

State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
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# State Register

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- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
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Tim Pawlenty, Governor	(651) 296-3391	Department of Administration:	<i>State Register:</i>	
Carol L. Molnau, Lt. Governor	(651) 296-3391	Sheila M. Reger, Commissioner	Robin Panlener, editor	(651) 297-7963
Lori Swanson, Attorney General	(651) 297-4272	Materials Management Division:	John Mikes, assistant editor	(651) 297-4616
Rebecca Otto, State Auditor	(651) 297-3670	Kent Allin, Director	Loretta J. Diaz, subscriptions	(651) 297-8777
Mark Ritchie, Secretary of State	(651) 296-2079	Mary Mikes, Manager	Bonnie Karels, billing	(651) 296-4912

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State Office Building, Room 175,  
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155  
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# Minnesota Rules: Amendments and Additions

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

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

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 #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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# Proposed Rules

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

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

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

**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.

## Minnesota Pollution Control Agency (MPCA)

### Proposed Permanent Rules Relating to Sewage Treatment Systems

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received

#### Proposed Amendment to Rules Governing Subsurface Sewage Treatment Systems, *Minnesota Rules*, chapters 7080, 7081, 7082 and 7083.

*Minnesota Rules*, Parts: 7080.1100, 7080.1500, 7080.1550, 7080.1710, 7080.1720, 7080.1850, 7080.1920, 7080.1930, 7080.1940, 7080.1960, 7080.1970, 7080.2050, 7080.2100, 7080.2150, 7080.2210, 7080.2220, 7080.2230, 7080.2250, 7080.2260, 7080.2300, 7080.2350, 7080.2400, 7080.2440, 7080.2450, 7080.2500, 7080.2550, 7081.0020, 7081.0040, 7081.0080, 7081.0120, 7081.0130, 7081.0160, 7081.0170, 7081.0240, 7081.0270, 7081.0275, 7082.0040, 7082.0100, 7082.0300, 7082.0500, 7082.0600, 7082.0700, 7083.0750, 7083.1000, 7083.1050, 7083.2040, 7083.4000, 7083.4030, 7083.4060, 7083.4120.

**Introduction.** The Minnesota Pollution Control Agency (MPCA) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 21, 2010, the MPCA will hold a public hearing. Two hearings will be scheduled. The first will start at 6:00 p.m. on Monday, August 2, 2010, and will continue until all parties are heard or until the Administrative Law Judge adjourns the hearing. The second hearing will start at 9:00 a.m. on Tuesday, August 3, 2010, and continue until 12:00 p.m.

The hearings, if required, will be at the MPCA's St. Paul office at 520 Lafayette Road North, St. Paul, MN 55155. For the convenience of the public, if hearings are held they will also be broadcast via interactive video conference to the following MPCA regional offices.

- MPCA-**Brainerd**: 7678 College Road, Suite 105, Baxter, MN 556425
- MPCA-**Duluth**: 525 Lake Avenue South, Suite 400, Duluth, MN 55802
- MPCA-**Marshall**: 1420 East College Drive, Suite 900, Marshall, MN 56258
- MPCA-**Rochester**: 18 Wood Lake Drive, Southeast, Rochester, MN 55904
- MPCA-**Detroit Lakes**: 714 Lake Avenue, Suite 220, Detroit Lakes, MN 56501
- MPCA -**Willmar**: 1601 East Highway 12, Suite 1, Willmar, MN 56201-6002
- MPCA- **Mankato**: 12 Civic Center Plaza, Suite 2165, Mankato, MN 56001

You may listen, present testimony or ask questions at any of the videoconference sites. Directions to the hearing locations may be (Cite 34 SR 1789) *Minnesota State Register*, Monday 21 June 2010 Page 1789

# Proposed Rules

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found on the MPCA's Web site at <http://www.pca.state.mn.us/about/regions/index.html> or by contacting the MPCA contact person identified in this Notice.

**NOTE:** Access to the MPCA offices is controlled. To attend a hearing you will be asked to sign in at the security desk and provide photo identification, such as a Minnesota driver's license.

To find out whether the MPCA will adopt the rules without a hearing or if it will hold the hearing, you should check the MPCA's Web site at: <http://www.pca.state.mn.us/water/wastewater/ssts/> or, contact the MPCA contact person after July 21, 2010, and before August 2, 2010.

**Agency Contact Person.** Submit written requests for a public hearing to Carol Nankivel at the MPCA, 520 Lafayette Road, St. Paul, MN, 55115-4194. Comments on the rules may be submitted to Carol Nankivel at the above address or at [ssts.pca@state.mn.us](mailto:ssts.pca@state.mn.us). Questions may be directed to Carol Nankivel at the above addresses or at (651) 757-2597 and TTY users may call the MPCA at (651) 282-5332 or at 1-800-657-3864. A copy of this notice, the proposed rule amendments, the Statement of Need and Reasonableness (SONAR), and other background information are available at <http://www.pca.state.mn.us/water/wastewater/ssts/>. Copies of the proposed rule amendments, the SONAR and the background information may also be reviewed at any of the MPCA offices identified above and a free copy of the proposed rule amendments may be obtained by contacting Carol Nankivel.

**Subject of Rules and Statutory Authority.** The proposed rule amendments will amend the existing rules governing Subsurface Sewage Treatment Systems (SSTS). The SSTS rules establish standards for the design, operation, installation and maintenance of individual and mid-sized SSTS; establish a program for implementation of the SSTS standards through local units of government; and provide for registration and licensing of SSTS products and professionals. The amendments make a number of changes to the existing SSTS requirements in the following general categories:

- Clarifications of existing terms and conditions (e.g., the definition of "building" and "structure," conduct of compliance inspections).
- Changes to existing requirements that have been identified as problematic (e.g., the requirements for use of pressure distribution, tank maintenance hole design, addition of standards for high-strength waste, etc.).
- Simplification of existing requirements (e.g., consolidation and revision of soil tables, elimination of duplicative language).
- Correction of errors (e.g., changes to incorrect cross references, elimination of unnecessary phrases, ensuring consistency, etc.).
- Incorporation of recent legislative changes (e.g., addition of a new surety bond option, repeal of a five-year compliance grace period).

The statutory authority to adopt the rules is found at *Minnesota Statutes* §§ 115.03 and 115.55, subd. 3. The proposed rule amendments are published below. The proposed rule amendments may also be viewed at:

<http://www.pca.state.mn.us/water/wastewater/ssts/>

and at each of the MPCA's regional offices identified above. A free copy of the proposed rule amendments is available upon request from the MPCA contact person listed above.

**Comments.** The MPCA invites comment on all aspects of the proposed rule amendments. You have until 4:30 p.m. on July 21, 2010, to submit written comment in support of or in opposition to the proposed rule amendments. Your comment must be in writing and received by the MPCA contact person by 4:30 p.m. on the due date. Comment is encouraged. Your comments should specifically identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rule amendments during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the MPCA hold a hearing on the rules. You must:

- make your request for a public hearing in writing, to the MPCA contact person identified above by 4:30 p.m. on July 21, 2010
- include your name and address in your written request and
- identify the portion of the proposed rule amendments to which you object or state that you oppose the entire set of rule amendments

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## Proposed Rules

Any request that does not comply with all three of these requirements is not valid and the MPCA cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule amendments.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the MPCA will hold a public hearing. However, if enough requests for 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 effect the withdrawal, and ask for written comments on this action. If a hearing is cancelled due to the withdrawal of sufficient requests for a hearing, the MPCA will also post this information on its Web site at: <http://www.pca.state.mn.us/water/wastewater/ssts/>. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

**Modifications.** The MPCA may modify the proposed rule amendments, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the MPCA or presented at the hearing. The adopted rules may not be substantially different than these proposed rule amendments unless the MPCA follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rule amendments affect you in any way, the MPCA encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The MPCA will cancel the hearings scheduled for August 2<sup>nd</sup> and 3<sup>rd</sup> if the MPCA does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the MPCA will notify you before the scheduled hearing if the hearing will not be held. You may also call the MPCA contact person at 651-757-2597 or check the MPCA Web site at:

<http://www.pca.state.mn.us/water/wastewater/ssts/>

after July 21, 2010, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the MPCA will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The MPCA will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620, telephone: (651) 361-7900 and fax: (651) 361-7936.

