manifest. Manifests must include the information specified in this subpart and in the instructions on the manifest.~~

Subp. 8. **Availability of manifests.** ~~Minnesota Manifests are available from the agency or the Print Communications Division of the Minnesota Department of Administration, 117 University Avenue, Saint Paul, Minnesota 55155 any source that is registered with the United States Environmental Protection Agency as a supplier of manifests.~~

Subp. 9. **See repealer.**

Subp. 10. **Continuation sheets.** ~~A generator using a Minnesota manifest shall use a continuation sheet to the manifest if:~~

A. more than two transporters are to be used to transport the waste. A generator using a Minnesota manifest shall use either a continuation sheet to the manifest or an additional manifest which is completed in its entirety, if, or

B. more space is required for the United States Department of Transportation description and related information on the manifest. Any United States Environmental Protection Agency approved continuation sheet in item 9 of United States EPA form 8700-22. Only EPA Form 8700-22A may be used if and it is must be completed and copies are distributed in accordance with this part and United States Environmental Protection Agency regulations as contained in *Code of Federal Regulations*, title 40, part 262, as amended parts 7045.0265 and 7045.0325. A generator using a continuation sheet to a Minnesota manifest shall enter the preprinted State Manifest Document Number of the manifest into the appropriate space on the continuation sheet, and shall attach the sheet to the manifest. Continuation sheets are not provided by the state. For shipments not requiring a Minnesota manifest, generators shall use continuation sheets in accordance with applicable consignment state requirements.

## **7045.0262 WASTE MINIMIZATION CERTIFICATION.**

The requirements of *Code of Federal Regulations*, title 40, section 262.27, as amended, are incorporated by reference to apply to large and small quantity generators making a waste minimization certification on their hazardous waste manifests.

## **7045.0265 USE OF MANIFEST.**

Subpart 1. **General requirements.** The generator must:

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

D. send one copy of the manifest with the signatures of the generator and transporter and the date of waste acceptance to the commissioner within five working days of the initial transporter's acceptance of the hazardous waste shipment. Copies to be sent to the commissioner must be sent to the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, Minnesota 55154194, Attention: HWIMS. A very small quantity generator who ships waste from a site in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County must, in lieu of sending a copy of the manifest to the commissioner, send a copy of the manifest, with the signatures of the generator and the transporter and the date of waste acceptance, to the address provided in the conditions for the generator's hazardous waste license issued by the county. The copy of the manifest must be sent within five working days of the initial transporter's

acceptance of the hazardous waste shipment; and

E. give the transporter the remaining copies of the manifest except as provided in subparts 2 and 3.

Subp. 2. **Shipments by water.** For bulk shipments of hazardous waste within the United States solely by water the generator must:

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

B. send one copy of the manifest with the signatures of the generator and transporter and the date of waste acceptance to the commissioner within five working days of the initial transporter's acceptance of the hazardous waste shipment. Copies to be sent to the commissioner must be sent to the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, Minnesota 55155-4194, Attention: HWIMS. A very small quantity generator who ships waste from a site in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County must, in lieu of sending a copy of the manifest to the commissioner, send a copy of the manifest, with the signatures of the generator and the transporter and the date of waste acceptance, to the address provided in the conditions for the generator's hazardous waste license issued by the county. The copy of the manifest must be sent within five working days of the initial transporter's acceptance of the hazardous waste shipment.

Subp. 3. **Shipments by rail.** For a rail shipment of hazardous waste within the United States which originates at the site of generation, the generator must:

A. send at least three copies of the manifest dated and signed in accordance with subpart 1 to:

[For text of subitems (1) to (3), see M.R.]

B. send one copy of the manifest with the signatures of the generator and transporter and the date of waste acceptance to the commissioner within five working days of the initial transporter's acceptance of the hazardous waste shipment. Copies to be sent to the commissioner must be sent to the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, Minnesota 55155-4194, Attention: HWIMS. A very small quantity generator who ships waste from a site in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County must, in lieu of sending a copy of the manifest to the commissioner, send a copy of the manifest, with the signatures of the generator and the transporter and the date of waste acceptance, to the address provided in the conditions for the generator's hazardous waste license issued by the county. The copy of the manifest must be sent within five working days of the initial transporter's acceptance of the hazardous waste shipment.

Subp. 4. ~~Outofstate shipments~~ **Notification of facility receipt.** When a shipment of hazardous waste is ~~to be~~ delivered to a hazardous waste facility ~~located outside the state of Minnesota~~, the generator must ensure that:

A. the copy of the hazardous waste manifest signed by the facility operator and sent to the generator under part 7045.0474 or 7045.0580, is also sent to the commissioner within 40 days of the acceptance of the hazardous waste by the hazardous waste facility. Copies to be sent to the commissioner must be sent to the Minnesota Pollution Control Agency, 520 Lafayette Road, Saint Paul, Minnesota 55155-4194, Attention: HWIMS. A very small quantity generator who ships from a site in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County must, in lieu of ensuring that a copy of the manifest signed by the facility operator is sent to the commissioner, ensure that a copy of the manifest signed by the facility operator is sent to the address provided in the conditions for the generator's hazardous waste license issued by the county. The generator must send a copy of the manifest signed by the facility operator within 40 days of the acceptance of the hazardous waste by the hazardous waste facility; and

B. for shipments of a hazardous waste to a designated facility in a United States Environmental Protection Agency authorized state which has not yet obtained authorization to regulate that particular waste as hazardous, the designated facility agrees to sign the manifest and return the manifest to the generator, and that any out-of-state transporter signs and forwards the manifest to the designated facility.

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

## **7045.0270 PRETRANSPORT REQUIREMENTS.**

Subpart 1. **Marking.** Before transporting or offering hazardous waste for transportation off-site, a generator must:

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

B. mark each container of ~~110~~ 119 gallons or less used in such transportation with the following words and information according to the *Code of Federal Regulations*, title 49, section 172.304 ~~(1983)~~:

(1) HAZARDOUS WASTE - Federal Law Prohibits Improper Disposal. If found, contact the nearest police or public safety authority or the U.S. Environmental Protection Agency.

(2) ~~Generator~~ Generator's Name and Address \_\_\_\_\_

(3) Manifest ~~Document~~ Tracking Number \_\_\_\_\_

(4) Generator's Identification Number \_\_\_\_\_

[For text of subs 3 to 7, see M.R.]

## **7045.0292 ACCUMULATION OF HAZARDOUS WASTE.**

[For text of subs 1 to 11, see M.R.]

# Proposed Rules

**Subp. 12. Rejected shipments.** A generator who sends a shipment of hazardous waste to a designated facility with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue according to the manifest discrepancy provisions of part 7045.0476 or 7045.0582 may accumulate the returned waste on-site according to subparts 1 to 7 and 9 and 10, depending on the amount of hazardous waste on-site in that calendar month. Upon receipt of the returned shipment, the generator must:

- A. sign item 18c of the manifest, if the transporter returned the shipment using the original manifest; or
- B. sign item 20 of the manifest, if the transporter returned the shipment using a new manifest.

## **7045.0302 INTERNATIONAL SHIPMENTS; SPECIAL CONDITIONS.**

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

**Subp. 1a. International agreements.** Any person who exports or imports hazardous waste subject to the federal manifest requirements of *Code of Federal Regulations*, title 40, part 262, or subject to parts 7045.0261 and 7045.0265 or part 7045.1400, to or from designated member countries of the OECD as defined in *Code of Federal Regulations*, title 40, section 262.58(a)(1) for purposes of recovery, is subject to part 7045.0322 and the requirements of this part do not apply.

**Subp. 2. Notification.** When shipping hazardous waste outside the state of Minnesota to a foreign country the primary exporter must notify the commissioner and the EPA of an intended export before the waste is scheduled to leave the United States. A complete notification should be submitted 60 days before the initial shipment is intended to be shipped off site. This notification may cover export activities extending over a 12-month or lesser period.

The notification must be sent to the commissioner at 520 Lafayette Road, Saint Paul, Minnesota 55155-4194, and to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, 1200 Pennsylvania Avenue N.W., Washington, DC 20460. Hand-delivered notifications must be sent to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, Ariel Rios Building, 12th Street and Pennsylvania Avenue N.W., Washington, DC 20460. In both cases, the following must be prominently displayed on the front of the envelope: “Attention: Notification of Intent to Export.”

The primary exporter must provide the commissioner and the EPA with written renotification of any changes to the notification, except for changes to the telephone number, decreases in the quantity indicated in item B, subitem (3), and changes in the means of transport in item B, subitem (5). The waste shall not be shipped until the primary exporter receives an EPA Acknowledgment of Consent reflecting the receiving country’s consent to the changes.

The notification must be in writing, signed by the primary exporter, and include the following information:

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

- B. by consignee, for each hazardous waste type:

[For text of subitems (1) to (9), see M.R.]

The notification shall be sent to the commissioner at 520 Lafayette Road, Saint Paul, Minnesota 55155, and to the Office of International Activities (A-106), EPA, 401 M Street, S.W., Washington, DC 20460, with the phrase “Attention: Notification to Export” prominently displayed on the front of the envelope.

The primary exporter must provide the commissioner and the EPA with written renotification of any changes to the notification, except for changes to the telephone number, decreases in the quantity indicated in subitem (3), and changes in the means of transport in subitem (5). The waste shall not be shipped until the primary exporter receives an EPA Acknowledgment of Consent reflecting the receiving country’s consent to the changes.

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

**Subp. 4. Importers manifest requirements.** When importing hazardous waste, a person ~~must use a Minnesota manifest~~ may obtain the manifest form from any source that is registered with the United States Environmental Protection Agency as a supplier of manifests and must meet all requirements of parts 7045.0261 and 7045.0265 for the manifest except that:

A. in place of the generator’s name, address, and identification number, the name and address of the foreign generator and the importer’s name, address, and identification number must be used; ~~and~~

B. in place of the generator’s signature on the certification statement, the United States importer or the importer’s agent must sign and date the certification and obtain the signature of the initial transporter;

C. in the international shipments block, the importer must check the import box and enter the point of entry (city and state) into the United States; and

D. the importer must provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to the United States Environmental Protection Agency according to part 7045.0474, subpart 2, item B, or 7045.0580, subpart 2, item B.

**Subp. 5. Exporters manifest requirements.** When exporting hazardous waste, a primary exporter must use a Minnesota manifest and comply with parts 7045.0351 to 7045.0397, except that:

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

---

---

# Proposed Rules

C. In ~~special handling instructions and additional information~~ the international shipments block, the primary exporter must ~~identify~~ check the export box and enter the point of ~~departure exit (city and state)~~ from the United States.

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

Subp. 6. **Annual reports.** Primary exporters of hazardous waste identified or listed under this chapter shall file with the commissioner and the EPA no later than March 1 of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all hazardous waste exported during the previous calendar year. The reports shall include the following:

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

F. a certification signed by the primary exporter which states:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.”

Reports shall be sent to the commissioner at 520 Lafayette Road, Saint Paul, Minnesota 55155, and to the Office of ~~International Activities (A-106)~~ Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, ~~401 M Street S.W. 1200 Pennsylvania Avenue N.W.~~, Washington, DC 20460. Hand-delivered reports to the Environmental Protection Agency should be sent to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, Ariel Rios Building, 12th Street and Pennsylvania Avenue N.W., Washington, DC 20460.

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

## **7045.0322 TRANSFRONTIER SHIPMENTS OF HAZARDOUS WASTE FOR RECOVERY WITHIN THE OECD.**

The requirements of *Code of Federal Regulations*, title 40, sections 262.80 to 262.89, as amended, are incorporated by reference to apply to transfrontier shipments of hazardous waste.

## **7045.0325 APPENDIX TO GENERATOR STANDARDS; MANIFEST AND INSTRUCTIONS.**

Subpart 1. **Incorporation.** The appendix found in *Code of Federal Regulations*, title 40, part 262, regarding the hazardous waste manifest and instructions, as amended, is incorporated by reference, subject to subpart 2.

Subp. 2. **Additions, modifications, and exceptions to incorporation.**

A. Where the instructions for the use of the manifest use the term “offeror,” it shall only mean either the generator of the waste or the owner or operator of the designated facility.

B. In item 18 of the instructions for the use of the manifest, references to discrepancies shall include all discrepancies and responses to discrepancies identified in parts 7045.0476 and 7045.0582.

## **7045.0375 THE MANIFEST SYSTEM; GENERAL REQUIREMENTS.**

Subpart 1. **Acceptance of shipment.** A transporter may not accept hazardous waste from a generator unless it is accompanied by a manifest signed by the generator according to ~~parts 7045.0205 to 7045.0320~~ part 7045.0265.

Subp. 1a. **Exports.**

A. In the case of exports, other than those subject to the requirements of *Code of Federal Regulations*, title 40, part 262, subpart H, Transfrontier Shipments of Hazardous Waste For Recovery Within the OECD, a transporter may not accept waste from a primary exporter or other person:

~~A:~~ (1) if the transporter knows the shipment does not conform to the EPA Acknowledgment of Consent; and

~~B:~~ (2) unless, in addition to a signed manifest signed by the generator, the waste is also accompanied by an EPA Acknowledgment of Consent that, except for shipment by rail, is attached to the manifest or, for bulk shipment exports by water, attached to the shipping paper.

B. For exports of hazardous waste subject to the requirements of *Code of Federal Regulations*, title 40, part 262, subpart H, Transfrontier Shipments of Hazardous Waste For Recovery Within the OECD, a transporter may not accept hazardous waste without a tracking document that includes all information required by *Code of Federal Regulations*, title 40, section 262.84.

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

## **7045.0385 COMPLIANCE WITH THE MANIFEST.**

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

Subp. 2. **Return of shipment to generator.**

A. If the hazardous waste cannot be delivered according to subpart 1, or if a shipment or partial shipment of hazardous waste is not accepted by the facility operator after arrival at the destination or if the facility operator does not sign the hazardous waste manifest,

# Proposed Rules

because of an emergency condition other than the rejection of the waste by the designated facility, the transporter must immediately contact the generator for further instructions and must revise the manifest according to the generator's instructions.

B. If hazardous waste is rejected by the designated facility while the transporter is on the facility's premises, the transporter must obtain the following:

(1) for a partial load rejection or for regulated quantities of container residues, a copy of the original manifest that includes the facility's date and signature, the manifest tracking number of the new manifest that will accompany the shipment, and a description of the partial rejection or container residue in the discrepancy block of the original manifest. The transporter must retain a copy of this manifest according to part 7045.0391 and give the remaining copies of the original manifest to the rejecting designated facility. If the transporter is forwarding the rejected part of the shipment or a regulated container residue to an alternate facility or returning it to the generator, the transporter must obtain a new manifest to accompany the shipment and the new manifest must include all of the information required in parts 7045.0476, subparts 5 and 6, and 7045.0582, subparts 5 and 6; and

(2) for a full load rejection that will be taken back by the transporter, a copy of the original manifest that includes the rejecting facility's signature and date attesting to the rejection, the description of the rejection in the discrepancy block of the manifest, and the name, address, telephone number, and identification number for the alternate facility or generator to whom the shipment must be delivered. The transporter must retain a copy of the manifest according to part 7045.0391 and give a copy of the manifest containing this information to the rejecting designated facility. If the original manifest is not used, the transporter must obtain a new manifest for the shipment and comply with parts 7045.0476, subparts 5 and 6, and 7045.0582, subparts 5 and 6.

## 7045.0452 GENERAL FACILITY STANDARDS.

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

Subp. 3. **Required notices.** The owner or operator of a facility shall give notice in the following situations:

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

E. The owner or operator of a recovery facility that has arranged to receive hazardous waste subject to part 7045.0322 must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, 1200 Pennsylvania Avenue N.W., Washington, DC 20460, and to the competent authorities of all other concerned countries within three working days of receipt of the shipment. The original of the signed tracking document must be maintained at the facility for at least three years.

[For text of subs 4 and 5, see M.R.]

## 7045.0474 MANIFEST SYSTEM.

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

Subp. 2. **General manifest requirements.**

A. If a facility receives hazardous waste accompanied by a manifest, the owner or operator, or this person's agent, shall:

A- (1) sign and date, by hand, each copy of the manifest to certify that the hazardous waste covered by the manifest was received, except as noted in the discrepancy space of the manifest, or rejected as noted in the manifest discrepancy space;

B- (2) note any discrepancies in the manifest on each copy of the manifest. The owner or operator of a facility whose procedures under part 7045.0458, subpart 2, item G, include waste analysis need not perform that analysis before signing the manifest and giving it to the transporter. However, part 7045.0476 requires reporting any discrepancy discovered during later analysis;

C- (3) immediately give the transporter at least one copy of the signed manifest;

D- (4) within ten 30 days after the delivery, send a copy of the manifest to the generator and the commissioner; and

E- (5) retain at the facility a copy of each manifest for at least three years from the date of delivery.

B. If a facility receives hazardous waste imported from a foreign source, the receiving facility must mail a copy of the manifest to the following address within 30 days of delivery: International Compliance Assurance Division, OFA/OECA (2254A), United States Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue N.W., Washington, DC 20460.