**Hearing Procedure.** If the MPCA holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rule amendments. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the MPCA and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

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

**Statement of Need and Reasonableness.** The Statement of Need and Reasonableness (SONAR) summarizes the justification for the proposed rule amendments, including a description of who will be affected by the proposed rule amendments and an estimate of the probable cost of the proposed rule amendments. You may review the SONAR at either the MPCA's Web site at:

<http://www.pca.state.mn.us/water/wastewater/ssts/>

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at any of the MPCA regional offices listed above, or may obtain a copy by contacting the MPCA contact person listed above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

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

**Adoption Procedure after a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule amendments. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the MPCA adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the MPCA contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Paul Eger, Commissioner  
Pollution Control Agency

## 7080.1100 DEFINITIONS.

[For text of subps 1 to 10, see M.R.]

Subp. 11. **Building.** "Building" means any ~~structure used or intended for supporting or sheltering any use or occupancy lot~~ improvement with a foundation.

[For text of subps 12 to 18, see M.R.]

Subp. 18a. **Contour loading rate.** "Contour loading rate" means the amount of effluent loaded to the soil per the length of the dispersal unit or units along the single hillslope along the contour. The contour loading rate is determined on the relationship between the vertical and horizontal water movement in the soil and is based on the permeability difference between the absorption area and any deeper horizons, the depth between the absorption area and the change in permeability, and the land slope.

[For text of subps 19 to 40, see M.R.]

Subp. 41. **Individual subsurface sewage treatment system or ISTS.** "Individual subsurface sewage treatment system" or "ISTS" means ~~an individual~~ a subsurface sewage treatment system or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less.

ISTS ~~also includes the holding tanks and privies that serve these same facilities~~ are designed to receive a sewage design flow of 5,000 gallons per day or less; sewage collection systems that discharge into ISTS treatment and dispersal components; and privies. ISTS does not include ~~building sewers or other components regulated those components defined as plumbing under chapter 4715 or collection systems.~~

[For text of subps 42 to 47, see M.R.]

Subp. 48. [See repealer.]

[For text of subps 49 to 63, see M.R.]

Subp. 64. **Pump tank.** "Pump tank" means a sewage tank or separate compartment following the within a sewage tank, which receives sewage tank effluent, that serves as a reservoir for a pump. A separate tank used as a pump tank is considered a septic system tank under Minnesota Statutes, section 115.55, subdivision 1, paragraph ~~(o)~~ (p).

[For text of subps 65 and 66, see M.R.]



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Subp. 66a. **Rock fragments.** “Rock fragments” means pieces of rock two millimeters in diameter or larger that are strongly cemented and resistant to rupture. Rock fragments are commonly known as gravel, stones, cobbles, and boulders.

Subp. 66b. **Sand.** “Sand” means a sand soil texture, as described in the Field Book for Describing and Sampling Soils, which is incorporated by reference in subpart 36.

[For text of subps 67 to 73, see M.R.]

Subp. 74. **Sewage tank.** “Sewage tank” means a receptacle used in the containment or treatment of sewage and includes, but is not limited to, septic tanks, aerobic tanks, pump tanks, and holding tanks. Requirements for sewage tanks are described in parts 7080.1900 to 7080.2030. Sewage tanks are considered a septic system tank in Minnesota Statutes, section 115.55, subdivision 1, paragraph (p).

[For text of subps 75 to 80, see M.R.]

Subp. 80a. **Structure.** “Structure” means a lot improvement that does not have a foundation but the location of which will interfere with the dispersal, treatment, operation, or maintenance of an SSTS. Structure includes, but is not limited to, animal shelters, decks, paved areas, and sheds.

[For text of subps 81 to 89, see M.R.]

Subp. 89a. **Uniform distribution.** “Uniform distribution” means a method that, upon activation of the SSTS, reliably distributes effluent evenly over the entire absorption area.

[For text of subps 90 to 93, see M.R.]

## **7080.1500 COMPLIANCE CRITERIA.**

Subpart 1. **Treatment required.** Sewage discharged from a dwelling, group of dwellings, or other establishment that is not served by a system issued a permit ~~containing by the agency that contains~~ effluent and discharge limits or specific monitoring requirements ~~by the agency~~ must be treated according to applicable requirements.

Subp. 2. ~~Primitive structures~~ **Hand-carried graywater.** Graywater ~~from structures without plumbing~~ that originated from hand-carried water must not be discharged directly to surface waters, drainageways, or poorly drained soils; in a manner or volume harmful to the environment or public health; or in a manner that creates a public health nuisance as determined by the local unit of government.

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

Subp. 4. **Compliance criteria for existing systems.** To be in compliance, an existing ISTS must meet the provisions of this subpart.

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

D. ISTS built after March 31, 1996, or in an SWF area as defined under part 7080.1100, subpart 84, ~~shall~~ must have at least a three-foot vertical separation or a vertical separation based on applicable requirements in compliance with part 7080.2350, subpart 2, Table XI. The local ordinance ~~must not~~ is allowed to provide for a reduced vertical separation in the following cases:

- (1) Types I, II, and III systems; and
- (2) Types IV and V systems that are designed with at least a three-foot separation distance.

The local ordinance ~~must not~~ allow more than a 15 percent reduction in the vertical separation distance. A 15 percent reduction is only allowed to account for settling of sand or soil, normal variation of measurements, and interpretations of the limiting layer conditions.

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

F. The vertical separation measurement for items D and E ~~shall~~ must be measured outside the area of system influence in an area of similar soil.

Subp. 5. **Compliance criteria for systems with a flow of greater than 2,500 gallons per day.** In addition to the requirements under subpart 4, systems designed under part 7080.2150, subpart 4, ~~item A or B~~; must demonstrate that the additional nutrient reduction component required under those items is in place and functioning.

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

## **7080.1550 ACCEPTABLE AND PROHIBITED DISCHARGES.**

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

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## Subp. 2. **System influent.**

A. Footing or roof drainage and chemically treated hot tub and pool water must not be discharged into any part of a system. Products containing hazardous chemicals and hazardous waste must not be discharged to a system other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including but not limited to solvents, pesticides, flammables, photo finishing chemicals, paint, and dry-cleaning chemicals must not be discharged to the system. Other unused products or substances, or unused medicines, must not be discharged to the system solely as a method of disposal. Floor drains from garages serving dwellings must not be connected to the system.

### B. An ISTS must be designed to provide additional treatment if:

(1) raw sewage exceeds 300 mg/l BOD, 200 mg/l TSS, or 50 mg/l oil and grease; or

(2) sewage tank effluent applied to the soil from the sewage tank or other secondary treatment device is greater than the concentrations in part 7080.2150, subpart 3, item K.

Additional treatment must be designed by a Minnesota licensed professional engineer or according to the recommendations in the Prescriptive Designs and Design Guidance for Advanced Designers, which is incorporated by reference in item C, or must use a product registered under chapter 7083.

C. Prescriptive Designs and Design Guidance for Advanced Designers, Minnesota Pollution Control Agency (September 2009 and as subsequently amended), is incorporated by reference, is subject to frequent change, and is available at [www.pca.state.mn.us/programs/ists/technical.html](http://www.pca.state.mn.us/programs/ists/technical.html).

## **7080.1710 PRELIMINARY EVALUATION.**

A preliminary evaluation ~~shall consist of a proposed site for an ISTS consists of the determination, location, or existence of determining~~ the following items:

A. design flow ~~for, anticipated effluent concentrations of biochemical oxygen demand, total suspended solids, and oil and grease, and anticipated presence of nondomestic waste from~~ the dwelling, dwellings, or other establishments;

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

## **7080.1720 FIELD EVALUATION.**

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

Subp. 4. **Soil observations.** A minimum of three soil observations are required for the initial and replacement soil treatment area and at least one soil observation must be performed in the portion of the soil treatment area anticipated to have the most limiting conditions. The total number of soil observations required is based on the judgment of the certified individual or the local unit of government. Soil observations must comply with the following requirements:

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

C. the soil observation method must allow observation of the different soil horizons that constitute the soil profile and, if determining the loading rate by part 7080.2150, subpart 3, item E, Table IX, an undisturbed sample must be observed by a soil pit;

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

Subp. 5. **Soil descriptions for determination of limiting layer.** Each soil profile observed at the proposed soil treatment area must be evaluated under adequate light conditions with the soil in a moist unfrozen state for the characteristics in items A to H:

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

E. depth to the periodically saturated soil for new construction or replacement as determined by redoximorphic features and other indicators, as determined in subitems (1) to (3):

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

(3) in the upper 12 inches of the topsoil layer, if it is immediately followed by a periodically saturated horizon, the depth of seasonal saturation is determined by one or more of the indicators in units (a) to ~~(e)~~ (f):

[For text of units (a) to (c), see M.R.]

(d) the soil treatment area at or near the elevation of the ordinary high water level of a surface water or in a concave hill slope position; or

(e) redoximorphic accumulation or depletions; or

(f) the soil expressing indicators of seasonal saturation as determined in Field Indicators of Hydric Soils in the United States: A Guide for Identifying and Delineating Hydric Soils, USDA Natural Resource Conservation Service (2006). The field indicators are incorporated by reference, are available through the Minitex interlibrary loan system, and are subject to frequent change;

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

Subp. 6. **Determination of loading rate and absorption area size.** The effluent loading and absorption area size must be determined by ~~either~~ either item A or B, or both, as required by the local unit of government:

A. the loading rate based on an examination of soil texture, ~~undisturbed soil~~ structure, and soil consistence ~~in soil pits at the most limiting layer, within 12 inches below the proposed absorption area~~ using the United States Department of Agriculture (USDA) soil classification system as specified in the Field Book for Describing and Sampling Soils, which is incorporated by reference under part 7080.1100, subpart 36; or

B. the loading rate based on the percolation procedure described in subitems (1) to (8) or other equivalent procedure as approved by the local unit of government:

(1) each test hole must be six to eight inches in diameter, have vertical sides, and be located ~~in the~~ at the depth of the proposed soil absorption area. For mounds and at-grade systems, the bottom of each test hole must be in the upper 12 inches of the original soil. For trenches and seepage beds, the bottom of each test hole ~~shall~~ must be at the depth of the absorption area;

[For text of subitems (2) to (8), see M.R.]

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

## **7080.1850 SEWAGE FLOW DETERMINATION FOR DWELLINGS.**

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

Subp. 2. **Design flow.** The estimated design flow for any dwelling must provide for at least two bedrooms. For multiple or multifamily dwellings, the design flow ~~consists of the sum of the design flows for each individual unit~~ must be calculated according to part 7081.0120, subpart 1.

## **7080.1920 SEPTIC TANK DESIGN.**

Septic tanks must:

A. have a liquid depth of at least 30 inches. Any liquid depth that is greater than 84 inches must not be used when calculating the septic tank liquid capacity;

B. have a minimum of six feet between the inlet and outlet of the tank, rather than between compartments, or have a minimum of six feet from the inlet of the first tank to the outlet of the last tank in series;

C. if site conditions warrant, the inlet and outlet are allowed to be located on walls that are not opposite each other along the axis of maximum dimension; however, the requirements of item B must be met;

D. have an inlet invert at least two inches above the outlet invert; and

E. have a ~~reserve or storage~~ space between the liquid surface and the top of the inlet and outlet baffles of not less than ~~eight six~~ eight inches or 100 gallons, whichever is greater, for all liquid depths with an effluent screen and alarm or for liquid depths of less than 39 inches without an effluent screen and alarm. The space between the liquid surface and the top of the inlet and outlet baffles must not be less than eight inches for liquid depths of 39 inches or more without an effluent screen and alarm.

In addition, there must be at least one inch between the underside of the top of the tank and the highest point of the inlet and outlet baffles.

## **7080.1930 SEPTIC TANK CAPACITY.**

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

Subp. 2. **Garbage disposals.** If a garbage disposal unit ~~or other appliance with garbage grinding capability~~ is anticipated or installed in a dwelling, the septic tank capacity must be at least 50 percent greater than that required in subpart 1 and must include either multiple compartments or multiple tanks. In addition, either an effluent screen with an alarm or a pressure filter must be employed.

Subp. 3. **Sewage pumping.** If sewage is pumped from a sewage ejector or grinder pump from a dwelling to a septic tank, the septic tank capacity must be at least 50 percent greater than that required in subpart 1 and must include either multiple compartments or multiple tanks. In addition, either an effluent screen with an alarm or a pressure filter must be employed.

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

## Subp. 5. ~~Systems serving~~ **Septic tank capacity for multiple dwellings.**

~~A. For systems serving multiple ten or fewer dwellings with a common septic tank, the liquid capacity must be determined by adding the capacities for each dwelling as determined in this part or according to subpart 6.~~

~~B. For systems serving more than ten dwellings with a common septic tank, the requirements of subitem (1) or (2) apply:~~

~~(1) total septic tank liquid capacity for common tanks serving multiple dwellings under gravity flow to common tanks is determined by multiplying the design flow by 3.0 or according to subpart 6; or~~

~~(2) total septic tank liquid capacity for common tanks serving multiple dwellings under pressure flow to common tanks is determined by multiplying the design flow by 4.0 or according to subpart 6.~~

~~C. Total septic tank liquid capacity for systems employing individual tanks at each dwelling discharging into a collection system must be determined:~~

~~(1) by a Minnesota licensed professional engineer; or~~

~~(2) according to the Prescriptive Designs and Design Guidance for Advanced Designers, incorporated by reference under part 7080.1550, subpart 2.~~

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

~~Subp. 7. **Septic tank capacity for other establishments.** Septic tank liquid capacity for other establishments shall be determined by part 7081.0240, subpart 2. Total septic tank liquid capacity for other establishments with domestic strength waste as described in part 7080.1550, subpart 2, item B, subitem (1), is determined by multiplying the design flow by 3.0 if receiving sewage under gravity flow, by multiplying the design flow by 4.0 if receiving sewage under pressure flow, or according to subpart 6. Additional design considerations, such as equalization tanks, additional capacity, or secondary treatment, are required for influent concentrations that exceed the levels identified in part 7080.1550, subpart 2, item B, subitem (1).~~

~~Subp. 8. **Oil and grease interceptor.** An exterior oil and grease interceptor must be employed if oil and grease exceed the amount identified in part 7080.1550, subpart 2, item B, subitem (1).~~

## **7080.1940 MULTIPLE SEPTIC TANKS.**

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

~~B. If When tanks are connected in series, each tank or compartment must contain at least 25 percent of the required total liquid capacity. For new construction, the first tank must be equal to or larger than any subsequent tank in the series.~~

## **7080.1960 SEPTIC TANK BAFFLES.**

All septic tanks must be baffled according to items A to G. Effluent screens are allowed to be substituted for outlet baffles.

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

~~D. The inlet baffle must extend at least six inches, but not more than 20 percent of the total liquid depth, below the liquid surface and at least six inches above the liquid surface one inch above the crown of the inlet sewer.~~

~~E. The outlet baffle and any baffles between compartments must extend below the liquid surface a distance equal to 40 percent of the liquid depth, except that the penetration of the indicated baffles or sanitary tees for horizontal cylindrical tanks must be 35 percent of the total liquid depth. They must also extend above the liquid surface as required in item D. These baffles must extend at least six inches above the liquid surface determined in part 7080.1920, item E.~~

[For text of items F and G, see M.R.]

## **7080.1970 SEPTIC TANK ACCESS.**

~~A. Septic tanks shall must have a minimum of two maintenance holes with a minimum diameter of 20 inches (least dimension). One Maintenance hole holes must be placed over the inlet baffle and the outlet device (baffle or screen). Another maintenance hole must be near the center of the tank, to facilitate pumping without interference. For a compartmented tank, this hole must be centered over the first compartment. The tank must also have an inspection pipe with a minimum diameter of six inches over the inlet baffle. The maintenance holes must be large enough to allow pumping without interference. Enough maintenance holes must be provided so access can be gained within six feet of all walls for solids removal of each compartment. Inspection pipes of no less than six inches must be provided over any baffles that are not otherwise accessible through a maintenance hole.~~

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

## 7080.2050 DISTRIBUTION OF EFFLUENT.

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

### Subp. 4. **Pressure distribution.**

A. Pressure distribution must pressurize the entire distribution system and must be used for:

- (1) mound systems;
- (2) at-grade systems;
- (3) all seepage beds placed in soils with a texture group of 1 through 5 in Table IX in part 7080.2150, subpart 3, item E;
- (4) all seepage beds with a width greater than 12 feet;
- (5) all trench systems if the trenches are at the same elevation and placed in soils with a texture group of 1 through 5 in Table IX in part 7080.2150, subpart 3, item E;
- (6) systems receiving treatment level A or B effluent, as determined in part 7083.4030, Table III; and
- (7) all systems where the distribution network is installed above the original grade.

All systems must be pressurized as required in parts 7080.2200 to 7080.2400.

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

## 7080.2100 DOSING OF EFFLUENT.

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

Subp. 4. **Pumps for pressure distribution.** Pumps for pressure distribution must meet the requirements in items A to D.