Subp. 3. **Rail and water shipment requirements.** If a facility receives hazardous waste from a rail or water bulk shipment transporter and the waste is accompanied by a shipping paper containing all the information required on the manifest, excluding the identification numbers, generator's certification, and signatures, the owner or operator, or this person's agent, shall do all of the following:

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

D. Within ten 30 days after the delivery, send a copy of the signed and dated manifest, or a signed and dated copy of the shipping paper if the manifest has not been received within 30 days of delivery, to the generator; however, if the manifest has not been received within ten days after delivery, the owner or operator, or this person's agent, must send a copy of the shipping paper signed and dated to the generator. The generator is required under part 7045.0265 to send three copies of the manifest to the facility when hazardous waste is sent by rail or water bulk shipment.

E. Retain at the facility a copy of the manifest and shipping paper, if signed in lieu of the manifest at the time of delivery, for at least three years from the date of delivery.

**Subp. 4. Tracking document.** Within three working days of the receipt of a shipment subject to part 7045.0322, the owner or operator of the facility must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, 1200 Pennsylvania Avenue N.W., Washington, DC 20460, and to competent authorities of all other concerned countries. The original copy of the tracking document must be maintained at the facility for at least three years from the date of signature.

**Subp. 5. Stateonly wastes.** The owner or operator of a facility must determine whether the consignment state for a shipment regulates any additional wastes, beyond those regulated federally, as hazardous wastes under its state hazardous waste program. The owner or operator of a facility must also determine whether the consignment state or generator state requires the facility to submit any copies of the manifest to these states.

## 7045.0476 MANIFEST DISCREPANCIES.

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

Subp. 2. **Definition of a discrepancy.** Manifest discrepancies are defined as ~~significant~~ major or minor as follows:

A. Major manifest discrepancies are:

(1) ~~significant discrepancies include~~ differences, as described in subpart 2a, between the quantity or type of hazardous waste designated on the manifest or shipping paper and the quantity or type of hazardous waste a facility actually receives. ~~Significant discrepancies in quantity are weight differences for bulk wastes greater than ten percent and any variation in piece count for batch waste, such as a difference of one drum in a truckload. Significant discrepancies in types of waste are obvious differences which can be discovered by inspection or waste analysis, such as waste solvent substituted for waste acid, or toxic constituents not reported on the manifest or shipping paper;~~

(2) ~~rejected wastes, which may be full or partial shipment of hazardous waste the facility cannot accept; and~~

(3) ~~container residues, which are residues that exceed the quantity limits for empty containers in part 7045.0127.~~

B. Minor manifest discrepancies are all other discrepancies ~~including, but not limited to, such as use of manifests other than the required Minnesota manifest specified in part 7045.0325, incomplete manifests or shipping papers, manifests or shipping papers which are inconsistent, and a container or portable tank containing hazardous waste which is not properly labeled.~~

**Subp. 2a. Significant differences.**

A. Significant differences are differences in quantity or type as described in items B and C.

B. Significant differences in quantity are:

(1) for bulk waste, variations greater than ten percent in weight; and

(2) for batch waste, any variation in piece count such as a discrepancy of one drum in a truckload.

C. Significant differences in type are obvious differences that can be discovered by inspection or waste analysis, such as waste solvent substituted for waste acid or toxic constituents not reported on the manifest or shipping paper.

Subp. 3. **Handling of discrepancies.** Upon discovering a discrepancy, the owner or operator of a ~~treatment, storage, or disposal~~ facility shall take action as described in item A, B, or C, as applicable:

A. Upon discovering a ~~significant~~ major discrepancy, the owner or operator shall attempt to reconcile the discrepancy with the waste generator and the transporter. If the discrepancy is not resolved ~~in ten~~ within 15 days after receiving the waste, the owner or operator shall immediately submit to the commissioner a letter describing the discrepancy, attempts made to reconcile it, and a copy of the manifest or shipping paper at issue. ~~The type of discrepancy must be noted on the manifest.~~

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

C. Upon rejecting a waste or identifying a container residue that exceeds the quantity limits for empty containers in part 7045.0127, the owner or operator of a facility must:

(1) consult with the generator prior to forwarding the waste to another facility that can manage the waste. If it is impossible to locate an alternative facility that can receive the waste, the facility owner or operator may return the rejected waste or residue to the generator. The facility owner or operator must send the waste to the alternative facility or to the generator within 60 days of the rejection or the container residue identification;

(2) while making arrangements for forwarding rejected wastes or residues to another facility under this part, either ensure that the delivering transporter retains custody of the waste or provide for secure, temporary custody of the waste, pending delivery of the waste to the first transporter designated on the manifest prepared under subpart 4 or 5; and

(3) notify the commissioner immediately if a movement of hazardous waste is delivered to a facility not allowed to manage the waste under the facility's hazardous waste permit, the owner or operator shall notify the commissioner immediately.

**Subp. 4. Rejections sent to alternate facility.**

A. Except as provided in item B, for full or partial load rejections and residues that are to be sent off-site to an alternate facility, the

# Proposed Rules

facility must prepare a new manifest according to part 7045.0261, subpart 1, and:

(1) write the generator's United States EPA identification number in item 1 of the new manifest. Write the generator's name and mailing address in item 5 of the new manifest. If the mailing address is different from the generator's site address, then write the generator's site address in the designated space for item 5;

(2) write the name of the alternate designated facility and the facility's United States EPA identification number in the designated facility block (item 8) of the new manifest;

(3) copy the manifest tracking number found in item 4 of the old manifest to the special handling and additional information block of the new manifest and indicate that the shipment is a residue or rejected waste from the previous shipment;

(4) copy the manifest tracking number found in item 4 of the new manifest to the manifest reference number line in the discrepancy block of the old manifest (item 18a);

(5) write the United States Department of Transportation description for the rejected load or the residue in item 9 (United States Department of Transportation description) of the new manifest and write the container types, quantity, and volumes of the waste; and

(6) sign the generator's/offoror's certification to certify, as the offeror of the shipment, that the waste has been properly packaged, marked, and labeled and is in proper condition for transportation.

B. For full load rejections that are made while the transporter remains present at the facility, the facility may forward the rejected shipment to the alternate facility by completing item 18b of the original manifest and supplying the information on the next destination facility in the alternate facility space. The facility must retain a copy of this manifest for its records and then give the remaining copies of the manifest to the transporter to accompany the shipment. If the original manifest is not used, the facility must use a new manifest and comply with item A.

## Subp. 5. Rejections returned to generator.

A. Except as provided in item B, for rejected wastes and residues that must be sent back to the generator, the facility is required to prepare a new manifest according to part 7045.0261, subpart 1, and:

(1) write the facility's United States EPA identification number in item 1 of the new manifest. Write the generator's name and mailing address in item 5 of the new manifest. If the mailing address is different from the generator's site address, then write the generator's site address in the designated space for item 5;

(2) write the name of the initial generator and the generator's United States EPA identification number in the designated facility block (item 8) of the new manifest;

(3) copy the manifest tracking number found in item 4 of the old manifest to the special handling and additional information block of the new manifest and indicate that the shipment is a residue or rejected waste from the previous shipment;

(4) copy the manifest tracking number found in item 4 of the new manifest to the manifest reference number line in the discrepancy block of the old manifest (item 18a);

(5) write the United States Department of Transportation description for the rejected load or the residue in item 9 (United States Department of Transportation description) of the new manifest and write the container types, quantity, and volumes of the waste; and

(6) sign the generator's/offoror's certification to certify, as the offeror of the shipment, that the waste has been properly packaged, marked, and labeled, and is in proper condition for transportation.

B. For full load rejections that are made while the transporter remains present at the facility, the facility may return the shipment to the generator with the original manifest by completing items 18a and 18b of the manifest and supplying the generator's information in the alternate facility space. The facility must retain a copy of this manifest for its records and then give the remaining copies of the manifest to the transporter to accompany the shipment. If the original manifest is not used, the facility must use a new manifest and comply with item A.

Subp. 6. **Rejections after delivery.** If a facility rejects a waste or identifies a container residue that exceeds the quantity limits for empty containers in part 7045.0127 after it has signed, dated, and returned a copy of the manifest to the delivering transporter or to the generator, the facility must amend its copy of the manifest to indicate the rejected wastes or residues in the discrepancy space of the amended manifest. The facility must also copy the manifest tracking number from item 4 of the new manifest to the discrepancy space of the amended manifest and must re-sign and date the manifest to certify to the information as amended. The facility must retain the amended manifest for at least three years from the date of the amendment and must, within 30 days, send a copy of the amended manifest to the transporter and generator that received copies prior to their being amended.

## 7045.0482 REQUIRED REPORTS.

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

Subp. 3. **Unmanifested waste report.** If a shipment of hazardous waste is delivered to a hazardous waste facility accepts for treatment, storage, or disposal any hazardous waste from an off-site source without an accompanying manifest, or without an accompanying shipping paper, the facility operator shall attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy

---

---

# Proposed Rules

cannot be resolved, the owner or operator shall notify the commissioner prior to acceptance of the waste. ~~Within ten days, a follow-up report must be mailed to the commissioner as described in part 7045.0381, subpart 2, and if the waste is not excluded from the manifest requirement, the owner or operator must prepare and submit an unmanifested waste report to the commissioner within 15 days after receiving the waste. The unmanifested waste report must include all of contain the following information:~~

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

[For text of subp 4, see M.R.]

## 7045.0556 GENERAL FACILITY STANDARDS.

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

Subp. 3. **Required notices.** Notices are required in the following situations:

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

~~D. The owner or operator of a recovery facility that has arranged to receive hazardous waste subject to the transfrontier requirements of part 7045.0322 must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, 1200 Pennsylvania Avenue N.W., Washington, DC 20460, and to the competent authorities of all other concerned countries within three working days of receipt of the shipment. The original of the signed tracking document must be maintained at the facility for at least three years.~~

[For text of subs 4 to 9, see M.R.]

## 7045.0580 MANIFEST SYSTEM.

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

Subp. 2. **General manifest requirements.**

~~A. If a facility receives hazardous waste accompanied by a manifest, the owner or operator, or this person's agent, shall:~~

~~A: (1) sign and date, by hand, each copy of the manifest to certify that the hazardous waste covered by the manifest was received, except as noted in the discrepancy space of the manifest, or rejected as noted in the manifest discrepancy space;~~

~~B: (2) note any discrepancies in the manifest on each copy of the manifest. The owner or operator of a facility whose procedures under part 7045.0564, subpart 2, item G, include waste analysis need not perform that analysis before signing the manifest and giving it to the transporter. However, part 7045.0582, subpart 3, requires reporting any discrepancy discovered during later analysis;~~

~~C: (3) immediately give the transporter at least one copy of the signed manifest;~~

~~D: (4) within ten 30 days after the delivery, send a copy of the manifest to the generator; and the commissioner.~~

~~E: (5) retain at the facility a copy of each manifest for at least three years from date of delivery.~~

~~B. If a facility receives hazardous waste imported from a foreign source, the receiving facility must mail a copy of the manifest to the following address within 30 days of delivery: International Compliance Assurance Division, OFA/OECA (2254A), United States Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue N.W., Washington, DC 20460.~~

Subp. 3. **Rail and water shipment requirements.** If a facility receives from a rail or water bulk shipment transporter hazardous waste which is accompanied by a shipping paper containing all the information required on the manifest, the owner or operator, or agent shall:

A. Sign and date each copy of the manifest, or shipping paper; if the manifest has not been received, to certify that the hazardous waste covered by the manifest or shipping paper was received.

[For text of items B and C, see M.R.]

~~D. Within ten 30 days after the delivery, send a copy of the signed and dated manifest, or a signed and dated copy of the shipping paper if the manifest has not been received within 30 days of delivery, to the generator; however, if the manifest has not been received within ten days after delivery, the owner or operator, or agent, shall send a copy of the shipping paper signed and dated to the generator. The generator is required under part 7045.0265 to send three copies of the manifest to the facility when hazardous waste is sent by rail or water bulk shipment.~~

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

~~Subp. 4. **Tracking document.** Within three working days of the receipt of a shipment subject to part 7045.0322, the owner or operator of the facility must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Federal Activities, International Compliance Assurance Division (2254A), Environmental Protection Agency, 1200 Pennsylvania Avenue N.W., Washington, DC 20460, and to competent authorities of all other concerned countries. The original copy of the tracking document must be maintained at the facility for at least three years from the date of signature.~~

~~Subp. 5. **State-only wastes.** The owner or operator of a facility must determine whether the consignment state for a shipment regulates any additional wastes, beyond those regulated federally, as hazardous wastes under its state hazardous waste program. The owners or operators of facilities must also determine whether the consignment state or generator state requires the facility to submit any copies of the manifest to these states.~~

# Proposed Rules

## 7045.0582 MANIFEST DISCREPANCIES.

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

Subp. 2. **Definition of discrepancy.** Manifest discrepancies are defined as ~~significant~~ major or minor as follows:

A. Major manifest discrepancies are:

(1) ~~significant discrepancies include differences, as described in subpart 2a, between the quantity or type of hazardous waste designated on the manifest or shipping paper and the quantity or type of hazardous waste a facility actually receives.—Significant discrepancies in quantity are weight differences for bulk wastes greater than ten percent and variation in piece count for batch waste, such as a difference of one drum in a truckload. Significant discrepancies in types of waste are obvious differences which can be discovered by inspection or waste analysis, such as waste solvent substituted for waste acid, or toxic constituents not reported on the manifest or shipping paper.~~

(2) ~~rejected wastes, which may be full or partial shipment of hazardous waste the facility cannot accept; and~~

(3) ~~container residues, which are residues that exceed the quantity limits for empty containers in part 7045.0127.~~

B. Minor discrepancies are all other discrepancies ~~including but not limited to such as manifests other than the required Minnesota manifest (Minnesota Form PQ0037101) specified in part 7045.0325, incomplete manifests or shipping papers, manifests or shipping papers which are inconsistent, and a container or portable tank containing hazardous waste which is not properly labeled.~~

Subp. 2a. Significant differences.

A. Significant differences are differences in quantity or type as described in items B and C.

B. Significant differences in quantity are:

(1) for bulk waste, variations greater than ten percent in weight; and

(2) for batch waste, any variation in piece count such as a discrepancy of one drum in a truckload.

C. Significant differences in type are obvious differences that can be discovered by inspection or waste analysis, such as waste solvent substituted for waste acid or toxic constituents not reported on the manifest or shipping paper.

Subp. 3. **Handling of discrepancies.** Upon ~~discovery of~~ discovering a discrepancy, the owner or operator of a ~~treatment, storage or disposal~~ facility shall take action as described in item A, B, or C, as applicable:

A. Upon discovering a significant discrepancy, the owner or operator shall attempt to reconcile the discrepancy with the waste generator and transporter. If the discrepancy is not resolved ~~in ten~~ within 15 days after receiving the waste, the owner or operator shall immediately submit to the commissioner a letter describing the discrepancy, attempts made to reconcile it, and a copy of the manifest or shipping paper at issue. ~~The type of discrepancy must be noted on the manifest.~~

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

C. Upon rejecting a waste or identifying a container residue that exceeds the quantity limits for empty containers in part 7045.0127, the owner or operator of a facility must:

(1) consult with the generator prior to forwarding the waste to another facility that can manage the waste. If it is impossible to locate an alternative facility that can receive the waste, the facility owner or operator may return the rejected waste or residue to the generator. The facility owner or operator must send the waste to the alternative facility or to the generator within 60 days of the rejection or the container residue identification;

(2) while making arrangements for forwarding rejected wastes or residues to another facility under this part, either ensure that the delivering transporter retains custody of the waste or provide for secure, temporary custody of the waste, pending delivery of the waste to the first transporter designated on the manifest prepared under subpart 4 or 5; and

(3) notify the commissioner immediately if a movement of hazardous waste is delivered to a facility not allowed to manage the waste under interim status, the owner or operator shall notify the commissioner immediately the facility's hazardous waste permit.

Subp. 4. Rejections sent to alternate facility.

A. Except as provided in item B, for full or partial load rejections and residues that are to be sent off-site to an alternate facility, the facility must prepare a new manifest according to part 7045.0261, subpart 1, and:

(1) write the generator's United States EPA identification number in item 1 of the new manifest. Write the generator's name and mailing address in item 5 of the new manifest. If the mailing address is different from the generator's site address, then write the generator's site address in the designated space for item 5;

(2) write the name of the alternate designated facility and the facility's United States EPA identification number in the designated facility block (item 8) of the new manifest;

(3) copy the manifest tracking number found in item 4 of the old manifest to the special handling and additional information block of the new manifest and indicate that the shipment is a residue or rejected waste from the previous shipment;

(4) copy the manifest tracking number found in item 4 of the new manifest to the manifest reference number line in the discrepancy block of the old manifest (item 18a);

(5) write the United States Department of Transportation description for the rejected load or the residue in item 9 (United States

---

---

# Proposed Rules

Department of Transportation description) of the new manifest and write the container types, quantity, and volumes of the waste; and  
(6) sign the generator's/offeror's certification to certify, as the offeror of the shipment, that the waste has been properly packaged, marked, and labeled and is in proper condition for transportation.

B. For full load rejections that are made while the transporter remains present at the facility, the facility may forward the rejected shipment to the alternate facility by completing item 18b of the original manifest and supplying the information on the next destination facility in the alternate facility space. The facility must retain a copy of the manifest for its records and give the remaining copies of the manifest to the transporter to accompany the shipment. If the original manifest is not used, the facility must use a new manifest and comply with item A.

**Subp. 5. Rejections returned to generator.**

A. Except as provided in item B, for rejected wastes and residues that must be sent back to the generator, the facility must prepare a new manifest according to part 7045.0261, subpart 1, and:

(1) write the facility's United States EPA identification number in item 1 of the new manifest. Write the generator's name and mailing address in item 5 of the new manifest. If the mailing address is different from the generator's site address, then write the generator's site address in the designated space for item 5;

(2) write the name of the initial generator and the generator's United States EPA identification number in the designated facility block (item 8) of the new manifest;

(3) copy the manifest tracking number found in item 4 of the old manifest to the special handling and additional information block of the new manifest and indicate that the shipment is a residue or rejected waste from the previous shipment;

(4) copy the manifest tracking number found in item 4 of the new manifest to the manifest reference number line in the discrepancy block of the old manifest (item 18a);

(5) write the United States Department of Transportation description for the rejected load or the residue in item 9 (United States Department of Transportation description) of the new manifest and write the container types, quantity, and volumes of the waste; and

(6) sign the generator's/offeror's certification to certify, as the offeror of the shipment, that the waste has been properly packaged, marked, and labeled and is in proper condition for transportation.

B. For full load rejections that are made while the transporter remains present at the facility, the facility may return the shipment to the generator with the original manifest by completing items 18a and 18b of the manifest and supplying the generator's information in the alternate facility space. The facility must retain a copy of the manifest for its records and give the remaining copies of the manifest to the transporter to accompany the shipment. If the original manifest is not used, the facility must use a new manifest and comply with item A.

**Subp. 6. Rejections after delivery.** If a facility rejects a waste or identifies a container residue that exceeds the quantity limits for empty containers in part 7045.0127 after it has signed, dated, and returned a copy of the manifest to the delivering transporter or to the generator, the facility must amend its copy of the manifest to indicate the rejected wastes or residues in the discrepancy space of the amended manifest. The facility must also copy the manifest tracking number from item 4 of the new manifest to the discrepancy space of the amended manifest and must re-sign and date the manifest to certify to the information as amended. The facility must retain the amended manifest for at least three years from the date of the amendment and must, within 30 days, send a copy of the amended manifest to the transporter and generator that received copies prior to their being amended.

**7045.0588 REQUIRED REPORTS.**

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

**Subp. 3. Unmanifested waste report.** If a shipment of hazardous waste is delivered to a hazardous facility accepts for treatment, storage, or disposal any hazardous waste facility from an offsite source without an accompanying manifest, or without an accompanying shipping paper, the facility operator shall attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy cannot be resolved, the owner or operator shall notify the commissioner prior to acceptance of the waste. Within ten days, a followup report shall be mailed to the commissioner as described in part 7045.0381, subpart 2, and if the waste is not excluded from the manifest requirement, the owner or operator must prepare and submit an unmanifested waste report to the commissioner within 15 days after receiving the waste. The unmanifested waste report must include contain the following information:

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

[For text of subp 4, see M.R.]

**7045.0675 RECYCLABLE HAZARDOUS WASTE USED FOR PRECIOUS METAL RECOVERY.**

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

**Subp. 5. Transfrontier requirements for persons who generate, transport, or store precious metals for recovery.** The requirements of parts 7045.0322 and 7045.0556, subpart 3, item D, apply to precious metals exported to or imported from designated OECD member countries for recovery. The requirements of part 7045.0302 apply to precious metals exported to or imported from non-OECD countries for recovery.

# Proposed Rules

**RANGE REFERENCE RENUMBERING.** The range reference “parts 7045.0205 to 7045.0320” is changed to “parts 7045.0205 to 7045.0325” wherever it appears in *Minnesota Rules*, chapter 7045.

**REPEALER.** *Minnesota Rules*, parts 7045.0020, subpart 54; and 7045.0261, subparts 5 and 9, are repealed.

## Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency 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. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: Youth Waterfowl Day, Early Goose Hunting, Waterfowl Feeding and Resting Areas

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, Section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, Sections 97A.091, 97A.095, 97B.112, 97B.731, and 97B.803.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, Sections 97A.0451 to 97A.0459, are as follows: The youth waterfowl day is based on annual determinations of season timing and selection of the option as allowed under federal frameworks for early season migratory bird hunting that are announced in June of each year. Provisions for taking Canada geese in early seasons are based on population data that is not available until June and selection of options as allowed under federal frameworks for early season migratory bird hunting announced in June. Field recommendations on opening and closing refuges and establishing waterfowl feeding and resting areas are not available until June.

Dated: August 2, 2006

Mark Holsten, Deputy Commissioner  
Department of Natural Resources

#### 6240.0610 YOUTH WATERFOWL HUNTING DAYS.

Subpart 1. **Dates, eligibility, and license requirements.** Ducks, mergansers, coots, moorhens, and Canada geese may be taken statewide on ~~special youth waterfowl hunting days~~ September 16 by hunters 15 years of age or younger. An adult mentor 18 years of age or older, who is authorized by the youth's parent or guardian, must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. No hunting license or waterfowl stamps are required.

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

#### 6240.1200 SPECIAL PROVISIONS ON TAKING GEESE DURING EARLY SEASONS.

Subpart 1. **Taking near water.**

A. Taking Canada geese during the early seasons is prohibited on or within 100 yards of all surface waters in the following areas:

# Expedited Emergency Rules

(1) the Northwest, Southeast, and Twin Cities Metro Goose Zones, except for Spurzem Lake in Baker Park Reserve, Mud Lake in Elm Creek Park Reserve, and Cleary Lake in Cleary Lake Regional Park;

(2) all of the Carlos Avery Wildlife Management Area, including that portion outside the Twin Cities Metro Goose Zone; and

(3) the Swan Lake area in Nicollet County, within the boundary described as follows:

Beginning at the junction of State Trunk Highway (STH) 14 and County StateAid Highway (CSAH) 12 north along CSAH 12 to CSAH 5; thence east along CSAH 5 to CSAH 13; thence south along CSAH 13 to STH 99; thence west along STH 99 to CSAH 17; thence south along CSAH 17 to STH 14; thence northwest and west along STH 14 to CSAH 12.

B. Taking Canada geese on or within 100 yards of surface waters during the early Canada goose seasons is allowed for youth hunters participating in youth waterfowl hunting days and on specific bodies of water in closed zones as described or shown on maps provided by the commissioner.

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

## 6240.1850 REFUGES OPEN TO THE TAKING OF GEESE.

[For text of subpart 1, see 30 SR 321]

Subp. 2. **Game refuges.** The Mud-Bardwell Game Refuge in Martin County is open to Canada goose hunting beginning the Saturday closest to November 1 through the remainder of the regular and December Canada goose seasons. No hunting within 100 yards of open water is allowed. The Fox Lake Game Refuge in Martin County and the Saint James Game Refuge in Watonwan County are open to goose hunting during the first three days of the regular goose season in the respective zones in which they are located. The Fox Lake Game Refuge is open to goose hunting ~~December 17 to 19~~ from the last Saturday of the December Canada goose season to the end of the goose season in the zone in which it is located, except there is no goose hunting within 100 yards of Fox and Temperence Lakes.

[For text of subp. 3, see 30 SR 321]

## 6240.2100 DESIGNATED MIGRATORY WATERFOWL FEEDING AND RESTING AREAS.

Subpart 1. **Designation of entire lakes.** The following lakes are designated as migratory waterfowl feeding and resting areas:

Name	Location	County
A. Bakers Lake	T.114N; R.29W	McLeod
B. Bear Lake	T.101N; R.22W	Freeborn
C. Big Rice Lake	T.140, 141N; R.26W	Cass
D. Cottonwood Lake	T.106N; R.25W	Blue Earth
E. Diamond Lake	T.110N; R.23W	Le Sueur
F. Dora Lake	T.110N; R.23W	Le Sueur
<u>G. Goose Lake</u>	<u>T.143N; R.23W</u>	<u>Cass</u>
<u>H. Lake Henry</u>	<u>T.110N; R.25W</u>	<u>Le Sueur</u>
<del>G. I.</del> Lake Johanna	T.123N; R.36W	Pope
<del>H. J.</del> Lake Lillian	T.117N; R.33, 34W	Kandiyohi
<del>F. K.</del> Little Puposky Lake	T.149N; R.33, 34W	Beltrami
<u>L. Mud Lake</u>	<u>T.144N; R.23W</u>	<u>Cass</u>
<del>J. M.</del> Mud Lake	T.131N; R.43W	Otter Tail
<del>K. N.</del> Mud Lake	T.114N; R.26W	Sibley
<del>L. O.</del> Nelson Lake	T.124N; R.38W	Pope
<del>M. P.</del> Oakleaf Lake	T.110N; R.26W	Nicollet
<del>N. Q.</del> Pleasant Lake	T.113N; R.23W	Scott
<del>O. R.</del> Puposky Lake	T.149N; R.33, 34W	Beltrami
<del>P. S.</del> Rice Lake	T.148, 149N; R.27W	Itasca
<del>Q. T.</del> Rice Lake	T.111N; R.23W	Le Sueur
<del>R. U.</del> Sanborn Lake	T.112N; R.23W	Le Sueur
<del>S. V.</del> Scotch Lake	T.110N; R.25W	Le Sueur
<del>T. W.</del> Squaw Lake	T.148, 149N; R.27W	Itasca
<u>X. Thielke Lake</u>	<u>T.122N; R.46W</u>	<u>Big Stone</u>
<del>U. Y.</del> Tiger Lake	T.115N; R.26W	Carver
<del>V. Z.</del> Turtle Lake	T.148N; R.39W	Polk
<del>W. AA.</del> Unnamed Lake	T.114N; R.29W; S.28	McLeod
<del>X. BB.</del> Upper Rice Lake	T.145N; R.36, 37W	Clearwater

# Expedited Emergency Rules

---

Y: CC, Wagonga Lake

T.118, 119N; R.34, 35W

Kandiyohi

Z: DD, Washington Lake

T.114N; R.26W

Sibley

[For text of subs 2 to 9, see M.R.]

**EFFECTIVE PERIOD.** The expedited emergency amendments to *Minnesota Rules*, parts 6240.0610, 6240.1200, 6240.1850, and 6240.2100 expire January 1, 2007. After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

## Department of Natural Resources

### Division of Fish and Wildlife

#### Adopted Expedited Emergency Game and Fish Rules: Wildlife Management Areas, Game Refuges, Ruffed and Spruce Grouse Seasons, Pheasant Season, Gray Partridge Season, Mourning Dove Season

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, Section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.091, 97A.137, 97B.111, 97B.112, 97B.711, and 97B.731.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, Sections 97A.0451 to 97A.0459, are as follows: Intensively managed dove fields are not determined until June, and such fields need lead shot restrictions to reduce disease impacts on mourning doves. Changes to Wildlife Management Areas are part of a permanent rule process that will not be completed before this year's hunting and trapping seasons.

Changes to allow firearms deer hunting in the Bemidji State Game Refuge are necessary to further reduce deer numbers in the refuge, and reasonable because local public discussions and meetings have demonstrated support for the change. However, there is some public opposition to this proposal. In response to this opposition, DNR withdrew this change from a permanent rule proposal, and stated the intent to continue firearms deer hunting through 2006 by expedited emergency rule. After that time, DNR will evaluate the effects on deer populations, and conduct further public meetings or hearings before continuing firearms deer hunting in the Bemidji State Game Refuge.

Other refuge changes and changes to the Ruffed and Spruce Grouse, Pheasant, and Gray Partridge seasons are part of a permanent rule process that will not be completed before this year's hunting and trapping seasons. The mourning dove season is based on annual determinations of season timing and selection of the option as allowed under federal frameworks announced in June of each year.

Dated: August 2, 2006

Mark Holsten, Deputy Commissioner  
Department of Natural Resources

#### **6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.**

[For text of subs 1 to 12, see M.R.]

**Subp. 13. Lead shot prohibited on posted managed dove fields.** A person may not use or possess lead shot while hunting doves on posted managed dove fields in the following wildlife management areas:

- A. Red Buffalo Wildlife Management Area, Lac qui Parle County;
- B. Lac Qui Parle Wildlife Management Area, Swift, Big Stone, and Lac qui Parle Counties;
- C. Coteau Pit Wildlife Management Area, Lincoln County;
- D. Hole-in-the-Mountain Wildlife Management Area, Lincoln County;
- E. Two Rivers Wildlife Management Area, Redwood County;
- F. Tiedemann Wildlife Management Area, Goodhue County;
- G. Whitewater Wildlife Management Area, Winona and Olmstead Counties; and
- H. Carlos Avery Wildlife Management Area, Anoka and Chisago Counties.

#### **6230.0290 BECKLIN HOMESTEAD PARK WILDLIFE MANAGEMENT AREA.**

The Becklin Homestead Park Wildlife Management Area is open to hunting and trapping during the established seasons only to disabled hunters and trappers who meet the requirements of Minnesota Statutes, section 97B.055, subdivision 3, paragraphs (a) and (b).

#### **6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.**

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

---

---

## Expedited Emergency Rules

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

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

- C. trapping for beaver, mink, otter, and muskrat only; ~~and~~
- D. deer and bear hunting by archery; and
- E. deer and bear hunting by firearms.

[For text of subs 3 to 8, see M.R.]

Subp. 9. **Elizabeth Lake Game Refuge, Isanti County.** The Elizabeth Lake Game Refuge in Isanti County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; ~~and~~
- D. deer and bear hunting by archery; and
- E. Canada geese during the early goose season and waterfowl on youth waterfowl day, for youth who are accompanied by a nonhunting adult and are participating in the Isanti County Sportsmen's Club mentoring program.

[For text of subs 10 and 11, see M.R.]

Subp. 12. **Fish Lake-Ann River Game Refuge, Kanabec County.** The Fish Lake-Ann River Game Refuge in Kanabec County is open to trapping, small game hunting except waterfowl, and deer and bear hunting by firearms and archery.

[For text of subp 13, see M.R.]

Subp. 14. **German Lake Game Refuge, Isanti County.** The German Lake Game Refuge in Isanti County is open to:

- A. small game hunting, except waterfowl;
- B. trapping;
- C. deer and bear hunting by firearms; ~~and~~
- D. deer and bear hunting by archery; and
- E. Canada geese during the early goose season and waterfowl on youth waterfowl day, for youth who are accompanied by a nonhunting adult and are participating in the Isanti County Sportsmen's Club mentoring program.

[For text of subs 15 to 20, see M.R.]

Subp. 21. **Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties.** The following special provisions apply to the Lac qui Parle Game Refuge, Chippewa and Lac qui Parle Counties:

A. Those portions within the Lac qui Parle State Recreational Area, Mission Site, or that are posted to prohibit trespass are closed to hunting. The remainder of the refuge is open to:

- (1) waterfowl hunting only during the open Canada goose season in the West Central Goose Zone, only at designated hunting stations as provided by parts 6230.0500 to 6230.1100;
- (2) deer hunting; and
- (3) small game hunting other than waterfowl, except from ~~the first day of the open Canada goose season~~ Saturday, October 14 through the last day of the open Canada goose season in the West Central Goose Zone, when small game hunting is allowed only at designated hunting stations as provided by parts 6230.0500 to 6230.1100. Small game hunting is not allowed on closed Canada goose hunting days during a split goose season.

B. A person may not trespass on any part of the refuge which is posted with signs prohibiting trespass during the dates posted, except that fishing is permitted in the posted closed area ~~within the Lac qui Parle, except from Saturday, October 14 through the last day of the open Canada goose season in the West Central~~ Goose Zone on any day when goose hunting in the zone is closed.

[For text of items C and D, see M.R.]

[For text of subs 22 and 23, see M.R.]

Subp. 24. **Linn Lake Game Refuge, Chisago County.** The Linn Lake Game Refuge in Chisago County is open to:

- A. ~~small game hunting, except waterfowl;~~
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

[For text of subs 25 to 32, see M.R.]

Subp. 33. **Ocheda Lake Game Refuge, Nobles County.** The Ocheda Lake Game Refuge in Nobles County is open to ~~trapping;~~

- A. small game hunting, except from the first day of the regular duck season through December 1;
- B. trapping;
- C. waterfowl hunting on youth waterfowl day;
- D. Canada goose hunting during the early and late seasons, except that hunting is prohibited within 100 yards of surface water during the early goose season; and
- E. deer hunting by firearms and archery, except from the first day of the regular duck season through December 1.

# Expedited Emergency Rules

---

[For text of subs 34 to 58, see M.R.]

## 6234.0200 TAKING RUFFED GROUSE AND SPRUCE GROUSE.

Subpart 1. **Open season.** Ruffed grouse and spruce grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to ~~December 31~~ January 1, except when January 1 is Friday the season will close on January 3 and when January 1 is Saturday the season will close on January 2.

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

## 6234.0400 TAKING PHEASANTS.

Subpart 1. **Open season.** Only cock (male) pheasants may be taken by firearm or bow and arrow from the Saturday on or nearest October 13 to ~~December 31~~ January 1, except when January 1 is Friday the season will close on January 3 and when January 1 is Saturday the season will close on January 2. Shooting hours are from 9:00 a.m. to sunset each day.