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

B. The pump discharge capacity must be based on the perforation discharges for a minimum average head of 1.0 foot for 1/4-inch and 3/16-inch perforations and 2.0 feet for 1/8-inch perforations for dwellings. The minimum average head must be 2.0 feet for all other establishments with 3/16- to 1/4-inch perforations and 5.0 feet of head for 1/8-inch perforations. Perforation discharge is determined by the following formula:

$$Q = 19.65 cd^2h^{1/2}$$

where: Q = discharge in gallons per minute

c = 0.60 = coefficient of discharge

d = perforation diameter in inches

h = head in feet.

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

D. The quantity of effluent delivered for each pump cycle must be no greater than 25 percent of the design flow and at least ~~five~~ four times the volume of the ~~supply and distribution pipes plus the volume of the supply pipe.~~

## 7080.2150 FINAL TREATMENT AND DISPERSAL.

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

Subp. 3. **Other technical requirements for systems.** Items A to ~~J~~ M are required for specific designs as determined in parts 7080.2200 to 7080.2400.

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

C. For acceptable treatment of septic tank effluent by soil, the soil treatment and dispersal systems must meet the requirements of subitems (1) and (2).

(1) A minimum three-foot vertical soil treatment and dispersal zone ~~shall~~ must be designed below the distribution media that meets the criteria in units (a) to (c):

[For text of unit (a), see M.R.]

(b) any soil layers with a texture group of 1 or 4 in Table IX in item E that are sand or loamy sand texture with 35 to 50 percent rock fragments must not be credited at only one-half their thickness as part of the necessary ~~three-foot~~ three-foot treatment zone. Soil layers, regardless of soil texture, with greater than 50 percent rock fragments must not be credited as part of the necessary treatment zone; and

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[For text of unit (c), see M.R.]

[For text of subitem (2), see M.R.]

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

E. The system's absorption area and mound absorption ratio must be sized according to Table IX or IXa.

TABLE IX  
LOADING RATES FOR DETERMINING BOTTOM ABSORPTION AREA FOR  
TRENCHES AND SEEPAGE BEDS FOR EFFLUENT TREATMENT LEVEL C  
AND ABSORPTION RATIOS FOR DETERMINING MOUND ABSORPTION AREAS  
USING DETAILED SOIL DESCRIPTIONS

Texture	Texture group	Structure	Grade	Consistence	Soil loading rate (gpd/ft <sup>2</sup> )	Mound absorption ratio
Course sand*	1	single grain		loose	0.00	1
		single grain		weakly cemented-friable	0.00	2
		single grain		cemented-firm	0.00	0
Medium sand*	2	single grain		loose	1.20	1
		single grain		weakly cemented-friable	0.60	2
		single grain		cemented-firm	0.00	0
Fine sand	3	single grain		loose	0.60	2
		single grain		weakly cemented-friable	0.24	5
		single grain		cemented-firm	0.00	0
Coarse and medium loamy sand*	4	single grain		loose	1.20	1
		single grain		weakly cemented-friable	0.60	2
		single grain		cemented-firm	0.00	0
Fine and very fine loamy sand	5	single grain		loose	0.60	2
		single grain		weakly cemented-friable	0.24	5.0
		single grain		cemented-firm	0.00	0
Coarse and medium sandy loam	6	pris, blk, gr	weak	v. friable, friable	0.45	2.6
		pris, blk, gr	weak	firm	0.24	5.0
		pris, blk, gr	mod or strong	v. friable, friable	0.78	1.3
		pris, blk, gr	mod or strong	firm	0.45	2.6
		platy	weak	v. friable, friable	0.45	2.6
		platy	weak	firm	0.24	5.0
		platy	mod or strong	v. friable, friable	0.45	2.6
		platy	mod or strong	firm	0.00	0.0
		platy	strong			

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		massive		v. friable, friable	0.24	5.0
		massive	firm	0.00 0.0		
Fine and v. fine sandy loam	7	pris, blk, gr	weak	v. friable, friable	0.24	5.0
		pris, blk, gr	weak	firm	0.24	5.0
		pris, blk, gr	mod or strong	v. friable, friable	0.60	2.0
		pris, blk, gr	mod or strong	firm	0.24	5.0
		platy	weak	v. friable, friable	0.24	5.0
		platy	weak	firm	0.00	0.0
		platy	mod or strong	v. friable, friable	0.00	0.0
		platy	mod or strong	firm	0.00	0.0
		massive		v. friable, friable	0.24	5.0
		massive		firm	0.00	0.0
Loam	8	pris, blk, gr	weak	v. friable, friable	0.45	2.6
		pris, blk, gr	weak	firm	0.24	5.0
		pris, blk, gr	mod or strong	v. friable, friable	0.60	2.0
		pris, blk, gr	mod or strong	firm	0.24	5.0
		platy	weak	v. friable, friable	0.24	5.0
		platy	weak	firm	0.00	0.0
		platy	mod or strong	v. friable, friable	0.00	0.0
		platy	mod or strong	firm	0.00	0.0
		massive		v. friable, friable	0.24	5.0
		massive		firm	0.00	0.0
Silt loam	9	pris, blk, gr	weak	v. friable, friable	0.45	2.6
		pris, blk, gr	weak	firm	0.24	5.0
		pris, blk, gr	mod or strong	v. friable, friable	0.50	2.4
		pris, blk, gr	mod or strong	firm	0.24	5.0
		platy	weak	v. friable, friable	0.24	5.0
		platy	weak	firm	0.00	0.0
		platy	mod or strong	v. friable, friable	0.00	0.0
		platy	mod or strong	firm	0.00	0.0
		massive		v. friable, friable	0.24	5.0
		massive		firm	0.00	0.0
Clay loam; silty clay loam; sandy clay loam	10	pris, blk, gr	weak	v. friable or friable	0.24	5.0
		pris, blk, gr	weak	firm	0.00	0.00
		pris, blk, gr	mod or strong	v. friable or friable	0.45	2.6

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		pris, blk, gr	mod	firm	0.24	5.0
			or strong			
		platy	weak	v. friable or friable	0.00	0.00
		platy	weak	firm	0.00	0.00
		platy	mod	v. friable or friable	0.00	0.00
			or strong			
		platy	mod	firm	0.00	0.00
			or strong			
		massive		v. friable or friable	0.00	0.00
		massive		firm	0.00	0.00
Clay, silty clay, sandy clay	++	pris, blk, gr	weak	v. friable, friable	0.00	0.00
		pris, blk, gr	weak	firm	0.00	0.00
		pris, blk, gr	mod	v. friable, or friable	0.24	5.0
			or strong			
		pris, blk, gr	mod	firm	0.00	0.00
			or strong			
		platy	weak	v. friable, friable	0.00	0.00
		platy	weak	firm	0.00	0.00
		platy	mod	v. friable, friable	0.00	0.00
			or strong			
		platy	mod	firm	0.00	0.00
			or strong			
		massive		v. friable, friable	0.00	0.00
		massive		firm	0.00	0.00

All very firm consistence has a loading rate of 0.0.

<u>Major soil texture grouping (with less than 50% rock fragments or as otherwise noted)</u>	<u>Structure shape</u>	<u>Structure grade</u>	<u>Moist consistence</u>	<u>Treatment level C absorption area loading rate (gpd/ft<sup>2</sup>)</u>	<u>Treatment level C mound absorption ratio</u>	<u>Treatment levels A, A-2, B, and B-2 absorption area loading rate (gpd/ft<sup>2</sup>)</u>	<u>Treatment levels A, A-2, B, and B-2 mound absorption ratio**</u>
<u>All sands with 35% to 50% rock fragments</u>	<u>Single grain</u>	<u>N/A</u>	<u>Loose</u>	<u>-</u>	<u>1.0</u>	<u>-</u>	<u>1.0</u>
<u>Coarse sand or sand with less than 35% rock fragments</u>	<u>Single grain</u>	<u>N/A</u>	<u>Loose</u>	<u>1.2</u>	<u>1.0</u>	<u>1.6</u>	<u>1.0</u>
<u>Fine sand and loamy fine sand with less than 35% rock fragments</u>	<u>All, except massive</u>	<u>N/A</u>	<u>Loose, very friable, or friable</u>	<u>0.6</u>	<u>2.0</u>	<u>1.0</u>	<u>1.6</u>
<u>Sandy loam</u>	<u>All and massive</u>	<u>Weak to strong*</u>	<u>Very friable or friable</u>	<u>0.78</u>	<u>1.5</u>	<u>1.0</u>	<u>1.6</u>



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<u>Loam</u>	<u>All and massive</u>	<u>Weak to strong*</u>	<u>Very friable or friable</u>	<u>0.6</u>	<u>2.0</u>	<u>0.78</u>	<u>2.0</u>
<u>Silt loam</u>	<u>All, except platy and massive</u>	<u>Weak to strong</u>	<u>Very friable or friable</u>	<u>0.5</u>	<u>2.4</u>	<u>0.78</u>	<u>2.0</u>
<u>Clay loam</u>	<u>All, except platy and massive</u>	<u>Mod to strong</u>	<u>Very friable or friable</u>	<u>0.45</u>	<u>2.6</u>	<u>0.6</u>	<u>2.6</u>
<u>Clay</u>	<u>All, except platy and massive</u>	<u>Strong</u>	<u>Very friable or friable</u>	<u>-</u>	<u>5.0</u>	<u>0.3</u>	<u>5.3</u>
<u>Other clays</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

\* Excludes moderate and strong platy structure.