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

## 6234.0500 TAKING GRAY PARTRIDGE.

Subpart 1. **Open season.** Gray (Hungarian) partridge may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to ~~December 31~~ January 1, except when January 1 is Friday the season will close on January 3 and when January 1 is Saturday the season will close on January 2.

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

## 6240.0250 TAKING MOURNING DOVES.

Subpart 1. **Open season.** Mourning doves may be taken during the 60-day period beginning September 1.

Subp. 2. **Daily limit.** A person may not take more than 15 mourning doves per day during the open season.

**REPEALER.** Minnesota Rules, part 6230.0290, published in the State Register, volume 30, page 216, August 29, 2005, is repealed.

**EFFECTIVE PERIOD.** After the emergency amendments expire, the permanent rules as they read prior to those amendments again take effect, except as they may be amended by permanent rule.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2006 Deer Season

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.401, 97A.465, 97A.535 (as amended by Laws of 2006, Chapter 281, Art. 2, Sec. 33), 97B.111, 97B.301, 97B.305, and 97B.311.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population data needed to establish quotas and classify deer areas are not available until June. New hunt conditions are provided for on an experimental basis for research purposes. Tagging and license changes are made to reflect statutory changes made by the 2006 legislature. Disabled and special hunt areas open or closed to hunting are not established until harvest and population data are evaluated in May and June. Changes in registration block and zone boundaries are to improve deer harvest and population management by better aligning land-use and land cover type to provide for more uniform harvest.

Dated: August 2, 2006

Mark Holsten, Deputy Commissioner  
Department of Natural Resources

## 6232.0200 DEFINITIONS.

[For text of subs 1 to 9, see M.R.]

Subp. 10. **Antler point.** "Antler point" means an antler projection measuring at least one inch in length when measured from the base to the tip.

Subp. 11. **Earn-a-buck hunt.** "Earn-a-buck hunt" means a hunt for which a hunter must tag at least one antlerless deer before tagging a legal buck.

---

---

# Expedited Emergency Rules

## 6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

Subpart 1. **Zone and date options.** A firearm deer hunter may purchase a firearm license valid for the regular firearms deer season or muzzleloader season, a multizone buck license to take antlered deer in more than one zone, an all-season deer license, or a resident youth license. A hunter purchasing a resident youth license or a regular firearm license, including a hunter choosing a muzzleloader option, must select only one of the zone and date options listed on the license. For the regular firearm season, this choice will be printed on the license at the time of purchase. A person may only hunt deer by firearms within the zone and date options indicated on the person's firearm license, except as prescribed in part 6232.1970, subpart 2, and except that a firearm license for any zone or season option is valid in the Metro Deer Management Zone and season.

[For text of subs 2 to 4, see M.R.]

Subp. 5. **Tagging.** The tag of the license valid for the taking of the deer must be affixed around the tendon or bone of a hind leg, around the base of an antler, or through a slit cut in either ear ~~so that the tag cannot be readily removed.~~

Subp. 6. **License purchase and validation.**

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

B. At the time a deer is tagged at the site of kill, the license and site tag must be validated. Validation consists of using a knife or similar sharp object to cut out or a pen to indelibly mark the area indicated on the license and the appropriate notches areas on the site tag indicating:

- (1) the month the deer was taken;
- (2) the date the deer was taken; and
- (3) the time of day the deer was taken.

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

Subp. 8. **Bag limit.** A person may not tag more than one legal buck per calendar year using any combination of licenses. A person may not tag more than one deer during a license year by any method, except as authorized in items A to ~~D~~ E.

A. ~~In Marshall, Kittson, Roseau, Lake of the Woods, and Pennington Counties,~~ A person may tag one deer with a regular archery license and another with a regular firearms license, including the muzzleloader option or multizone buck license. ~~Both deer must be taken and registered in this fivecounty area.~~

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

C. In no case may a person tag more than five deer per year by firearms, archery, or both methods combined, except a sixth deer may be tagged if the person takes a deer with a free landowner permit and additional deer may be taken as provided in items E and F.

D. Except as provided in items A, E, and F, the total bag limits by deer permit area are as follows:

[For text of subitems (1) to (4), see M.R.]

E. Up to a total of two antlerless deer may be taken in the early antlerless deer areas prescribed in part 6232.1750, subpart 5. These deer can be taken in addition to the bag limit established under item C.

F. Hunters hunting in the Metro Deer Management Zone may take and tag an unlimited number of deer.

[For text of subp 9, see M.R.]

## 6232.0350 RESTRICTIONS FOR TAKING DEER IN ITASCA STATE PARK.

In Itasca State Park, a legal buck is defined as a deer with a minimum of three antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and are not legal for harvest. Up to four bonus permits may be used to take antlerless deer.

## 6232.0400 REGISTRATION OF DEER.

Subp. 2. **Registration requirements.** Persons ~~taking~~ tagging a deer must present the deer for registration at a designated deer registration station or agent of the commissioner and obtain a big game possession tag:

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

All deer taken in special hunt areas must be registered as specified in the materials provided to all special hunt permittees.

[For text of subp 4, see M.R.]

Subp. 5. **Deer taken in the Metro Deer Management Zone.** Deer taken in the Metro Deer Management Zone must be registered before transport outside the zone.

## 6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.

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

Subp. 2. **Areas.** Special bow and arrow permits are valid in areas designated by the commissioner and published in the annual hunting regulations booklet. The following archery special hunt areas are established for the 2006 season:

A. portions of the city of New Ulm and Flandrau State Park in Brown County are open October 14 to December 31 for taking antlerless

# Expedited Emergency Rules

---

deer and legal bucks. No more than 50 permits shall be issued by the city of New Ulm. A regular archery or all-season deer license and one bonus permit must be purchased to qualify for the hunt. A proficiency test is required and a \$5 administrative fee shall be charged. One bonus permit may also be used by permittees to take deer. Applications must be sent to New Ulm City Deer Hunt, City Manager's Office, 100 N. Broadway, New Ulm, Minnesota 56073. Applications must be postmarked by August 29;

B. portions of the city of Mankato are open October 21 to December 31 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued by the city of Mankato. A regular archery or all-season deer license and one bonus permit must be purchased to qualify for the hunt. A proficiency test is required and a \$5 administrative fee shall be charged. For an application form and description of the hunt requirements, write to: Mankato City Deer Hunt, P.O. Box 3368, Mankato, Minnesota 56001, or call (507) 387-8649;

C. portions of the city of Granite Falls are open September 16 to December 31 for taking antlerless deer and legal bucks. No more than ten permits shall be issued by the city of Granite Falls. A regular archery or all-season deer license and one bonus permit must be purchased to qualify for this hunt. A \$10 administrative fee shall be charged. For an application form and description of the hunt requirements, write to: Granite Falls City Deer Hunt, Granite Falls Police Dept., 930 4th Street, Suite 3, Granite Falls, Minnesota 56241, or call (320) 564-2129. Applications must be postmarked no later than August 14;

D. portions of the city of Ortonville are open October 1 to December 31 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued by the city of Ortonville. A regular archery or all-season deer license and one bonus permit must be purchased to qualify for this hunt. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time but the antlerless deer must be tagged first. A proficiency test and a \$7.50 administrative fee are required. For an application form and description of the hunt requirements, write to: Ortonville City Deer Hunt, 315 Madison Avenue, Ortonville, Minnesota 56278, or call (320) 839-3428. Applications must be received by the close of business on September 2;

E. Camp Ripley Military Reservation in Morrison County is open October 4 and October 5 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to active duty military personnel. One bonus permit may be used, but a hunter may not take more than one deer;

F. portions of the city of St. Cloud and the St. Cloud Game Refuge are open from September 16 to December 31 by special permit from the city. Hunters must have a valid regular archery or all-season deer license to participate. Hunting is allowed on certain lands under special hunting rules administered by the city of St. Cloud. A proficiency test and other restrictions designated by the city apply. There is a limit of two deer, however, hunters must tag an antlerless deer before tagging a buck. A lottery shall be conducted on August 25 to determine participation. For an application form and description of the hunt requirements, contact the St. Cloud Health and Inspections Department Deer Hunt, 400 2nd Street South, St. Cloud, Minnesota 56301, call (320) 255-7214, or visit [www.ci.stcloud.mn.us](http://www.ci.stcloud.mn.us). Applications for the archery deer hunt must be postmarked no later than August 22;

G. Crow-Hassan Park Reserve in Hennepin County is open November 10 to November 12 for taking antlerless deer and legal bucks. No more than 130 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 Country Road 9, Suite 100, Plymouth, Minnesota 55441;

H. Murphy-Hanrehan Park Reserve in Scott County is open November 10 to November 12 for taking antlerless deer and legal bucks. No more than 180 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 Country Road 9, Suite 100, Plymouth, Minnesota 55441;

I. Cleary Lake Regional Park in Scott County is open November 10 to November 12 for taking antlerless deer and legal bucks. No more than 55 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 Country Road 9, Suite 100, Plymouth, Minnesota 55441;

J. portions of the city of Red Wing, as shown on maps available from the city, are open September 16 to December 31 for taking antlerless deer. A proficiency test is required and hunters must wear back tags during the hunt. A valid archery or all-season deer license must be purchased to qualify for the hunt. A proficiency test and a \$30 administrative fee are required. A portion of the administrative fee may be refunded. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time, but the antlerless deer must be tagged first. Up to four bonus permits may be used by permittees to take additional deer. Applications must be submitted to City of Red Wing Deer Hunt, Red Wing Public Works, 229 Tyler Road S., Red Wing, Minnesota 55066;

K. portions of the city of Sandstone are open September 16 to December 31 by special permit from the city. Hunters must have a valid archery or all-season deer license to participate. Hunting is allowed on private land within these areas with written landowner permission and on certain city-owned lands under special hunting rules. Bonus permits are available and strongly encouraged for participants in the city hunt. For more information on the Sandstone city hunt and regulations, contact: [samg@sandstonemn.com](mailto:samg@sandstonemn.com);

L. portions of the city of Rochester are open September 16 to December 31 for taking antlerless deer and legal bucks. Hunters must have a valid regular archery or all-season deer license to participate. Hunting is allowed on certain lands under special hunting rules administered by the city of Rochester. Bonus permits may be used to take up to four additional antlerless deer during the hunt. For complete information, contact: City of Rochester Deer Hunt, Terry Spaeth, Room 266, City Hall, 201 4th Street SE, Rochester, Minnesota 55904, or call (507) 285-8082;

---

---

## Expedited Emergency Rules

M. portions of the city of Duluth are open September 16 to December 31 for the taking of antlerless deer and legal bucks by special permit available from the city. A bowhunter education certificate, proficiency test, and ethics pledge are required. Hunters must have a valid regular archery or all-season deer license to participate. Bonus permits may be used to take up to four additional antlerless deer during the hunt. Hunters must take an antlerless deer before harvesting a buck and party hunting is not allowed for antlered bucks. Hunting is allowed on private land within the special hunt areas with written landowner permission and on certain city-owned lands. The application fee is \$10. For an application form, map, and description of the hunt rules, contact: [info@bowhuntersalliance.org](mailto:info@bowhuntersalliance.org) or City of Duluth Deer Hunt, Phil Lockett, P.O. Box 15013, Duluth, Minnesota 55815-0013. Applications must be postmarked no later than August 1; and

N. portions of the city of Taylors Falls are open September 16 to December 31 for the taking of antlerless deer and legal bucks by special permits available from the city. A regular archery or allseason deer license and one bonus permit must be purchased to qualify for the hunt. A proficiency test is required and hunters must obtain a permit from the city. Up to four bonus permits may be used to take antlerless deer. For an application form and description of the hunt requirements, write to: City of Taylors Falls, 637 1st Street, Taylors Falls, Minnesota 55084-1144.

### Subp. 3. 2006 archery managed and intensive deer areas.

A. Bonus permits may be used to take one additional antlerless deer by archery in managed deer areas prescribed in part 6232.1750, subpart 3, and the special archery hunts prescribed in subpart 2, items A to F.

B. Bonus permits may be used to take up to four antlerless deer by archery in intensive deer areas prescribed in part 6232.1750, subpart 4, and the archery special hunts prescribed in subpart 2, items G to N.

## 6232.1300 SEASONS FOR TAKING DEER BY FIREARMS.

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

Subp. 7. **Metro Deer Management Zone.** In 2006, legal bucks and antlerless deer may be taken in the Metro Deer Management Zone for the 23-day period beginning Saturday, November 4, and ending Sunday, November 26.

Subp. 8. **Early antlerless season.** In 2006, antlerless deer may be taken in the early antlerless season for a two-day period beginning Saturday, October 14, and ending Sunday, October 15. The season is open in those deer areas prescribed in part 6232.1750, subpart 5.

## 6232.1400 ZONE DESCRIPTIONS.

Subpart 1. **Zone 1.** Zone 1 is that portion of the state lying within the following described boundary:

Beginning on at the intersection of State Trunk Highway (STH) 72 at 310 with the northern boundary of the state; thence along STH 72 310 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of said reservation to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to the junction with CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 STH 89; thence along STH 89 to County State-Aid Highway (CSAH) 2, Roseau County; thence along CSAH 2 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 54, Marshall County; thence along CSAH 54 to a point due west of the Red Lake Indian Reservation boundary; thence due east to said boundary; thence south and east along said boundary to the west shore of the Sandy River; thence along the Sandy River to Township Road 279th Avenue or Bailey's Road south; thence along said road to Township Road Clover Road; thence along said township road to CSAH 11, Clearwater County; thence along CSAH 11 to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to County Road (CR) 3, Beltrami County; thence along CR 3 to CSAH 17, Clearwater County; thence along CSAH 17 to U.S. Highway 2; thence along U.S. Highway 2 to STH 92; thence along STH 92 to CSAH 27, Clearwater County, and westerly to the north boundary of the White Earth Indian Reservation; thence south along said boundary to the boundary line between Range 37 West and Range 38 West; thence along said range line to STH 113; thence along STH 113 to the Itasca State Park boundary; thence north and east along said boundary to U.S. Highway 71; thence along U.S. Highway 71 to STH 200; thence along STH 200 to STH

# Expedited Emergency Rules

---

371; thence along STH 371 to STH 84; thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of U.S. Highway 169 and STH 27; thence due south to said junction; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the easterly and northerly boundaries of the state to the point of beginning.

Subp. 2. **Zone 2.** Zone 2 is that portion of the state lying within the following described boundary:

Beginning ~~on at the intersection of State Trunk Highway (STH) 72 at 310 with~~ the northern boundary of the state; thence along STH 72 ~~310 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of said reservation to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to the junction of CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 STH 89; thence along STH 89 to County State-Aid Highway (CSAH) 2, Roseau County; thence along CSAH 2 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 54, Marshall County; thence along CSAH 54 to a point due west of the Red Lake Indian Reservation boundary; thence due east to said boundary; thence south and east along said boundary to the west shore of the Sandy River; thence along the Sandy River to Township Road 279th Avenue or Bailey's Road south; thence along said road to Township Road Clover Road; thence along said township road to CSAH 11, Clearwater County; thence along CSAH 11 to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to County Road (CR) 3, Beltrami County; thence along CR 3 to CSAH 17, Clearwater County; thence along CSAH 17 to U.S. Highway 2; thence along U.S. Highway 2 to STH 92; thence along STH 92 to CSAH 27, Clearwater County, and westerly to the north boundary of the White Earth Indian Reservation; thence south along said boundary to the boundary line between Range 37 West and Range 38 West; thence along said range line to STH 113; thence along STH 113 to the Itasca State Park boundary; thence north and east along said boundary to U.S. Highway 71; thence along U.S. Highway 71 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to STH 84; thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of U.S. Highway 169 and STH 27; thence due south to said junction; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the eastern boundary of the state; thence along the easterly boundary of the state to the junction of the St. Croix and Mississippi Rivers; thence along the easterly bank of the Mississippi River to the Crow Wing River; thence along the east bank of the Crow Wing River to U.S. Highway 12; thence along U.S. Highway 12 to CSAH 15; thence along CSAH 15 to CSAH 55; thence along CSAH 55 to CSAH 4; thence along CSAH 4 to Interstate Highway 94; thence along Interstate Highway 94 to CSAH 34; thence along CSAH 34 to CSAH 32; thence along CSAH 32 to U.S. Highway 10; thence along U.S. Highway 10 to the west boundary of the state; thence along U.S. Highway 10 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 59; thence along U.S. Highway 59 to the southern boundary of the White Earth Indian Reservation; thence along the southern, western, and northern boundaries of said reservation to STH 59; thence along STH 59 to the northern the west and north boundary of the state to the point of beginning.~~

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

Subp. 4. **Zone 4.** Zone 4 is that portion of the state lying within the following described boundary:

---

---

# Expedited Emergency Rules

Beginning on U.S. Highway 59 at the north boundary of the state; thence along U.S. Highway 59 to the north boundary of the White Earth Indian Reservation; thence along the north, west, and south boundaries of said reservation to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10 at the west boundary of the state; thence along U.S. Highway 10 to the easterly bank of the Mississippi River; thence along the easterly bank of the Mississippi River to the mouth of the County State-Aid Highway (CSAH) 32; thence along CSAH 32 to CSAH 34; thence along CSAH 34 to Interstate Highway 94; thence along Interstate Highway 94 to CSAH 4; thence along CSAH 4 to CSAH 55; thence along CSAH 55 to CSAH 15; thence along CSAH 15 to U.S. Highway 12; thence along U.S. Highway 12 to the Crow River, Wright County; thence along the easterly bank of the Crow River to the mouth of the South Fork of the Crow River; thence along the easterly bank of the South Fork of the Crow River to State Trunk Highway (STH) 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to U.S. Highway 14; thence along U.S. Highway 14 to County State-Aid Highway (CSAH) 13, Dodge County; thence along CSAH 13 to STH 30; thence along STH 30 to U.S. Highway 63; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 U.S. Highway 63 to the eastern southern boundary of the state; thence along the east, south; and west, and north boundaries of the state to the point of beginning.