\*\* Mound media bed absorption area loading rate of 1.6 gpd/ft<sup>2</sup>.

TABLE IXa  
LOADING RATES FOR DETERMINING BOTTOM ABSORPTION AREA  
FOR TRENCHES AND SEEPAGE BEDS FOR EFFLUENT TREATMENT LEVEL C  
AND ABSORPTION RATIOS FOR DETERMINING MOUND ABSORPTION AREAS  
USING PERCOLATION TESTS

<u>Percolation rate (minutes per inch)</u>	<u>Gallons per day per square foot of trench bottom</u>	<u>Mound absorption ratio</u>
<u>Faster than 0.1*</u>	<u>0.0</u>	<u>1</u>
<u>0.1 to 5*</u>	<u>1.20</u>	<u>1</u>
<u>0.1 to 5 (soil texture groups 3 &amp; 5)</u>	<u>0.6</u>	<u>2</u>
<u>6 to 15</u>	<u>0.78</u>	<u>1.3</u>
<u>16 to 30</u>	<u>0.6</u>	<u>2</u>
<u>31 to 45</u>	<u>0.5</u>	<u>2.4</u>
<u>46 to 60</u>	<u>0.45</u>	<u>2.6</u>
<u>61 to 120</u>	<u>0.24</u>	<u>5.0</u>
<u>Slower than 120</u>	<u>0.0</u>	<u>-</u>

\*See part 7080.2260 for requirements for these soils.

<u>Percolation rate (MPI)</u>	<u>Treatment level C absorption area loading rate (gpd/ft<sup>2</sup>)</u>	<u>Treatment level C mound absorption ratio</u>	<u>Treatment levels A, A-2, B, and B-2 absorption area loading rate (gpd/ft<sup>2</sup>)</u>	<u>Treatment levels A, A-2, B, and B-2 mound absorption ratio</u>
<u>&lt;0.1</u>	<u>-</u>	<u>1.0</u>	<u>-</u>	<u>1.0</u>
<u>0.1 to 5</u>	<u>1.2</u>	<u>1.0</u>	<u>1.6</u>	<u>1.0</u>
<u>0.1 to 5 (fine sand and loamy fine sand)</u>	<u>0.6</u>	<u>2.0</u>	<u>1.0</u>	<u>1.6</u>
<u>6 to 15</u>	<u>0.78</u>	<u>1.5</u>	<u>1.0</u>	<u>1.6</u>
<u>16 to 30</u>	<u>0.6</u>	<u>2.0</u>	<u>0.78</u>	<u>2.0</u>
<u>31 to 45</u>	<u>0.5</u>	<u>2.4</u>	<u>0.78</u>	<u>2.0</u>

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46 to 60	0.45	2.6	0.6	2.6
61 to 120	:	5.0	0.3	5.3
>120	:	:	:	:

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

I. A minimum of six inches of topsoil borrow ~~shall~~ must be placed over the system.

J. A close-growing, vigorous vegetative cover must be established over the soil treatment and dispersal system and other vegetatively disturbed areas. The sodding, seeding, or other vegetation establishment ~~shall~~ must begin immediately after the placement of the topsoil borrow. The soil treatment and dispersal system must be protected from erosion and excessive frost until a vegetative cover is established. The vegetative cover established must not interfere with the hydraulic performance of the system and ~~shall~~ must provide adequate frost and erosion protection. Trees, shrubs, deep-rooted plants, or hydrophytic plants must not be planted on the system.

K. Sewage tank effluent concentrations to the soil dispersal system must not exceed a BOD concentration of 170 mg/l, a CBOD<sub>5</sub> concentration of 125 mg/l, a TSS concentration of 60 mg/l, or an oil and grease concentration of 25 mg/l.

L. The distribution media must not be in contact with soils with any sand soil texture with 35 percent or more rock fragments or any soils that have a percolation rate of less than 0.1 minute per inch.

M. The contour loading rate for soil dispersal systems must be between 1 and 12 gallons per lineal foot per day.

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

## 7080.2210 TRENCHES AND SEEPAGE BEDS.

Subpart 1. **Characteristics.** To qualify as a trench or seepage bed system, the system must meet ~~or exceed~~ the requirements of items A to E:

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

B. meet ~~or exceed~~ applicable technical requirements of parts 7080.1900 to 7080.2030, 7080.2050, and 7080.2100;

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

D. meet ~~or exceed~~ the requirements of part 7080.2150, subparts 2 and 3, except subpart 3, item M; and

E. meet the requirements of subparts 2 to 4.

Subp. 2. **~~Seepage beds General.~~** Seepage bed placement must be limited to areas having natural slopes of less than six percent. Absorption areas for seepage beds and trenches must not be placed in soils with a texture group of 10 and 11 on loading rate of less than 0.45 gallons per day per square foot or as shown in Table IX or IXa in part 7080.2150, subpart 3, item E. Seepage beds must not be located in floodplains.

Subp. 3. **Sizing of trenches and seepage beds.**

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

B. The minimum sidewall absorption is six inches. The bottom absorption area is allowed to be reduced, for trenches only, by the following:

Sidewall absorption - inches	Bottom area reduction
12 to 17	20%
18 to 23	34%
24	40%

A 40 percent reduction is not allowed with a loading rate of 1.2 gallons per day per square foot.

Subp. 4. **Design and construction of trenches and seepage beds.**

A. Trenches must be no more than 36 inches wide. Any excavation wider than 36 inches ~~shall be considered is~~ a seepage bed. A seepage bed must not be wider than 12 feet if gravity distribution is used and 25 feet if pressure distribution is used. Natural, undisturbed

soil must exist between multiple trenches and seepage beds. Multiple seepage beds must be spaced at one-half the bed width. ~~Multiple units must be designed based on contour loading rates as described in part 7080.2220, subpart 3, item B.~~

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

F. Trenches and seepage beds in which the distribution media is in contact with soils that are sand, loamy sand, fine sand, or loamy fine sand or soils with a percolation rate of 0.1 to 5 minutes per inch must employ one or more of the following measures:

- (1) employ pressure distribution according to part 7080.2050, subpart 4;
- (2) divide the total dispersal area into multiple units that employ serial distribution, with each dispersal unit having no greater than 15 percent of the required bottom absorption area; or
- (3) have a vertical separation distance of at least five feet.

## 7080.2220 MOUNDS.

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

### Subp. 2. Location of mounds.

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

C. On slopes of one percent or greater and where the original soil mound absorption ratio is 5.0 or greater in Table IX or IXa in part 7080.2150, subpart 3, item E, mounds must not be located where the ground surface contour lines that lie directly below the long axis of the distribution media bed represent a swale or draw, unless the contour lines have a radius of curvature greater than 100 feet. Mounds must never be located in swales or draws where the radius of curvature of the contour lines is less than 50 feet.

### Subp. 3. Mound design and construction.

A. The mound distribution media bed area consists of bottom area only and must be calculated by dividing the design flow by 1.2 gallons per square foot per day.

B. ~~The mound distribution media bed area must be as long and narrow as practical.~~ Mound distribution media beds must be determined according to part 7080.2150, subpart 3, item M, and must be no wider than ten feet. ~~Mound distribution bed widths must be determined by the contour loading rate, which is the relationship between the vertical and horizontal water movement based on the following soil conditions:~~

- (1) ~~the permeability difference between the original soil mound absorption area and slower permeability horizons below the original soil mound absorption area;~~
- (2) ~~the depth between the original soil mound absorption area and the change in permeability described in subitem (1); and~~
- (3) ~~the land slope.~~

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

## 7080.2230 AT-GRADE SYSTEMS.

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

### Subp. 3. Design and construction of at-grade systems.

A. The at-grade bed absorption width must be determined according to part ~~7080.2220, subpart 3, item B,~~ 7080.2150, subpart 3, item M, and must not exceed a width of 15 feet. The at-grade bed absorption width for slopes of one percent or greater does not include any width of the media necessary to support the upslope side of the pipe.