**Subp. 5. Metro Deer Management Zone.** The Metro Deer Management Zone is comprised of registration blocks 228 and 337 as prescribed in part 6232.4700, subparts 75a and 91.

## 6232.1600 SPECIAL HUNT PROCEDURES.

[For text of subs 1 to 5, see M.R.]

**Subp. 6. 2006 firearms special hunt areas.** The following firearms special hunt areas are authorized for the 2006 season:

A. Rice Lake National Wildlife Refuge in Aitkin County is open November 11 to November 19 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to individuals authorized to hunt in Zone 1. This is special hunt area 901;

B. St. Croix State Park in Pine County is open November 11 to November 14 for taking antlerless deer and legal bucks. No more than 550 permits shall be issued to individuals authorized to hunt in Zone 1. St. Croix State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. Only a person who has used their tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at St. Croix State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 902;

C. Savanna Portage State Park in Aitkin County is open November 11 to November 19 for taking antlerless deer and legal bucks. For purposes of this hunt, a legal buck is defined as a male deer with a minimum of three antler points on at least one antler. No more than 55 permits shall be issued to individuals authorized to hunt in Zone 1. All harvested deer must be registered at Savanna Portage State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 903;

D. Gooseberry Falls State Park in Lake County is open November 4 to November 19 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 904;

E. Split Rock Lighthouse State Park in Lake County is open November 4 to November 19 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 905;

F. Tettegouche State Park in Lake County is open November 4 to November 19 for taking antlerless deer and legal bucks. No more than 125 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 906;

G. Scenic State Park in Itasca County is open November 4 to November 19 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 907;

H. Hayes Lake State Park in Roseau County is open November 4 to November 19 for taking antlerless deer only. No more than 60 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 908;

I. Lake Bemidji State Park in Beltrami County is open November 4 to November 7 for taking antlerless deer only. No more than 35 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 909;

J. Zippel Bay State Park in Lake of the Woods County is open November 4 to November 19 for taking antlerless deer only. No more than 55 permits shall be issued to individuals authorized to hunt in Zone 1. Up to four bonus permits may be used to take antlerless deer.

# Expedited Emergency Rules

---

This is special hunt area 910;

K. Wild River State Park in Chisago County is open November 4 to November 7 for taking antlerless deer and legal bucks. No more than 150 permits shall be issued to individuals authorized to hunt in Zone 2. Wild River State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. Only a person who has used their tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at Wild River State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 911;

L. Old Mill State Park in Marshall County is open November 4 to November 12 for taking antlerless deer only. No more than seven permits shall be issued to individuals authorized to hunt in Zone 2. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 912;

M. William O'Brien State Park in Washington County is open November 4 and November 5 for taking antlerless deer and legal bucks. No more than 65 permits shall be issued to individuals authorized to hunt in Zone 2. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 913;

N. Lake Bronson State Park in Kittson County is open November 4 to November 12 for taking antlerless deer only. No more than 25 permits shall be issued to individuals authorized to hunt in Zone 2. Up to four bonus permits may be used to take a second, third, fourth, and fifth deer. This is special hunt area 914;

O. Buffalo River State Park in Clay County is open November 4 and November 5 for taking antlerless deer only. No more than 12 permits shall be issued to individuals authorized to hunt in Zone 2. Up to four bonus permits may be used to take a second, third, fourth, and fifth deer. This is special hunt area 915;

P. Maplewood State Park in Otter Tail County is open November 4 to November 12 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to individuals authorized to hunt in Zone 2. Maplewood State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. Only a person who has used the person's tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at Maplewood State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 916;

Q. Rydell National Wildlife Refuge in Polk County is open November 4 to November 12 for taking antlerless deer only. No more than five permits shall be issued to individuals authorized to hunt in Zone 2. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 917;

R. Lake Alexander Scientific and Natural Area in Morrison County is open November 4 to November 12 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to individuals licensed to hunt in Zone 2. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 918;

S. Beaver Creek Valley State Park in Winona County is open November 4 and November 5 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued to individuals licensed to hunt in Zone 3A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 919;

T. Zumbro Falls Scientific and Natural Area in Wabasha County is open November 4 to November 10 for taking antlerless deer only. No more than 12 permits shall be issued to individuals licensed to hunt in Zone 3A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 920;

U. Forestville Mystery Cave State Park in Fillmore County is open November 18 to November 20 and November 24 to November 26 for taking antlerless deer and legal bucks. For purposes of this hunt, a legal buck is defined as a male deer with a minimum of four antler points on at least one antler. All harvested deer must be registered at Forestville Mystery Cave State Park and presented for inspection. No more than 110 permits shall be issued to Zone 3B licensees only. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 921;

V. Frontenac State Park in Goodhue County is open November 18 to November 20 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued to Zone 3B licensees only. Frontenac State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. Only a person who has used the person's tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at Frontenac State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 922;

W. Great River Bluffs State Park in Winona County is open November 18 to November 20 and November 24 to November 26 for taking antlerless deer and legal bucks. Great River Bluffs State Park is designated as an earnabuck hunt. Multiple deer may be registered at the same time. Only a person who has used the person's tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at Great River Bluffs State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 923;

X. Zumbro Falls Scientific and Natural Area in Wabasha County is open November 18 to November 26 for taking antlerless deer only. No more than 12 permits shall be issued to individuals licensed to hunt in Zone 3B. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 924;

Y. Kellogg Weaver Dunes Scientific and Natural Area in Wabasha County is open November 18 to November 26 for taking antlerless

---

---

# Expedited Emergency Rules

deer only. No more than 15 permits shall be issued to Zone 3B licensees only. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 925;

Z. Elm Creek Park Reserve in Hennepin County is open November 18 and November 19 for taking antlerless deer and legal bucks. No more than 145 permits shall be issued to individuals licensed to hunt in Zone 3B. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 926;

AA. Elm Creek Park Reserve in Hennepin County is open November 25 and November 26 for taking antlerless deer and legal bucks. No more than 75 permits shall be issued to individuals licensed to hunt in Zone 3B. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 927;

BB. Whitewater State Game Refuge in Winona County is open November 18 to November 26 for taking antlerless deer only. No more than 75 permits shall be issued to Zone 3B licensees only. This is special hunt area 928;

CC. Glacial Lakes State Park in Pope County is open November 11 to November 14 for taking antlerless deer only. No more than 30 permits shall be issued to individuals authorized to hunt in Zone 4B. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 929; and

DD. Lake Louise State Park in Mower County is open November 11 and November 12 for taking antlerless deer and legal bucks. Lake Louise State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. Only a person who has used their tag on an antlerless deer may tag a buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first. All deer taken at the park must be registered at Lake Louise State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 930.

Subp. 7. **Firearms special hunt area quota adjustments.** The commissioner may reduce the permit quota for the St. Croix and Wild River State Parks firearms special hunts at the time the computerized drawing is conducted to accommodate tribal declarations for antlerless deer harvest in the 1837 ceded territory in compliance with *Mille Lacs Band of Chippewa v. Minnesota*, 119 S. Ct. 1187 (1999).

## **6232.1750 DEER PERMIT AREA DESIGNATION.**

Subpart 1. **Generally.** The commissioner shall annually designate all deer permit areas as intensive, managed, or lottery and shall establish permit quotas for taking deer of either sex in lottery deer permit areas.

Subp. 2. **2006 lottery designations.** The following deer permit areas under part 6232.1800 are designated as lottery deer areas: 116, 127, 152, 199, 203, 338A, 339A, 341A, 342A, 344A, 344B, 416A, 416B, 417A, 417B, 422A, 422B, 423A, 423B, 424A, 424B, 425A, 425B, 426A, 426B, 427A, 427B, 428A, 428B, 431A, 431B, 433A, 433B, 435A, 435B, 440A, 440B, 442A, 442B, 443A, 443B, 446A, 446B, 447A, 447B, 448A, 448B, 449A, 449B, 450A, 450B, 451A, 451B, 453A, 453B, 454A, 454B, 455A, 455B, 457A, 457B, 458A, 458B, 459A, 459B, 463A, and 463B.

Subp. 3. **2006 managed designations.** The following deer permit areas under part 6232.1800 are designated as managed deer areas: 104, 107, 114, 115, 122, 126, 154, 167, 168, 170, 172, 174, 175, 178, 197, 201, 215, 218, 219, 223, 224, 235, 247, 249, 251, 297, 298, 338B, 339B, 343A, 345A, 347A, 348A, 412A, 412B, 420A, 420B, 421A, 421B, 452A, 452B, 456A, 456B, 461A, 461B, 462A, 462B, 464A, 464B, 465A, 465B, 466A, and 466B.

Subp. 4. **2006 intensive designations.** The following deer permit areas under part 6232.1800 are designated as intensive deer areas: 105, 110, 111, 156, 157, 159, 180, 181, 182, 183, 184, 202, 204, 206, 207, 208, 209, 210, 213, 214, 221, 222, 225, 227, 228, 229, 236, 239, 240, 241, 242, 243, 244, 245, 246, 248, 252, 253, 254, 255, 256, 257, 258, 259, 287, 337A, 337B, 341B, 342B, 343B, 345B, 346A, 346B, 347B, 348B, 349A, 349B, 467A, and 467B.

Subp. 5. **2006 early antlerless designations.** The following deer permit areas under part 6232.1800 are designated as early antlerless deer areas: 209, 210, 225, 227, 235, 252, 256, and 257.

Subp. 6. **2006 antlerless permit quotas Zone 1.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 1 for the 2006 season:

- A. permit area 116: 175;
- B. permit area 127: 150;
- C. permit area 152: 350; and
- D. permit area 199: 150.

Subp. 7. **2006 antlerless permit quotas Zone 2.** Up to 150 either-sex permits are available in deer permit area 203 in Zone 2 for the 2006 season.

Subp. 8. **2006 antlerless permit quotas Zone 3A.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 3A for the 2006 season:

- A. permit area 338: 150;
- B. permit area 339: 150;
- C. permit area 341: 425;
- D. permit area 342: 300; and

# Expedited Emergency Rules

---

E. permit area 344: 400.

Subp. 9. **2006 antlerless permit quotas Zone 3B.** Up to 800 either-sex permits are available in deer permit area 344 in Zone 3B for the 2006 season.

Subp. 10. **2006 antlerless permit quotas Zone 4A.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 4A for the 2006 season:

A. permit area 416: 750;  
B. permit area 417: 1,100;  
C. permit area 422: 100;  
D. permit area 423: 150;  
E. permit area 424: 150;  
F. permit area 425: 75;  
G. permit area 426: 225;  
H. permit area 427: 50;  
I. permit area 431: 50;  
J. permit area 433: 400;  
K. permit area 435: 300;  
L. permit area 440: 450;  
M. permit area 442: 550;  
N. permit area 443: 275;  
O. permit area 446: 150;  
P. permit area 447: 150;  
Q. permit area 448: 425;  
R. permit area 449: 500;  
S. permit area 450: 50;  
T. permit area 451: 250;  
U. permit area 453: 250;  
V. permit area 454: 500;  
W. permit area 455: 50;  
X. permit area 457: 200;  
Y. permit area 458: 200;  
Z. permit area 459: 200; and  
AA. permit area 463: 350.

Subp. 11. **2006 antlerless permit quotas Zone 4B.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 4B for the 2006 season:

A. permit area 416: 700;  
B. permit area 417: 1,100;  
C. permit area 422: 100;  
D. permit area 423: 150;  
E. permit area 424: 150;  
F. permit area 425: 75;  
G. permit area 426: 175;  
H. permit area 427: 50;  
I. permit area 431: 50;  
J. permit area 433: 400;  
K. permit area 435: 300;  
L. permit area 440: 300;  
M. permit area 442: 550;  
N. permit area 443: 275;  
O. permit area 446: 150;  
P. permit area 447: 150;  
Q. permit area 448: 150;  
R. permit area 449: 225;  
S. permit area 450: 75;  
T. permit area 451: 225;

---

---

# Expedited Emergency Rules

U. permit area 453: 150;  
V. permit area 454: 325;  
W. permit area 455: 50;  
X. permit area 457: 200;  
Y. permit area 458: 200;  
Z. permit area 459: 200; and  
AA. permit area 463: 350.

## **6232.1970 TAKING DEER BY FIREARMS UNDER EARLY ANTLERLESS PERMITS.**

Subpart 1. **Purchase.** The purchase of up to two early antlerless permits is authorized for any person who has purchased and presents a license valid for firearms in a zone where early antlerless permits are available for the current year. Early antlerless permits may be purchased for one-quarter of the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. **Restrictions.** For the early antlerless season, hunters must have a regular firearms license valid for the zone to take deer under an early antlerless permit in the respective zone for which the license is valid. Up to two early antlerless permits may be used to take antlerless deer by firearms in deer areas prescribed in part 6232.1750, subpart 5. At least one early antlerless permit must be purchased to participate in the season.

## **6232.2100 MUZZLELOADER SEASON AND AREAS.**

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

Subp. 4. **2006 muzzleloader special deer areas.** The following areas are open for muzzleloader hunting by permit during the 2006 season:

A. Jay Cooke State Park in Carlton County is open November 25 to November 29 for taking antlerless deer and legal bucks. No more than 120 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special deer area 931;

B. Crow Wing State Park in Crow Wing County is open December 1 to December 3 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special deer area 932;

C. Lake Shetek State Park in Murray County is open December 2 to December 5 for taking antlerless deer only. No more than 25 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to one bonus permit may be used to take an antlerless deer. This is special deer area 933;

D. Sibley State Park in Kandiyohi County is open December 2 and December 3 for taking antlerless deer only. No more than 40 permits shall be issued to individuals authorized to hunt during the muzzleloader season. This is special deer area 934;

E. Rice Lake State Park in Steele and Dodge Counties is open November 25 to November 27 for taking antlerless deer only. No more than 15 permits shall be issued to individuals authorized to hunt during the muzzleloader season. This is special deer area 935; and

F. Interstate State Park in Chisago County is open November 25 to November 29 for taking antlerless deer only. No more than ten permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special deer area 936.

## **6232.2500 DISABLED HUNT HUNTS.**

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet. In 2006, the following areas are open for hunting by disabled hunters:

A. Carlos Avery Wildlife Management Area Sanctuary in Anoka County is open October 14 to October 22 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. The Minnesota Deer Hunters Association and Capable Partners are the sponsoring nonprofit organizations;

B. Camp Ripley Military Reservation in Morrison County is open October 4 and October 5 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. No more than 60 permits shall be issued. One bonus permit may be used, but a hunter may not take more than one deer. The St. Cloud Veterans Affairs Medical Center is the sponsoring organization;

C. Rosemoen Island in the Lac qui Parle Wildlife Management Area Sanctuary in Chippewa County is open September 16 to September 24 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. One bonus permit may be used and the bag limit is two deer. Capable Partners is the sponsoring nonprofit organization;

D. Rydell National Wildlife Refuge in Polk County is open October 12 to October 14 for taking antlerless deer or legal bucks using legal firearms or bow and arrow. No more than 20 permits shall be issued. The Options Resource Center for Independent Living is the

# Expedited Emergency Rules

---

sponsoring nonprofit organization;

E. deer permit areas 244 and 245 are open September 28 to October 1 for taking antlerless deer and legal bucks using legal bow and arrow. The United Federation for Disabled Archers is the sponsoring nonprofit organization;

F. Lake Bemidji State Park in Beltrami County is open November 6 and November 7 for taking antlerless deer only. The Bemidji chapter of Minnesota Deer Hunters Association is the sponsoring nonprofit organization;

G. Becklin Homestead Park Wildlife Management Area in Isanti County is open to taking antlerless deer and legal bucks during established seasons using legal firearms and bow and arrow. Capable Partners and the Isanti County Sportsman's Club are the sponsoring organizations; and

H. Sand Prairie Wildlife Management Area in Sherburne County is open to taking antlerless deer and legal bucks using quiet guns and urban slugs from October 14 to November 12. Capable Partners and the National Wild Turkey Federation's Wheelin' Sportsmen are the sponsoring organizations.

## 6232.4700 REGISTRATION BLOCKS.

[For text of subs 1 to 43, see M.R.]