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

F. Six inches of loamy or sandy cover material must be installed over the distribution media. Cover must extend at least five feet from the ends of the ~~rock media~~ bed and be sloped to divert surface water. Side slopes must not be steeper than four horizontal units to one vertical unit. Six inches of topsoil borrow must be placed on the cover material.

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

## 7080.2250 TYPE II SYSTEMS.

Systems designed according to parts ~~7080.2260~~ 7080.2270 to 7080.2290 are considered Type II systems.

## 7080.2300 TYPE III SYSTEMS.

A system ~~designed according to this part is considered that deviates from the requirements in parts 7080.2210 to 7080.2240 is a Type~~

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III system. ~~The Deviations from the standards in parts 7080.2210 to 7080.2240 must be submitted to the local unit of government for approval or denial. However, no deviation is allowed from the following standards and at a minimum a Type III system must:~~

- ~~A. employ design flow values in parts 7080.1850 to 7080.1885;~~
- ~~B. meet or exceed applicable technical requirements of part 7080.2050, subpart 4, item A;~~
- ~~C. meet the requirements of parts 7080.1900 to 7080.2030;~~
- ~~D. meet the requirements of part 7080.2100 with mound and at-grade systems required to have pressure distribution;~~
- ~~E. provide flow measurement;~~
- ~~F. meet or exceed the requirements of part 7080.2150, subpart subparts 2 and 4; and~~
- ~~G. meet or exceed the requirements of part 7080.2150, subpart 3, items A, B, C, G, F, I, and J; and L; and~~
- H. follow the absorption area loading rates in part 7080.2150, subpart 3, item E, Tables IX and IXa. If the site cannot accommodate a soil treatment and dispersal system sized in accordance with Table IX or IXa in part 7080.2150, subpart 3, item E, a smaller soil treatment and dispersal system is allowed to be constructed if it employs flow restriction devices that do not allow loadings in excess of those in Table IX or IXa of part 7080.2150, subpart 3, item E. In those cases where a loading rate or mound absorption ratio is not listed in Tables IX and IXa in part 7080.2150, subpart 3, item E, an alternative loading rate or absorption ratio must be proposed.

## 7080.2350 TYPE IV SYSTEMS.

Subpart 1. **General.** A system designed according to this part is considered a Type IV system. The system must:

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

- ~~D. meet or exceed the requirements of part 7080.2150, subpart 3, items A and B; and~~
- ~~E. meet or exceed the requirements of Table XI in subpart 2 and Table XII or XIIa in subpart 3; and~~
- F. meet soil dispersal requirements of parts 7080.2210, 7080.2220, and 7080.2230, except that the reductions in part 7080.2210, subpart 3, item B, are not applicable.

Subp. 2. **Table XI.**

~~TABLE XI  
TREATMENT COMPONENT PERFORMANCE LEVELS AND  
METHOD OF DISTRIBUTION BY TEXTURE GROUP<sup>1</sup>~~

	<del>Vertical separation (inches) 1-5</del>	<del>6-9</del>	<del>Soil group found in Table XII 10-11</del>
12 to 17	<del>Treatment Level A Pressure Distribution Timed Dosing</del>	<del>Treatment Level A Pressure Distribution Timed Dosing</del>	<del>Treatment Level A Pressure Distribution Timed Dosing</del>
18 to 23	<del>Treatment Level B Pressure Distribution Timed Dosing</del>	<del>Treatment Level B Pressure Distribution Timed Dosing</del>	<del>Treatment Level B Pressure Distribution</del>
24 to 36	<del>Treatment Level B Pressure Distribution Timed Dosing</del>	<del>Treatment Level B Pressure Distribution</del>	<del>Treatment Level B Pressure Distribution</del>

TABLE XI  
TREATMENT COMPONENT PERFORMANCE LEVELS AND  
METHOD OF DISTRIBUTION BY TEXTURE GROUP<sup>1</sup>

<u>Vertical separation (inches)</u>		<u>Texture group<sup>2</sup></u>
<u>All sands and loamy sands</u>	<u>Sandy loam, loam, silt loam</u>	<u>Clay, clay loams</u>

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12 to 17 <sup>3</sup>	Treatment level A <u>Uniform distribution</u> <u>Timed dosing</u>	Treatment level A <u>Uniform distribution</u> <u>Timed dosing</u>	Treatment level A <u>Uniform distribution</u> <u>Timed dosing</u>
18 to 35 <sup>3</sup>	Treatment level B <u>Uniform distribution</u> <u>Timed dosing</u>	Treatment level B <u>Uniform distribution</u> <u>Timed dosing</u>	Treatment level B <u>Uniform distribution</u>
36+ <sup>3</sup>	Treatment level A-2 or B-2 <u>Uniform distribution</u> <u>Treatment level C</u>	Treatment level A-2 or B-2 <u>Uniform distribution</u> <u>Treatment level C</u>	Treatment level A-2 or B-2 <u>Uniform distribution</u> <u>Treatment level C</u>

<sup>1</sup>The treatment component performance levels correspond with those established for treatment components under the product testing requirements in Table III in part 7083.4030. <sup>2</sup>With less than 50 percent rock fragments. <sup>3</sup>Additional vertical separation distance is required as determined in part 7080.2150, subpart 3, item C.

Subp. 3. **Tables XH and XHa Soil loading rates.** The system's absorption area and mound absorption ratio must be sized according to Table XH or Table XHa IX or IXa.

TABLE XH  
LOADING RATES FOR DETERMINING BOTTOM ABSORPTION AREA  
FOR TRENCHES AND SEEPAGE BEDS FOR EFFLUENT MEETING TREATMENT  
LEVELS A AND B AND ABSORPTION RATIOS FOR DETERMINING  
MOUND ABSORPTION AREAS USING DETAILED SOIL DESCRIPTIONS

Texture	Texture group	Structure	Grade	Consistence	Soil loading rate (gpd/ft <sup>2</sup> )	Mound absorption ratio
Coarse sand*	1	single grain		loose	0.00	1
		single grain		weakly cemented- friable	0.00	2
		single grain		cemented- firm	0.00	0
Medium sand*	2	single grain		loose	1.6	1
		single grain		weakly cemented- friable	0.78	2
		single grain		cemented- firm	0.00	0
Fine sand <sup>3</sup>		single grain		loose	1.0	2
		single grain		weakly cemented- friable	0.45	2
		single grain		cemented- firm	0.00	0
Coarse and medium loamy sand*	4	single grain		loose	1.6	1
		single grain		weakly cemented- friable	0.78	2
		single grain		cemented- firm	0.00	0

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Fine and very fine loamy sand	5	single grain		loose	1-0	2
		single grain		weakly cemented= friable	0-45	5-0
		single grain		cemented= firm	0-00	0
Coarse and medium sandy loam	6	pris, blk, gr	weak	v. friable; friable	0-6	2-6
		pris, blk, gr	weak	firm	0-45	5-0
		pris, blk, gr	mod or strong	v. friable; friable	1-0	1-3
		pris, blk, gr	mod or strong	firm	0-6	2-6
		platy	weak	v. friable; friable	0-6	2-6
		platy	weak	firm	0-45	5-0
		platy	mod or strong	v. friable; friable	0-6	2-6
		platy	mod or strong	firm	0-00	0-0
		massive		v. friable; friable	0-45	5-0
		massive		firm	0-00	0-0
Fine and v. fine sandy loam	7	pris, blk, gr	weak	v. friable; friable	0-45	5-0
		pris, blk, gr	weak	firm	0-45	5-0
		pris, blk, gr	mod or strong	v. friable; friable	0-78	2-0
		pris, blk, gr	mod or strong	firm	0-45	5-0
		platy	weak	v. friable; friable	0-45	5-0
		platy	weak	firm	0-00	0-0
		platy	mod or strong	v. friable; friable	0-24	0-0
		platy	mod or strong	firm	0-00	0-0
		massive		v. friable; friable	0-45	5-0
		massive		firm	0-00	0-0
Loam	8	pris, blk, gr	weak	v. friable; friable	0-6	2-6
		pris, blk, gr	weak	firm	0-45	5-0
		pris, blk, gr	mod or strong	v. friable; friable	0-78	2-0
		pris, blk, gr	mod or strong	firm	0-45	5-0
		platy	weak	v. friable; friable	0-45	5-0

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		platy	weak	firm	0.00	0.0
		platy	mod-or	v. friable;	0.24	0.0
			strong	friable		
		platy	mod-or	firm	0.00	0.0
			strong			
		massive		v. friable;	0.45	5.0
				friable		
		massive		firm	0.00	0.0
Silt loam	9	pris, blk, gr	weak	v. friable;	0.6	2.6
				friable		
		pris, blk, gr	weak	firm	0.45	5.0
		pris, blk, gr	mod-or	v. friable;	0.78	2.4
			strong	friable		
		pris, blk, gr	mod-or	firm	0.45	5.0
			strong			
		platy	weak	v. friable;	0.45	5.0
				friable		
		platy	weak	firm	0.00	0.0
		platy	mod-or	v. friable;	0.00	0.0
			strong	friable		
		platy	mod-or	firm	0.00	0.0
			strong			
		massive		v. friable;	0.3	5.0
				friable		
		massive		firm	0.00	0.0
Clay loam;	10	pris, blk, gr	weak	v. friable-or	0.3	5.0
silty clay loam;				friable		
sandy clay loam		pris, blk, gr	weak	firm	0.00	0.00
		pris, blk, gr	mod-or	v. friable-or	0.6	2.6
			strong	friable		
		pris, blk, gr	mod-or	firm	0.3	5.0
			strong			
		platy	weak	v. friable-or	0.00	0.00
				friable		
		platy	weak	firm	0.00	0.00
		platy	mod-or	v. friable-or	0.00	0.00
			strong	friable		
		platy	mod-or	firm	0.00	0.00
			strong			
		massive		v. friable-or	0.00	0.00
				friable		
		massive		firm	0.00	0.00
Clay, silty clay,	11	pris, blk, gr	weak	v. friable;	0.00	0.00
sandy clay				friable		
		pris, blk, gr	weak	firm	0.00	0.00
		pris, blk, gr	mod-or	v. friable, or	0.3	5.0
			strong	friable		
		pris, blk, gr	mod-or	firm	0.00	0.00
			strong			
		platy	weak	v. friable;	0.00	0.00
				friable		

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platy	weak	firm	0:00	0:00
platy	mod-or	v. friable;	0:00	0:00
	strong	friable		
platy	mod-or	firm	0:00	0:00
	strong			
massive		v. friable;	0:00	0:00
		friable		
massive		firm	0:00	0:00

All very firm consistence has a loading rate of 0:0.

TABLE XIHa  
LOADING RATES FOR DETERMINING BOTTOM ABSORPTION AREA  
FOR TRENCHES AND SEEPAGE BEDS FOR EFFLUENT TREATMENT  
LEVELS A AND B AND ABSORPTION RATIOS FOR DETERMINING MOUND  
ABSORPTION AREAS USING PERCOLATION TESTS

Percolation rate (minutes per inch)	Gallons per day per square foot of trench bottom	Mound absorption ratio
Faster than 0.1*	0:0	1
0.1 to 5*	1:6	1
0.1 to 5 (soil texture groups 3 & 5)	1:0	2
6 to 15	1:0	1.3
16 to 30	0:78	2
31 to 45	0:78	2.4
46 to 60	0:6	2.6
61 to 120	0:3	5:0
Slower than 120	-	-

\*See part 7080.2260 for requirements for these soils.

## 7080.2400 TYPE V SYSTEMS.

A system designed according to this part is considered a Type V system. The system must:

- A. employ design flow values in parts 7080.1850 to 7080.1885;
- B. meet or exceed the requirements of part 7080.2150, subpart 2; and

C. be designed with a vertical separation that ensures adequate sewage dispersal and treatment. Design factors to consider include, but are not limited to, effluent quality, loading rates, groundwater mounding if loading rates are in excess of those in part 7080.2350; subpart 2, Table XH or XIHa 7080.2150, subpart 3, item E, Table IX or IXa, loading methods, and soil conditions.

ISTS must not contaminate underground waters or zones of periodic saturation with viable fecal organisms.

## 7080.2440 COLLECTION SYSTEMS.

Collection of greater than 2,500 gallons per day of sewage from multiple buildings or multiple other establishments discharging into an ISTS must be:

- A. according to the Prescriptive Designs and Design Guidance for Advanced Designers, incorporated by reference under part 7080.1550, subpart 2; or
- B. designed by a Minnesota licensed professional engineer.

## 7080.2450 MAINTENANCE.

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

Subp. 3. **Removal of material.**

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

C. After removal of solids and liquids from a system installed after the adoption of a local ordinance adopted after February 4, 2008, the system shall maintenance hole cover must be brought into compliance with secured as described in part 7080.1970, item C. Covers



secured by screws ~~shall~~ must be refastened in all screw openings. ~~If the maintenance hole does not extend to finish grade, it must be brought into compliance with part 7080.1970, item C, or secured by covering with a minimum of 12 inches of soil.~~

D. After removal of solids and liquids from a system installed before the adoption of a local ordinance adopted after February 4, 2008, maintenance hole covers must be sound, durable, and of adequate strength as specified in part 7080.1970, item C, subitem (3), and:

(1) be buried with a minimum of 12 inches of soil cover or, if the cover is currently at or above the ground surface or within 12 inches from final grade, be secured by a method that was deemed secure by the local ordinance that was in effect before February 4, 2008; or

(2) meet the requirements of part 7080.1970, item C, if the cover is to be raised to be at or above the ground surface or within 12 inches from final grade.

~~D~~E. Pump tanks must be maintained according to this part. Sludge must be removed if within one inch of the pump intake.

[For text of subs 4 to 6, see M.R.]

Subp. 7. **Use of soil treatment site.** Activities on the current soil dispersal and treatment system or the reserve soil dispersal and treatment area as specified in part ~~...~~ 7082.0100, subpart 3, item F, that impair the current or future treatment abilities or hydraulic performance of the soil treatment and dispersal system are prohibited. This includes, but is not limited to, covering all or part of the soil treatment system with an impermeable surface as determined by the local unit of government.

[For text of subp 8, see M.R.]

## **7080.2500 SYSTEM ABANDONMENT.**

Subpart 1. **Tank abandonment.** All systems with no future intent for use must be abandoned according to this part. Tank abandonment procedures for sewage tanks, cesspools, leaching pits, drywells, seepage pits, vault privies, and pit privies, ~~and distribution devices~~ must meet the requirements in items A to C.

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

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

## **7080.2550 SEEPAGE PITS, DRYWELLS, AND LEACHING PITS.**

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

Subp. 2. **Requirements for seepage pits, drywells, and leaching pits.** A seepage pit, drywell, or leaching pit is a system that:

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

E. has a pit that has not been placed in a soil stratum with a texture group of 1 or 4 in Table IX in part 7080.2150, subpart 3, item E of sand, loamy sand, fine sand, or loamy fine sand texture when any of those soils contain 35 percent or more rock fragments;

[For text of items F and G, see M.R.]

## **7081.0020 DEFINITIONS.**

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

Subp. 4. **Midsized subsurface sewage treatment system or MSTs.** “Midsized subsurface sewage treatment system” or “MSTs” means ~~an individual a subsurface~~ a subsurface sewage treatment system, or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade and that is designed to receive sewage ~~from dwellings or other establishments~~ with a design flow of greater than 5,000 gallons per day to 10,000 gallons per day.

~~Design flows must be determined by part 7081.0110; MSTs also includes on-lot septic tanks, holding tanks, and privies that serve these same facilities but does not include any pump tanks used in a sewage collection system; are designed to receive a sewage design flow of greater than 5,000 gallons per day to 10,000 gallons per day; on-lot sewage tanks discharging into a sewage collection system that discharges into MSTs treatment or dispersal components; and the sewage collection system that discharges into MSTs treatment or dispersal components. MSTs does not include those components defined as plumbing under chapter 4715 or sewage collection systems.~~

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

## **7081.0040 STATE REGULATION.**

Subpart 1. **Agency regulation.**

A. All MSTs must be designed and operated according to this chapter, except as modified through an ordinance in compliance with

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chapter 7082 and Minnesota Statutes, section 115.55. All MSTs must be designed, installed, inspected, pumped, and operated by a qualified employee under part 7083.1010 or a licensed business meeting the qualifications in chapter 7083 business under part 7083.0710. All MSTs must conform to applicable state statutes and rules.

B. ~~When~~ The owner or owners of a single SSTS; or a group of SSTS under single common ownership within one-half mile of each other, are designed to treat a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and must obtain an SDS permit from the agency in accordance with according to chapter 7001. If the measured daily flows for a consecutive seven-day period exceed 10,000 when all or part of proposed or existing soil dispersal components are within one-half mile of each other and the combined flow from all proposed and existing SSTS is greater than 10,000 gallons per day, an SDS permit is required. For proposed SSTS, the flow must be determined according to item D. For existing SSTS, the flow is determined by the greater of:

- (1) the average maximum seven-day measured flow; or
- (2) the flow determined according to item D.