Subp. 45. **Registration Block 180.** Registration Block 180 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 535 (I-535) and the east boundary of the state at Duluth; thence along I-535 to Interstate Highway 35 (I-35); thence along I-35 to Mesaba Avenue; thence along Mesaba Avenue to County State Aid Highway (CSAH) 194, St. Louis County; thence along CSAH 194 to CSAH 4, St. Louis County; thence along CSAH 4 to St. Louis County Road (CR) 547; thence along CR 547 to the Duluth, Missabe and Iron Range Railroad (DM&IR); thence along the DM&IR to CSAH 2, Lake County; thence along CSAH 2 to Lake CR 15; thence along CR 15 to the Stony River Forest Road (FR); thence along the Stony River FR to FR 104; thence along FR 104 to the Erie Mining Company Railroad; thence along the Erie Mining Company Railroad to the east bank of the Manitou River; thence along the east bank of the Manitou River to the shore of Lake Superior; thence due south to the east boundary of the state; thence along the east boundary of the state County State-Aid Highway (CSAH) 4 and County Road (CR) 547, St. Louis County; thence easterly along CR 547 to the Canadian National Railroad (CNR); thence northeasterly along the CNR to CSAH 2, Lake County; thence northerly along CSAH 2 to CR 15; thence southeasterly along CR 15 to the Stony River Forest Road (FR); thence northeasterly along the Stony River FR to the LTV Steel Mining Company Railroad (LTVSMCR); thence easterly along the LTVSMCR to the east bank of the Manitou River; thence southerly along the east bank of the Manitou River to the shore of Lake Superior; thence due south to the east boundary of the state; thence southwesterly along the east boundary of the state to a point due south of the junction of the east bank of the Little Sucker River and the shore of Lake Superior, St. Louis County; thence due north to the east bank of the Little Sucker River; thence northwesterly along the east bank of the Little Sucker River to CSAH 61; thence southwesterly along CSAH 61 to CSAH 42; thence north along CSAH 42 to CSAH 43; thence westerly along CSAH 43 to CSAH 37; thence southerly along CSAH 37 to CSAH 69; thence westerly along CSAH 69 to CSAH 4; thence north along CSAH 4 to the point of beginning.

Subp. 46. **Registration Block 181.** Registration Block 181 consists of that portion of the state lying within the following described boundary, except that portion known as the Fond du Lac Indian Reservation:

Beginning at the intersection of State Trunk Highway (STH) 73 and STH 210; thence along STH 73 to U.S. Highway 2; thence along U.S. Highway 2 to County State Aid Highway (CSAH) 25, Itasca County; thence along CSAH 25 to CSAH 133, St. Louis County; thence along CSAH 133 to U.S. Highway 53; thence along U.S. Highway 53 to CSAH 49, St. Louis County; thence along CSAH 49 to CSAH 4, St. Louis County; thence along CSAH 4 to CSAH 194, St. Louis County; thence along CSAH 194 to Mesaba Avenue; thence along Mesaba Avenue to Interstate Highway 35 (I-35); thence along I-35 to STH 210, Carlton County; thence northerly along STH 73 to U.S. Highway 2, St. Louis County; thence northwesterly along U.S. Highway 2 to County State Aid Highway (CSAH) 25, Itasca County; thence westerly along CSAH 25 to CSAH 133, St. Louis County; thence westerly along CSAH 133 to U.S. Highway 53; thence northerly along U.S. Highway 53 to CSAH 49; thence easterly along CSAH 49 to CSAH 4; thence southerly along CSAH 4 to CSAH 9; thence westerly along CSAH 9 to CSAH 859; thence southerly along CSAH 859 to STH 194; thence westerly along STH 194 to U.S. Highway 2; thence westerly along U.S. Highway 2 to STH 33; thence southerly along STH 33 to Interstate Highway 35 (I-35), Carlton County; thence southerly along I-35 to STH 210; thence along STH 210 to the point of beginning.

Subp. 47a. **Registration Block 182.** Registration Block 182 consists of that portion of the state lying within the following described

---

---

# Expedited Emergency Rules

boundary:

Beginning at the intersection of State Trunk Highway (STH) 33 and U.S. Highway 2, St. Louis County; thence easterly along U.S. Highway 2 to STH 194; thence easterly along STH 194 to County State-Aid Highway (CSAH) 859; thence northerly along CSAH 859 to CSAH 9; thence easterly on CSAH 9 to CSAH 4; thence northerly along CSAH 4 to CSAH 69; thence east on CSAH 69 to CSAH 37; thence north on CSAH 37 to CSAH 43; thence easterly along CSAH 43 to CSAH 42; thence south along CSAH 42 to CSAH 61; thence easterly along CSAH 61 to the east bank of the Little Sucker River; thence southwesterly along the east bank of the Little Sucker River to the shore of Lake Superior; thence from the shore of Lake Superior due south to the east boundary of the state; thence southwesterly along the east boundary of the state to STH 23; thence northeasterly along STH 23 to STH 210; thence westerly along STH 210 to Interstate Highway 35 (I-35), Carlton County; thence northerly along I-35 to STH 33; thence northerly along STH 33 to the point of beginning.

Subp. 48. **Registration Block 183.** Registration Block 183 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 35 (I-35) and Interstate Highway 535 (I-535); thence along I-535 to the east boundary of the state; thence along the east boundary of the state to County State-Aid Highway (CSAH) 32, Pine County; thence along CSAH 32 to State Trunk Highway (STH) 23; thence along STH 23 to I-35; thence along I-35 Interstate Highway 35 (I-35) and State Trunk Highway (STH) 210, Carlton County; thence easterly along STH 210 to STH 23, St. Louis County; thence southwesterly along STH 23 to the east boundary of the state; thence southerly along the east boundary of the state to County State-Aid Highway (CSAH) 32, Pine County; thence westerly along CSAH 32 to STH 23; thence westerly along STH 23 to I-35; thence northeasterly along I-35 to the point of beginning.

[For text of subps 52 to 58, see M.R.]

Subp. 59. **Registration Block 205 105.** Registration Block 205 105 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 310 with the 49th parallel of north latitude boundary of the state; thence east along the north boundary of the state (49th parallel of north latitude) to the Ontario border east boundary of the state (on Lake of the Woods); thence southeasterly along the north east boundary of the state to the point due north of the junction of STH 72 and STH 11; thence due south to said junction; thence along STH 11 to County State-Aid Highway (CSAH) 1, Lake of the Woods County; thence along CSAH 1 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to STH 11; thence along STH 11 to 670 Avenue, Roseau County; thence along 670 Avenue to the Tangnes Forest Road; thence along the Tangnes Forest Road to CSAH 5, Roseau County; thence along CSAH 5 to the Thompson Forest Road, Roseau County; thence along the Thompson Forest Road to the boundary of Hayes Lake State Park; thence along the boundary of Hayes Lake State Park to CSAH 18, Roseau County; thence along CSAH 18 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the point of beginning.

[For text of subps 60 to 62, see M.R.]

Subp. 63. **Registration Block 209.** Registration Block 209 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 59; thence along STH 1 to the west boundary of the Red Lake Indian Reservation; thence along the west boundary of the reservation to County State-Aid Highway (CSAH) 5, Beltrami County; thence along CSAH 5 to STH 92; thence southerly along the west and easterly along the south boundaries of said reservation to the west shore of the Sandy River, Clearwater County; thence southerly along the Sandy River to Township Road (TR) 279th Avenue or Bailey's Road south; thence west along said road to TR Clover Road; thence south along said TR to County State-Aid Highway (CSAH) 11, Clearwater County; thence along CSAH 11 to CSAH 4, Clearwater County; thence along CSAH 4 to STH 92; thence along STH 92 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 64. **Registration Block 210.** Registration Block 210 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 92 and U.S. Highway 59; thence along STH 92 to the north boundary of the White Earth Indian Reservation; thence west along said boundary to U.S. Highway 59 thence along STH 92 to County State-Aid Highway (CSAH) 4, Clearwater County;

# Expedited Emergency Rules

---

thence along CSAH 4 east to CSAH 14, Clearwater County; thence along CSAH 14 south to CSAH 3, Clearwater County; thence along CSAH 3 east to County Road (CR) 3, Beltrami County; thence along CR 3 south to CSAH 17, Clearwater County; thence along CSAH 17 to U.S. Highway 2; thence along U.S. Highway 2 west to STH 92; thence along STH 92 to CSAH 27, Clearwater County, and westerly to the north boundary of the White Earth Indian Reservation; thence west along said boundary to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Subp. 65. **Registration Block ~~211~~ 111.** Registration Block ~~211~~ 111 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and STH 11; thence along STH 72 to the Tamarac River; thence along the south shore of the Tamarac River to Upper Red Lake; thence along the north shore of Upper Red Lake to the boundary of the Red Lake Indian Reservation; thence along the north boundary of the reservation to the west boundary of Beltrami County; thence due west to County State-Aid Highway (CSAH) 54, Marshall County; thence north along CSAH 54 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 18, Roseau County; thence along CSAH 18 to the boundary of Hayes Lake State Park; thence along the boundary of Hayes Lake State Park to the Thompson Forest Road; thence along the Thompson Forest Road to CSAH 5, Roseau County; thence along CSAH 5 to the Tangnes Forest Road; thence along the Tangnes Forest Road to 670 Avenue; thence along 670 Avenue to STH 11; thence along STH 11 to CSAH 2, Roseau County; thence along CSAH 2 to the southeast corner of Section 36; thence along STH 11 to CSAH 2, Lake of the Woods County; thence along CSAH 2 to CSAH 3, Lake of the Woods County; thence along CSAH 3 to CSAH 1, Lake of the Woods County; thence along CSAH 1 to STH 11; thence along STH 11 to the point of beginning.

Subp. 67. **Registration Block ~~213~~ 113.** Registration Block ~~213~~ 113 consists of that portion of the state known as the Red Lake Indian Reservation.

Subp. 68. **Registration Block ~~214~~ 114.** Registration Block ~~214~~ 114 consists of that portion of the state north of the 49th parallel of North Latitude commonly known as the Northwest Angle.

[For text of subs 69 to 84a, see M.R.]

Subp. 85. **Registration Block ~~284~~ 184.** Registration Block ~~284~~ 184 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and the line between Range 37 West and Range 38 West; thence south along said range line to State Trunk Highway (STH) 113; thence along STH 113 to the west boundary of Itasca State Park; thence along the west, north, and east boundaries of said park to STH 200; thence along STH 200 to County State-Aid Highway (CSAH) 31, Hubbard County; thence along CSAH 31 to Hubbard County Road (CR) 94; thence along CR 94 to CSAH 39, Hubbard County; thence along CSAH 39 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 46, Hubbard County; thence along CSAH 46 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 39, Beltrami County; thence along CSAH 39 to STH 72; thence along STH 72 to CSAH 32, Beltrami County; thence along CSAH 32 to CSAH 15, Beltrami County; thence along CSAH 15 to the south boundary of the Red Lake Indian Reservation; thence along said reservation boundary to the Sandy River; thence along the Sandy River to CSAH 32, Beltrami County; thence west to CSAH 4, Clearwater County; thence along CSAH 4 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 23, Clearwater County; thence along CSAH 23 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning: the south boundary of the Red Lake Indian Reservation and the Sandy River; thence southerly along the Sandy River to Township Road (TR) 279th Avenue or Bailey's Road south; thence along said road to TR Clover Road; thence along said township road to CSAH 11, Clearwater County; thence south along CSAH 11 to CSAH 4, Clearwater County; thence southerly and then west and then along CSAH 4 to CSAH 14, Clearwater County; thence south along CSAH 14 to County Road (CR) 3, Clearwater County; thence west along CR 3 to CSAH 17, Clearwater County; thence along CSAH 17 to U.S. Highway 2; thence west along U.S. Highway 2 to State Trunk Highway (STH) 92; thence southerly along STH 92 to CSAH 27, Clearwater County, and west to the northeast boundary of the White Earth Indian Reservation; thence south along said boundary, to also the boundary line between Range 37 West and Range 38 West; thence south along said range line to STH 113; thence easterly along STH 113 to the Itasca State Park boundary; thence north and east and

---

---

# Expedited Emergency Rules

south along said boundary to U.S. Highway 71; thence easterly (north) along U.S. Highway 71 to State Highway 200; thence easterly along State Highway 200 to CSAH 31; thence east along CSAH 31 to County Highway 94, Hubbard County; thence north along County Highway 94 to CSAH 39; thence westerly along CSAH 39 to CSAH 5; thence along CSAH 5 to CSAH 69; thence northerly along CSAH 69 to CSAH 9; thence west along CSAH 9 to CSAH 45 to U.S. Highway 2; thence east along U.S. Highway 2 to CSAH 46, Hubbard County; thence along CSAH 46, Hubbard County, to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 25; thence along CSAH 25 to CSAH 8; thence east along CSAH 8 to CSAH 27; thence along CSAH 27 to CSAH 20; thence easterly along CSAH 20 to CSAH 39; thence along CSAH 39 to U.S. Highway 71; thence north along U.S. Highway 71 to CSAH 72; thence along CSAH 72 to CR 32; thence west along CR 32 to CR 15; thence north along CR 15 to the southern boundary of Red Lake Indian Reservation; thence west along the Red Lake Indian Reservation boundary to the point of beginning.

Subp. 86. **See repealer.**

[For text of subs 88 to 102, see M.R.]

Subp. 103. **Registration Block ~~401~~ 252.** Registration Block ~~401~~ 252 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and the north boundary of the state; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to the west boundary of the state; thence along the west and north boundaries of the state to the point of beginning.

Subp. 104. **Registration Block ~~402~~ 253.** Registration Block ~~402~~ 253 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 2 and the west boundary of the state; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Subp. 105. **Registration Block ~~403~~ 254.** Registration Block ~~403~~ 254 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 75 and the north boundary of the state; thence along the north boundary of the state to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 11; thence along STH 11 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 106. **Registration Block ~~404~~ 255.** Registration Block ~~404~~ 255 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 75; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to STH 1; thence along STH 1 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 107. **Registration Block ~~405~~ 256.** Registration Block ~~405~~ 256 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 75; thence along STH 1 to STH 32; thence along STH 32 to STH 102; thence along STH 102 to STH 9; thence along STH 9 to U.S. Highway 2; thence along U.S. Highway 2 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Subp. 108. **Registration Block ~~406~~ 257.** Registration Block ~~406~~ 257 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 32; thence along U.S. Highway 59 to County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to STH 32; thence along STH 32 to the point of beginning.

Subp. 109. **Registration Block ~~407~~ 258.** Registration Block ~~407~~ 258 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 102; thence along STH 102 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to the point of beginning.

Subp. 110. **Registration Block ~~408~~ 259.** Registration Block ~~408~~ 259 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to U.S. Highway 59; thence along U.S. Highway 59 to the north boundary

# Expedited Emergency Rules

---

of the White Earth Indian Reservation; thence west, south, and east along the boundary of said reservation to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 111. **Registration Block 409 241.** Registration Block 409 241 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 112. **Registration Block 410 239.** Registration Block 410 239 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 59; thence along U.S. Highway 10 to State Trunk Highway (STH) 78; thence along STH 78 to STH 210; thence along STH 210 to Interstate Highway 94 (I-94); thence along I-94 to STH 34; thence along STH 34 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 113. **Registration Block 411 240.** Registration Block 411 240 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 22, Todd County; thence along CSAH 22 to CSAH 46, Otter Tail County; thence along CSAH 46 to State Trunk Highway (STH) 235; thence along STH 235 to CSAH 38, Otter Tail County; thence along CSAH 38 to STH 78; thence along STH 78 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 114. **Registration Block 412.** Registration Block 412 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of ~~State Trunk Highway (STH) 210~~ U.S. Highway 59 and Interstate Highway 94 (I-94); thence along ~~STH 210 to STH 78; thence along STH 78 to County State Aid Highway (CSAH) 38, Otter Tail County; thence along CSAH 38 to STH 235; thence along STH 235 to I-94 to State Trunk Highway (STH) 29;~~ thence along STH 29 to STH 28; thence along STH 28 to U.S. Highway 59; thence along U.S. Highway 59 to ~~I-94; thence along I-94~~ to the point of beginning.

Subp. 115. **Registration Block 413 213.** Registration Block 413 213 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State-Aid Highway (CSAH) ~~46, Otter Tail County; 82~~ and State Trunk Highway (STH) ~~29 210;~~ thence along STH ~~29 210~~ to STH ~~28 78;~~ thence along STH ~~28 78~~ to ~~U.S. Highway 71~~ CSAH 38; thence along ~~U.S. Highway 71~~ CSAH 38 to CSAH 22, Todd County STH 235; thence along CSAH 22 STH 235 to CSAH 46, ~~Otter Tail County;~~ thence along CSAH 46 to CSAH 22; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 28; thence along STH 28 to STH 29; thence along STH 29 to Interstate Highway 94 (I-94); thence along I-94 to CSAH 82 to the point of beginning.

[For text of subs 116 to 118, see M.R.]

Subp. 119. **Registration Block 417.** Registration Block 417 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) ~~28 55~~ and STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to STH ~~4 15;~~ thence along STH ~~4 15~~ to ~~Interstate Highway 94 (I-94); thence along I-94 to STH 28 55;~~ thence along STH 28 55 to the point of beginning.

Subp. 120. **Registration Block 418 218.** Registration Block 418 218 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of ~~Interstate (I) 94~~ and State Trunk Highway (STH) ~~4 28~~ and STH 55; thence along STH ~~4 28~~ to ~~U.S. Highway 12;~~ thence along ~~U.S. Highway 12~~ to STH 15; thence along STH 15 ~~Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 75, Stearns County;~~ thence along CSAH 75 to ~~I-94~~ CSAH 15; thence along ~~I-94~~ CSAH 15 to STH 55; thence along STH 55 to the point of beginning.

Subp. 121. **Registration Block 419 219.** Registration Block 419 219 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 23 and STH 15; thence along STH 15 to U.S. Highway 12; thence along U.S. Highway 12 to County State-Aid Highway (CSAH) 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright

---

---

## Expedited Emergency Rules

County; thence along CSAH 8 to Interstate Highway 94 (I-94); thence along I-94 to STH 24; thence along STH 24 to the Mississippi River; thence along the northeast bank of the Mississippi River to STH 23; thence along STH 23 to the point of beginning.

[For text of subs 122 to 130, see M.R.]

Subp. 130a. **Registration Block 429 229.** Registration Block 429 229 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County StateAid Highway (CSAH) 8, Wright County and Interstate Highway 94 (I94); thence along I94 to State Trunk Highway (STH) 24; thence along STH 24 to the Mississippi River; thence along the northeast bank of the Mississippi River to the confluence of the Mississippi River and the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to U.S. Highway 12; thence along U.S. Highway 12 to CSAH 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright County; thence along CSAH 8 to the point of beginning.

[For text of subs 131 to 157, see M.R.]

**REPEALER.** *Minnesota Rules*, part 6232.4700, subpart 86, is repealed.

**EFFECTIVE PERIOD.** The expedited emergency amendments to *Minnesota Rules*, parts 6232.0200; 6232.0300; 6232.0400; 6232.0800; 6232.1300; 6232.1400; 6232.1600; 6232.1750; 6232.2100; 6232.2500; and 6232.4700, and the repealer expire December 31, 2006. After the emergency amendments to *Minnesota Rules*, parts 6232.0200; 6232.0300; 6232.0400; 6232.0800; 6232.1300; 6232.1400; 6232.1600; 6232.1750; 6232.2100; 6232.2500; and 6232.4700 expire, the permanent rules as they read prior to these amendments again take effect, except as they may be amended by permanent rule. *Minnesota Rules*, parts 6232.0350 and 6232.1970, expire December 31, 2006.

## Official Notices

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

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

### **Minnesota State Agricultural Society (Minnesota State Fair) Notice of General Business Meetings on August 25 and September 3, 2006**

**MINNESOTA STATE FAIRGROUNDS** - The Minnesota State Agricultural Society board of managers will hold general business meetings on the State Fairgrounds at 10 a.m. Friday, Aug. 25 and 10 a.m. Sunday, Sept. 3 at the J.V. Bailey House. Agendas are available upon request; please phone the Minnesota State Fair at (651) 288-4400. The Agricultural Society is the governing body of the Minnesota State Fair.

The 2006 Minnesota State Fair runs Aug. 24 through Labor Day, Sept. 4.

### **Minnesota Comprehensive Health Association Notice of Meeting of Executive Committee on August 28, 2006**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) **Executive Committee will take place** on Monday, August 28, 2006 at 3:00 p.m. The meeting will take place at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Mary McCaffrey at (952) 593-9609.

### **Department of Human Services Health Care Purchasing and Delivery Systems Division Health Care Administration Public Notice of Maximum Allowable Costs of Medical Assistance Outpatient Prescribed Drugs**

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of additions to the state Medical Assistance maximum allowable cost (state MAC) list for certain outpatient prescribed drugs.

At least once each calendar year, the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services, publishes a federal upper limit (FUL) payment schedule for many commonly prescribed multiple-source drugs. The federal upper limit is set at a rate equal to 150 percent of the published price for the least costly therapeutic equivalent that can be purchased by pharmacists. This FUL payment schedule constitutes the federal MAC list. For many multiple-source drugs that are not on the federal MAC list, the Department establishes a state MAC list. Additionally, the Department imposes a state MAC for many multiple-source drugs that are on the federal MAC list, as long as the savings are at least as much as the savings would be using the federal MAC list.

The Department requires Medical Assistance pharmacy providers to submit their usual and customary costs. Pharmacy providers are reimbursed at the lower of: 1) the federal or state MAC, plus a dispensing fee; 2) the submitted usual and customary charge to the general public; or 3) a discount off of average wholesale price, plus a dispensing fee.

On January 13, 2003 at 27 SR 1117-1130, the Department published the MAC list, listing the federal and state MACs. Additional changes to the state MAC list were published on February 18, 2003 (27 SR 1331-1334), March 3, 2003 (27 SR 1386-1393), April 21, 2003 (27 SR 1583-1584), August 4, 2003 (28 SR 102-103), October 13, 2003 (28 SR 505-506), October 20, 2003 (28 SR 528-529), December 15, 2003 (28 SR 784-785), January 26, 2004 (28 SR 934-935), March 8, 2004 (28 SR 1089-1090), April 5, 2004 (28 SR 1232), April 19, 2004 (28 SR 1313-1314), May 3, 2004 (28 SR 1367-1368), August 9, 2004 (29 SR 173), August 23, 2004 (29 SR 224-225), November 8, 2004 (29 SR 510), November 15, 2004 (29 SR 534-535), February 7, 2005 (29 SR 923-924), February 14, 2005 (29 SR 951-952), March 7, 2005 (29 SR 1038-1039), April 11, 2005 (29 SR 1174-1175), June 27, 2005 (29 SR 1607), July 18, 2005 (30 SR 49-50), August 15, 2005 (30 SR 147), August 29, 2005 (30 SR 226-227), October 17, 2005 (30 SR 402-403), November 14, 2005 (30 SR 511-512), December 12, 2005 (30 SR 617-618), January 9, 2006 (30 SR 770-771), January 30, 2006 (30 SR 833), February 13, 2006 (30 SR 884), February 27, 2006 (30 SR 926-927), March 20, 2006 (30 SR 1006-1007), April 10, 2006 (30 SR 1109), May 30, 2006 (30 SR 1249-1250) and July 31, 2006 (31 SR 138-139).

Effective August 22, 2006 the Department will add the following outpatient prescribed drugs to the state MAC list:

<u>GCN</u>	<u>Drug Name</u>	<u>Strength</u>	<u>MAC Price</u>
31661	MELOXICAM	7.5MG	.095
31662	MELOXICAM	15MG	.135
96010	CLOPIDOGREL BISULFATE	75MG	3.71

These additions are made to bring Medical Assistance reimbursement to pharmacists more closely in line with the actual acquisition cost of the drugs listed above. The Department estimates that there will be a state savings of \$ 75,000 for State Fiscal Year 2006 (July 1, 2006 through June 30, 2007).

This notice is published pursuant to *Code of Federal Regulations*, Title 42, section 447.205, which requires publication of a notice when there is a rate change in the methods and standards for setting payment rates for Medical Assistance services.

Written comments and requests for information may be sent to Kristin Young, Pharmacy and Program Manager, Health Care Purchasing and Delivery Systems Division, Health Care Administration, Minnesota Department of Human Services, P.O. Box 64984, St. Paul, Minnesota 55164-0984; **phone:** (651) 431-2504 or **email:** [kristen.c.young@state.mn.us](mailto:kristen.c.young@state.mn.us)

## Minnesota Pollution Control Agency

### Industrial Division

### Notice of Intent to Reissue State Disposal System (SDS) General Permit MNG120000 for Metal Finishing Pretreatment Discharges

**NOTICE IS HEREBY GIVEN** that the Minnesota Pollution Control Agency (MPCA) proposes to reissue a general permit covering metal finishing industries in the state of Minnesota discharging process waste water to Publicly Owned Treatment Works (POTW). This general permit covers approximately 40 facilities subject to the federal Metal Finishing Point Source Category regulation (Title 40 *Code of Federal Regulations* (CFR) part 433) and discharge to a POTW which has not been delegated authority to administer the federal pretreatment regulations. This permit is a reissuance of a general permit originally issued on July 22, 1996; the reissued general permit has a duration of approximately five years.

Persons wishing to discharge metal finishing process waste water to a POTW must submit an SDS permit application and meet all applicability criteria listed below. Facilities which do not meet all of the applicability criteria listed below will be evaluated for issuance of individual SDS permit under Minnesota Rules chapter 7001.

Characterization of waste water at the time of permit application must indicate all of the eligibility requirements below are met:

- The discharge must consist of process waste water subject to federal categorical pretreatment regulations for the Metal Finishing Point Source Category (40 CFR 433). Although the discharge from the facility need not consist entirely of waste water subject to regulation under 40 CFR 433, the monitoring point used to determine compliance with this permit shall consist entirely of waste water subject to the federal categorical pretreatment standards for Metal Finishing (part 433).
- If any of the constituents of Total Toxic Organics (TTO) are used anywhere at the permitted Facility, a Total Organic Management Plan (TOMP) must be prepared in accordance with this permit, and implemented at the facility before the Permittee is covered under this permit. A listing of TTOs is included in the appendices section of this permit.
- All waste water to be covered by this permit must be discharged to a POTW not delegated by the MPCA to administer federal Categorical Pretreatment standards. Discharges to a POTW with MPCA delegation to administer federal Categorical Pretreatment standards are permitted by the delegated authority and are not eligible for coverage under this permit.
- The facility discharge must be acceptable to the POTW receiving the discharge. If the municipal authority does not accept the discharge, the Facility is not eligible for coverage under this permit.

This general permit establishes effluent limitations, monitoring requirements and other conditions on facilities discharging metal finishing waste water. The commissioner's determination that the general permit should be issued is tentative. Interested persons are invited to submit written comments upon the proposed permit action. The public comment period begins on August 21, 2006, and ends at 4:30 p.m. on September 19, 2006.

Comments should be submitted in writing to: Ms. Julianne Rantala, SP-5, Industrial Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Any comments received no later than 4:30 p.m. on the last day of the comment period will be considered in the formulation of the final determination on the permit.

A copy of the draft permit, fact sheet and public notice are available for review on the internet at "<http://www.pca.state.mn.us/news/data/index.cfm?PN=I>", and at the MPCA office at the St. Paul address listed below, and may be copied between 9:00 a.m. and 3:30 p.m.,

# Official Notices

---

Monday through Friday. To request a copy of the draft permit, fact sheet and/or public notice please contact Ms. Julianne Rantala at (651) 297-8332 or toll free at (800) 657-3864. If you have questions on this draft permit, the public notice or the Commissioner's preliminary determination, please contact Ms. Julianne Rantala via telephone at (651) 297-8332 or via email at [julianne.ranatal@pca.state.mn.us](mailto:julianne.ranatal@pca.state.mn.us).

## Minnesota Pollution Control Agency Municipal Division Request for Comments on Planned Rule Amendments to *Minnesota Rules* Chapters 7150 and 7105 Governing Underground Storage Tanks (UST)

**Subject of Rules:** The proposed rule amendments seek to bring the MPCA Underground Storage Tank Program into compliance with Title XV, Subtitle B (entitled the Underground Storage Tank Compliance Act of 2005) of the Energy Policy Act of 2005. The rule amendments may impact UST training requirements, secondary containment, financial assurance, delivery prohibition requirements, increased inspections, updating public record of UST's or other provisions of the UST rules. The rule revisions may also include language clarifications or updates of existing language.

**Persons Affected:** This proposed rule making may affect any individual or organization that owns or operates an underground storage tank (UST) regulated by these chapters, a delivery company or individual truck driver that delivers regulated material to a UST, local units of governments that oversee UST programs and other entities with an interest in this topic area.

**Statutory Authority:** The proposed amendments are authorized by *Minnesota Statutes* § 116.49 Subdivision 1, which provides:

*Rules. The agency must adopt rules applicable to all owners and operators of underground storage tanks. The rules must establish the safeguards necessary to protect human health and the environment. The agency may delay adopting the rules until the United States Environmental Protection Agency proposes regulations for regulated substances, as defined in section 116.46, subdivision 6, clause (1). The agency shall delay adopting the rules for regulated substances, as defined in section 116.46, subdivision 6, clause (2), until the United States Environmental Protection Agency publishes final regulations for underground storage tanks, or February 8, 1987, whichever is earlier.*

**Rule Revision Timeline:** At this time, the MPCA intends to publish the proposed rule amendments in March of 2007, and to have the rule finalized by December of 2007. This schedule is tentative and may be subject to change depending on the time needed to gather and address the concerns of stakeholders related to this issue.

**Public Comment:** Affected, interested persons or groups may submit comments or information on this planned rulemaking in writing or orally until 4:30 p.m. September 20, 2006.

**Rules Drafts:** The MPCA has not yet prepared a draft of the possible rule amendments.

### Where to Get More Information

**Web Site:** A web site has been established where supplemental information will be posted as it becomes available:

<http://www.pca.state.mn.us/rulesregs/ust-rules.html>

**Agency Contact:** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these proposed rule amendments should be directed to: Chris Bashor at Minnesota Pollution Control Agency, 520 Lafayette Road N., St. Paul, Minnesota 55155-4194; **Phone:** (651) 297-8618; **Fax:** (651) 297-8676 and **e-mail:** [chris.bashor@state.mn.us](mailto:chris.bashor@state.mn.us) TTY users may call the MPCA at TTY: (651) 292-5332 or (800) 657-3864.

**Alternative Format:** Upon request, the 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 MPCA 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 MPCA is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: August 9, 2006

Brad Moore  
Acting Commissioner

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

## Department of Administration Save Time and Money

Obtain MORE and FASTER information. You receive much more with a subscription than viewing the *State Register* on our website. Subscribe and receive many LINKS to the *State Register*. Open the *State Register* and click on Bookmarks in the upper right corner. You will also receive ALL the current rules, with an INDEX, and previous years' indices. You also receive a summarized "Contracts & Grants" section to review. Subscriptions cost \$180 a year (normal cost \$260 - an \$80 savings). Here's what you receive:

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

And it's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Jessie Rahmeyer, our subscriptions manager, at (651) 297-8774, or **Fax:** (651) 297-8260, or **E-mail:** [jessie.rahmeyer@state.mn.us](mailto:jessie.rahmeyer@state.mn.us)

## Department of Administration Notice of Availability of Request for Proposal (RFP) for Designer Selection for: MCF –Shakopee 92 Bed Expansion State Designer Selection Board Project No. 06-15

The State of Minnesota, Department of Administration is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the State Architect's Office website: [www.sao.admin.state.mn.us](http://www.sao.admin.state.mn.us), click on "Solicitation Announcements."

A copy of the pre-design is available for review at the State Architect's Office. Contact Larry Nichols.

A mandatory informational meeting will be held August 31, 2006 at 10:00 AM CDT at MCF Shakopee, Shakopee, MN. Pre-registration for attendance must be received by the facility staff **no later than 4:00 PM August 28, 2006**. Contact Mr. Gordon Peters at (952) 496-4442 with name(s), date of birth and driver's license, number of people attending, and request for possession of a camera, if desired. Failure to pre-register will result in no admittance to facility.

Project questions will be taken by Larry Nichols at [Larry.Nichols@state.mn.us](mailto:Larry.Nichols@state.mn.us) or faxed to (651) 296-7650, and must be received by 1:00 p.m. September 1, 2006. Response to all questions will be posted as addenda on the SAO website by September 1, 2006.

Proposals must be delivered to Mary Golike, Executive Secretary, State Designer Selection Board, 301 Centennial Office Building in the State Architect's Office, 658 Cedar St., St. Paul, MN 55115-1625 (651) 201-2372 not later than 1:00 P.M., September 5, 2006. Late responses will not be considered.

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

## State Contracts

---

### Colleges and Universities, Minnesota State (MnSCU)

#### Alexandria Technical College

#### Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for the Law Enforcement Center and Renovation of Classrooms, Library, and Bookstore

The Minnesota State Colleges and Universities, acting as the owner for the State of Minnesota, is soliciting proposals from interested, qualified consultants for Owner Representative services for the above referenced project.

A Pre-design report, prepared by Ringdahl Architects, and a full Request for Proposals are available on Alexandria Technical College's website: [www.alextech.edu/lawenforcementcenterrfp](http://www.alextech.edu/lawenforcementcenterrfp).

Proposals must be delivered to Alexandria Technical College, David Bjelland, Chief Financial Officer, 1601 Jefferson Street, Alexandria, MN 56308, not later 4:00 p.m. September 11, 2006. Late responses will not be considered.

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

### Colleges and Universities, Minnesota State (MnSCU)

#### Office of the Chancellor

#### Notice of Availability of Request for Proposal (RFP) for Owner's Representative for Minnesota State Colleges and Universities Systemwide Initiatives – Design and Construction

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the Office of the Chancellor, is soliciting proposals from interested, qualified consultants for Owner's Representative services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges and Universities Facilities web site at [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu)

click on "Solicitation Announcements"

A **MANDATORY** informational meeting is scheduled for **11:00 AM, Monday 28, August 2006** in the 4<sup>th</sup> Floor World Trade Room, Minnesota State Colleges and Universities, Wells Fargo Place, 30 7<sup>th</sup> Street East, Suite 350, St. Paul, MN 55101. All firms interested in this meeting should contact; Bill Breyfogle at (651) 297-1948 or [Bill.breyfogle@csu.mnscu.edu](mailto:Bill.breyfogle@csu.mnscu.edu) to sign up to attend the meeting.

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

### Colleges and Universities, Minnesota State (MnSCU)

#### Dakota County Technical College

#### Notice for Bids for Library Shelving

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive bids for Library Shelving. Bid specifications will be available on August 15 by calling Wold Architects at 651-227-7773.

Sealed bids must be received by Paul Demuth at Dakota County Technical College, 1300 145<sup>th</sup> St East, Rosemount, MN 55068 by 2:00 pm on Tuesday, Sept 5, 2006, at which time all bids will be publicly opened and read aloud.

Dakota County Technical College reserves the right to reject any or all bids or any portions thereof, or to waive any irregularities or informalities in bids received.

**Minnesota State Colleges and Universities****Minneapolis Community & Technical College****Notice of Intent to Request Proposals for an Independent Evaluation of the Power of You Program**

**Description:** The **Power of You** program is a new initiative conducted together by Minneapolis Community and Technical College and Saint Paul College with the goal of increasing the participation of under-represented students by offering free tuition to recent Minneapolis and Saint Paul high school graduates. The purpose of the evaluation will be to determine whether and to what extent the components of the **Power of You** program produce the desired outcomes and what other factors influence student outcomes.

Contact for further information and to obtain copies of the Request for Proposal:  
Lois Bollman

Vice President of Strategy, Planning & Accountability  
Minneapolis Community and Technical College  
1501 Hennepin Avenue So.  
Minneapolis, MN 55403  
**Phone:** (612) 659-6305  
**E-mail:** *Lois.Bollman@minneapolis.edu*

**Colleges and Universities, Minnesota State (MnSCU)****St. Cloud Technical College****Request for Proposals for Packaged Water Chiller**

**NOTICE IS HEREBY GIVEN** that St. Cloud Technical College will receive proposals for the delivery and set-up of a complete 500 ton water chiller at the college's heating and cooling plant. The complete Request for Proposal will be available on Monday, August 21<sup>st</sup>, 2006, on the **website:** <http://www.sctc.edu/rfp>. Copies of the water chiller specifications can be obtained from Jack Christofferson, Widseth, Smith, Nolting at phone number (218) 829-5117, **e-mail:** *jackc@wsn-mn.com*, or by writing to: Widseth, Smith, Nolting, 7804 Industrial Park Road, Baxter, MN 56425.

Proposal responses must be delivered in a sealed envelope or package clearly marked "Water Chiller RFP" to Paula Andrist at St. Cloud Technical College, Room 1-401H, 1540 Northway Drive, St. Cloud, MN 56303 by 2:00 p.m. on Tuesday, September 5, 2006. St. Cloud Technical College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

**Background/Purpose:**

The purpose of this Request for Proposal (RFP) is to evaluate and select a vendor to deliver and set-up a complete 500 ton chiller at St. Cloud Technical College's heating and cooling plant, located at 1540 Northway Drive, St. Cloud, Minnesota.

**Questions:**

All questions and inquiries related to this RFP must be in writing and directed to Don Kremers, Building Maintenance Supervisor, St. Cloud Technical College, 1540 Northway Drive, St. Cloud, MN 56303, **e-mail:** *dkremers@sctc.edu*, **phone:** (320) 249-0276. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

**Judicial Branch****Request for Proposals for a Comprehensive Funding Analysis and Recommendation of Optimal Funding and Service Provision Structures for Minnesota's Drug Courts**

The State of Minnesota, State Court Administrator's Office, Court Services Division ("STATE") is using a competitive process to select a vendor responsible for undertaking a study to identify and analyze the funding sources and service provision structures that support Minnesota's drug courts. The STATE believes that the current funding sources and service provision structures that support drug

# State Contracts

---

courts are not generally well understood, nor are they effectively structured to promote the most efficient or cost-effective provision of the multiple services needed for addicted offenders in drug courts. This is not a bid, but a request for a proposal that could become the basis for negotiations leading to a contract with a designated vendor to provide services as described in the detailed RFP. The completed project will be performed according to the specifications described in the detailed Request for Proposal document which can be found at:

<http://www.mncourts.gov/?page=NewsItemDisplay&item=20382>

The STATE reserves the right to accept or reject any and all proposals, waive defects in any bid proposal and to accept the proposal or any part thereof that appears in the opinion of the STATE, most advantageous to the objectives of the project.

## Responder Inquiries

The STATE will only consider written communications from Responders. An authorized representative of the Responder shall submit inquiries in writing.

Inquiries concerning this solicitation may be delivered by mail, express courier, e-mail, hand, or fax to:

Chris Ruhl  
Court Projects Manager  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
Suite 105  
St. Paul, MN 55155  
**Phone:** (651) 297-7585  
**Fax:** (651) 296-6609  
**E-mail:** [chris.ruhl@courts.state.mn.us](mailto:chris.ruhl@courts.state.mn.us)

## Proposal Submission Deadline

Final Written Proposals must be submitted to Chris Ruhl at the address indicated above no later than 4:00p.m. CDT on Friday, September 29, 2006

# Minnesota Board of Teaching

## Notice of Request for Proposals for a Study to Determine the Degree of Alignment Between Minnesota Teacher Licensing/Preparation Standards and Minnesota K-12 Academic Standards for Students

The Minnesota Board of Teaching is soliciting proposals from qualified vendors to conduct a study of Minnesota teacher licensing/preparation standards and Minnesota Academic Standards for K-12 students to determine the degree of alignment. The contractor must report on each standard in the four areas of Minnesota K-12 Academic Standards (language arts, mathematics, science, and social studies) and the corresponding K-12 teacher licensing/preparation standards.

The Board of Teaching has estimated the cost of this project should not exceed \$10,000.00 (ten thousand dollars).

The anticipated project period is November 17, 2006 through March 16, 2007.

For a complete copy of the Request for Proposals, please contact:

Karen Balmer, Executive Director  
Minnesota Board of Teaching  
1500 Hwy 36 West  
Roseville, MN 55113  
**Telephone:** (651) 582-8888  
**Fax:** (651) 582-8809  
**E-mail:** [Karen.balmer@state.mn.us](mailto:Karen.balmer@state.mn.us)

Responses are due by Friday, September 29, 2006. Late proposals will not be considered. Fax or E-Mail proposals will **NOT** be considered.

This request does not obligate the State to award a contract or complete the work contemplated in this notice. The State reserves the right to cancel this solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

**Department of Transportation (Mn/DOT)****Engineering Services Division****Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (the “Consultant Pre-Qualification Program”)**

This document is available in alternative formats for persons with disabilities by calling Ron Bisek at (651) 296-1361 for persons who are hearing or speech impaired by calling the Minnesota Relay Service at (800) 627-3529.

Mn/DOT, working in conjunction with the Consultant Reform Committee, the Minnesota Consulting Engineers Council, and the Department of Administration, has developed the Consultant Pre-qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT anticipates that most consultant contracts for highway-related technical activities will be awarded using this method, however, Mn/DOT also reserves the right to use RFP or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to complete or use the Consultant Pre-qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT’s Consultant Services web site, indicated below, to see which highway related professional/technical services are available at this time. Following the advertisement of particular category of services, applications will be accepted on a continual basis.

All expenses incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and application forms are available on Mn/DOT’s **web site** at: <http://www.dot.state.mn.us/consult>

Send completed application material to:

Ron Bisek  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
Consultant Services  
395 John Ireland Boulevard, Seventh Floor North, Mail Stop 680  
St. Paul, MN 55155

**Note: DUE DATE: APPLICATION MATERIAL WILL BE ACCEPTED ON A CONTINUAL BASIS.**

**Department of Transportation (Mn/DOT)****Engineering Services Division****Notice Concerning Professional/Technical Contract Opportunities**

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT’s Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult).

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

# Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

## County of Steele

### Advertisement for Proposals for Inmate Phone Services

The County of Steele, Owatonna, MN will receive Sealed Competitive Proposals for Inmate Phone Services until Tuesday September 5th, 2006 at 1:30 P.M. at the Steele County Administration Center located at 630 Florence Avenue, Owatonna, MN 55060. Sealed Competitive Proposals received after this time will not be accepted. Proposals will be opened publicly and read aloud.

Sealed Competitive Proposals shall be addressed to the attention of:

Laura Ihrke  
Steele County Auditor  
Steele County Administrative Center  
630 Florence Ave  
Owatonna, MN 55060

Clearly mark the envelope in the lower right hand corner as follows:

**Project Name:** Inmate Phone Services  
**Owner Name:** Steele County  
**Bid Due:** Tuesday September 5th, 2006 at 1:30P.M.

Specifications may be obtained from Debra Lesmeister, Steele County Detention Center Business Manager, 2500 Alexander Street SW, Owatonna, MN 55060. **Phone:** (507) 446-7010 or **e-mail:** [debra.lesmeister@co.steele.mn.us](mailto:debra.lesmeister@co.steele.mn.us) Any questions concerning the Sealed Competitive Proposal should be directed to Debra Lesmeister.

The owner reserves the right to reject any and all bids and to waive any irregularities or informalities in bids or bidding, and further reserves the right to award the contract in their best interests.

Bid proposals in their entirety shall be available to the public. **Do not include any proprietary information in your bid.**

Laura Ihrke  
Steele County Auditor

## Dakota County

### Notice of Request for Proposal (RFP) for Driving With Care Services

**NOTICE IS HEREBY GIVEN** that Dakota County Community Corrections seeks qualified Contractors to provide educational and cognitive-behavioral based services to individuals convicted of driving while impaired with alcohol or other drugs. In 2003, Kenneth Wanberg, Harvey Milkman and David Timken developed "Driving With Care," a curriculum designed for the education and treatment of the impaired driving offender. Community Corrections plans to contract for services with a Provider for the 24 hour education component of the program. Higher consideration will be given proposals that reflect prior successful experience in the same or similar services. This contract will be in effect from January 1, 2007 through December 31, 2008 with an option to renew for up to three years on an annual basis.

To access the complete RFP online or to acquire additional information about Dakota County visit our website at: [www.co.dakota.mn.us](http://www.co.dakota.mn.us) click on E-Government and select RFP on the menu.

Contact:

David Hoppe, Contract Manager  
Dakota County Community Services Division  
1 Mendota Road West, Suite 500  
West St. Paul, MN 55118-4773  
**Phone:** (651) 554-5872  
**Fax:** (651) 554-5948

---

---

## Non-State Contracts & Grants

**E-mail:** *david.hoppe@co.dakota.mn.us*

Responder's Meeting is scheduled at 2:00 p.m. on Thursday, August 31<sup>st</sup> at the Dakota County Western Services Center in Apple Valley. See proposal for details.

Deadline for proposals is 4:45 p.m. on Friday, September 15<sup>th</sup>, 2006.

### **Metropolitan Airports Commission Notice of Request for Qualifications Statements for Legislative Consultant Services**

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms or persons interested in assisting Commission staff in state legislative activities as set forth in the Request for Qualifications. The deadline for submission of qualifications statements is Friday, September 8, 2006.

The contact to request a copy of the "Request for Qualifications for State Legislative Consultant Services" which outlines the selection process is listed below:

Mary Wallace, Administrative Assistant  
Labor and Governmental Affairs  
Metropolitan Airports Commission  
6040 28<sup>th</sup> Avenue South  
Minneapolis, MN 55450-2799  
**PHONE:** (612) 726-8151  
**FAX:** (612) 794-4112  
**E-mail:** *mwallace@mspmac.org*

### **Metropolitan Council Advertisement for Sealed Bids for Installation of Switchgear and Cabling for 2 MW Generators**

#### **Document 00150**

Notice is given that on **September 7, 2006** at 2:00 P.M. the Metropolitan Council will receive and publicly open separate sealed bids for MCES Project Number 800807 at their office at 390 Robert Street North, St. Paul, MN, 55101-1805. Sealed bids should be delivered to receptionist.

The Work of this Project includes Installation of switchgear and cabling for two 2 MW generators supplied by others for standby power at the Effluent Pumping Station at the Metropolitan Wastewater Treatment Plant.

The estimated construction cost is between \$50,000 and \$100,000.

Bidding Documents may be obtained at a non-refundable cost of \$25.00 per set from the Metropolitan Council, 390 Robert Street North, St. Paul, MN 55101-1805, Attn: Sunny Jo Emerson, (651) 602-1499, *sunnyjo.emerson@metc.state.mn.us*.

A Pre-Bid Meeting will be held at Metropolitan Wastewater Treatment Plant 2400 Childs Road, St. Paul MN 55101, on August 30, 2006 at 9:00 a.m. Attendees should report to receptionist. A site visit will follow the pre-bid meeting.

Direct inquiries to the COUNCIL's Project Manager, Roger Rehbein at (651) 602-8726.

Dated this 18<sup>th</sup> day of August, 2006

# Non-State Contracts & Grants

---

## Metropolitan Council

### Notice of Invitation for Bids (IFB) for the Rental of Two 2 MW Generators for Standby Power at the Effluent Pumping Station at the Metropolitan Wastewater Treatment Plant from March through May for Each of Four Years

Reference Number 06P125

The Metropolitan Council is requesting bids for the MWWTP Effluent Pumping Generator Rental.

*Issue Invitation for Bids*

**August 21, 2006**

*Bids Due*

**September 7, 2006**

*Award Contract*

**September**

All firms interested in submitting bids for this contract and desiring to receive an IFB package are invited to make a request by e-mail, fax, mail or phone to:

Sunny Jo Emerson  
Senior Administrative Assistant,  
Contracts and Procurement Unit  
Metropolitan Council  
390 Robert Street North  
St. Paul, MN 55101 -1801  
**Phone:** (651) 602-1499  
**Fax:** (651) 602-1083  
**E-mail:** [sunnyjo.emerson@metc.state.mn.us](mailto:sunnyjo.emerson@metc.state.mn.us)

## Metropolitan Council - Metro Transit

### Sealed Bids Sought for Asphalt Repairs at Martin J. Ruter Garage

The Metropolitan Council is soliciting sealed bids for Asphalt Repairs at the Metro Transit Martin J. Ruter Garage. Bids are due at **2:30 PM** on September 5, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
**(612) 349-5070**

## Metropolitan Council - Metro Transit

### Sealed Bids Sought for Asphalt Repairs at Nicollet Garage

The Metropolitan Council is soliciting sealed bids for Asphalt Repairs at the Metro Transit Nicollet Garage. Bids are due at **2:00 PM** on September 5, 2006. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
**(612) 349-5070**

## Minnehaha Creek Watershed District

### Call For Bids and Bid Notice for the Highway 26 Wetland Restoration Project

The MCWD Board of Managers is currently accepting bids for the Highway 26 Wetland Restoration Project located in the City of Minnetrista, Minnesota. The project involves clearing and grubbing, muck excavation, sheet pile weir construction and vegetation management. The project is located at the south side of the Highway 26 crossing over Painter Creek. Bids will be accepted until 3:00 PM, CST September 15, 2006. Bid opening will commence immediately thereafter at the MCWD offices located at 18202 Minnetonka Boulevard, Deephaven, MN 55391. Interested parties should request bid specifications from MCWD and submit bids to the MCWD

---

---

# Non-State Contracts & Grants

offices by the required deadline. Bid submittals must be labeled "MCWD Painter Creek Wetland Restoration" legibly in large, noticeable print on the outside of the submittal package. Unlabeled submittals will not be accepted. If you have any questions, please contact the MCWD District Office at (952) 471-0590.

## University of Minnesota Request for Proposal to Perform Pre-demolition Environmental Remediation, Facility Demolition and Site Restoration Project #007-06-1298

### I. NOTICE OF REQUEST FOR PROPOSAL

The University of Minnesota is interested in obtaining bids from qualified contractors to perform pre-demolition environmental remediation, facility demolition and site restoration of the grain elevators commonly known as the Con-Agra Elevator Facility located at 800 25<sup>th</sup> Avenue S.E., Minneapolis, Minnesota 55455. The procurement will be a Lump Sum Construction Contract for the pre-demolition environmental remediation of hazardous materials, demolition of the buildings and associated site improvements, disposal of impacted and unsuitable building materials, crushing and re-spreading of re-usable concrete on the site in preparation for future surface parking lot development. The development of the surface parking lot is not part of this project.

### II. CONTACT FOR RFP INQUIRIES:

OWNER'S PROJECT MANAGER:

David Spillman  
Hines  
US Bank Plaza  
200 South 6<sup>th</sup> Street, Suite 640  
Minneapolis, Minnesota 55402-1409  
**E-mail:** *david\_spillman@hines.com*  
**Phone:** (612) 338-8250  
**Fax:** (612) 349-6976

### III. TENTATIVE SCHEDULE OF EVENTS

(Be advised that these dates are subject to change as University deems necessary)

RFP issue.....August 21, 2006  
Mandatory Pre-Proposal Meeting on site.....August 29, 2006  
All Questions Mailed/Faxed to Owner's Project Manager by 11:00pm.....August 31, 2006  
Responses due @ 3PM.....September 5, 2006  
Evaluation and Selection.....September 7, 2006  
Anticipated date of Award.....September 7, 2006

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

## University of Minnesota Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24 hour/day, 7day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at *bidinfo.umn.edu* or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