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

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

## 7081.0080 PERFORMANCE AND COMPLIANCE CRITERIA.

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

Subp. 4. **Groundwater protection.** To be in compliance, all MSTs must:

A. maintain a zone of unsaturated soil between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock during loading of effluent, as described in part 7081.0270, subpart 8 meet the requirements of part 7080.1500, subpart 4, item D;

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

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

## 7081.0120 DESIGN FLOW DETERMINATION FOR DWELLINGS.

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

Subp. 2. **New housing developments.** For new housing developments to be served by a common SSTS, the developer shall must determine and restrict the total number of bedrooms for the development and determine the design flow by multiplying the total number of bedrooms by 110 gallons per bedroom. Proposed dwellings are determined to be Classification I dwellings for flow determination purposes unless different classifications are approved by the local unit of government. If the ultimate development of phased or segmented growth meets or exceeds the thresholds in part 7081.0040, subpart 1, item B, the initial system or systems and all subsequent systems require a state disposal system permit.

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

## 7081.0130 FLOW AND WASTE CONCENTRATION DETERMINATION FOR OTHER ESTABLISHMENTS.

Subpart 1. **Method.** Design flows for other establishments are determined by methods in item A or B.

A. The design flow of sewage for MSTs serving other establishments is estimated using Table I.

TABLE I  
ESTIMATED DESIGN SEWAGE FLOW FROM OTHER ESTABLISHMENTS

(1) Dwelling units (also see outdoor recreation)	Unit	Design flow (gal/ day/unit)
(a) Hotel or luxury hotel	guest	55
	square foot	0.28
(b) Motel	guest	38
	square foot	0.33
(c) Rooming house	resident	45
	add for each nonresident meal	3.3
(d) Daycare (no meals)	child	19
(e) Daycare (with meals)	child	23
(f) Dormitory	person	43
(g) Labor camp	person	18
(h) Labor camp, semipermanent	employee	50

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<u>(2) Commercial/Industrial</u>		
<u>(a) Retail store</u>	square foot	0.13
	customer	3.8
	toilet	590
<u>(b) Shopping center</u>	employee	11.5
	square foot	0.15
	parking space	2.5
<u>(c) Office</u>	employee/8-hour shift	18
	square foot	0.18
<u>(d) Medical office*</u>	square foot	1.1
	practitioner	275
	patient	8
<u>(e) Industrial building*</u>	employee/8-hour shift	17.5
	employee/8-hour shift with showers	25
<u>(f) Laundromat</u>	machine	635
	load	52.5
	square foot	2.6
<u>(g) Barber shop*</u>	chair	68
<u>(h) Beauty salon*</u>	station	285
<u>(i) Flea market</u>	nonfood vendor/space	15
	limited food vendor/space	25
	with food vendor/space	50
<u>(3) Eating and drinking establishments</u>		
<u>(a) Restaurant (does not include bar or lounge)</u>	meal without alcoholic drinks	3.5
	meal with alcoholic drinks	8
	seat (open 16 hours or less)	30
	seat (open more than 16 hours)	50
	seat (open 16 hours or less, single service articles)	20
	seat (open more than 16 hours, single service articles)	35
<u>(b) Restaurant (short order)</u>	customer	7
<u>(c) Restaurant (drive-in)</u>	car space	30
<u>(d) Restaurant (carry out, including caterers)</u>	square foot	0.5
<u>(e) Institutional meals</u>	meal	5.0
<u>(f) Food outlet</u>	square foot	0.2
<u>(g) Dining hall</u>	meal	8.5
<u>(h) Coffee shop</u>	customer	7
<u>(i) Cafeteria</u>	customer	2.5
<u>(j) Bar or lounge (no meals)</u>	customer	4.5
	seat	36
<u>(4) Entertainment establishments</u>		
<u>(a) Drive-in theater</u>	car stall	5
<u>(b) Theater/auditorium</u>	seat	4.5
<u>(c) Bowling alley</u>	alley	185
<u>(d) Country club</u>	member (no meals)	22
	member (with meals and showers)	118
	member (resident)	86
<u>(e) Fairground and other similar gatherings</u>	visitor	1.5
<u>(f) Stadium</u>	seat	5
<u>(g) Dance hall</u>	person	6
<u>(h) Health club/gym</u>	member	35
<u>(5) Outdoor recreation and related lodging facilities</u>		
<u>(a) Campground</u>	person campsite with sewer hook-up (per person)	36.32

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	site <u>campsite</u> with <u>sewer hook-up (per site/space)</u>	100
	site <u>campsite</u> without <u>sewer hook-up,</u> with central <u>bath toilet or shower facility (per site)</u>	62 <u>50</u>
	<del>site to be served by <u>campsite without sewer hook-up,</u> <u>with central toilet or shower facility, served by central</u></del> dump station <u>(per site)</u>	<del>14.5</del> <u>63</u>
(b)	Permanent mobile home mobile home	225
(c)	Camp, day without meals person	20
(d)	Camp, day with meals person	25
(e)	Camp, day and night with meals person	45
(f)	Resort/lodge hotel person	62
(g)	Cabin, resort person	50
(h)	Retail resort store customer	4
(i)	Park or swimming pool guest	10
(j)	Visitor center visitor	13
 (6) Transportation		
(a)	Gas station/convenience store customer	3.5
(b)	Service station* customer	11
	service bay	50
	toilet	250
	square foot	0.25
(c)	Car wash* (does not include car wash water) square foot	5
(d)	Airport, bus station, rail depot passenger	5
	square foot	5
	restroom	565
 (7) Institutional		
(a)	Hospital* bed	220
(b)	Mental health hospital* bed	147
(c)	Prison or jail inmate	140
(d)	Nursing home, other adult congregate living resident	125
(e)	Other public institution person	105
(f)	School (no gym, no cafeteria, and no showers) student	14
(g)	School (with cafeteria, no gym and no showers) student	18
(h)	School (with cafeteria, gym, and showers) student	27.5
(i)	School (boarding) student	95
(j)	Church seat	4
	add for each meal prepared	5
(k)	Assembly hall seat	4
 (8) Miscellaneous		
(a)	Public lavatory user	5
(b)	Public shower shower taken	11

\* Waste other than sewage is only allowed to be discharged into the system if the waste is suitable to be discharged to groundwater. Unless otherwise noted in Table I, the flow values do not include flows generated by employees. A flow value of 15 gallons per employee per eight-hour shift must be added to the flow amount. Design flow determination for establishments not listed in Table I shall be determined by the best available information and approved by the local unit of government.

B. The measured design flow of sewage for MSTs serving other establishments is determined by averaging the measured daily flows for a consecutive seven-day period in which the establishment is at maximum capacity or use.

Subp. 2. **Waste concentration.** If concentrations of biochemical oxygen demands, total suspended solids, and oil and grease from the sewage tank to the soil dispersal system are expected to be higher than ~~175~~ 170 mg/l BOD (or ~~125~~ 125 mg/l CBOD<sub>5</sub>), ~~65~~ 60 mg/l TSS, or 25 mg/

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respectively of oil and grease, an estimated or measured average concentration must be determined and be acceptable to the local unit of government. System design must account for concentrations of these constituents so as not to cause internal system malfunction, such as, but not limited to, clogging of pipes, orifices, treatment devices, or media.

## 7081.0160 PRELIMINARY EVALUATION.

A preliminary evaluation consists of determining:

A. the design flow ~~and~~, anticipated effluent concentrations of biochemical oxygen demand, total suspended solids, and ~~fats, oils, oil and grease, and anticipated presence of nondomestic waste from the dwelling, dwellings, or other establishments;~~

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

## 7081.0170 FIELD EVALUATION.

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

### Subp. 5. Soil pits.

A. ~~Soil pits are required to investigate the soil for MSTs design. The required number of soil pits to adequately define the limiting layer and soil dispersal system sizing must be determined by the professional judgment of the designer as based on the size of the area; and consistency of the soil; and must be approved by the local unit of government.~~

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

[For text of subps 6 to 8, see M.R.]

## 7081.0240 SEWAGE TANKS.

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

Subp. 2. [See repealer.]

Subp. 3. ~~Lint filters, effluent screens, and pressure filters. Effluent screens must be used as the outlet baffle on the final septic tank or pressure filters must be used in the pump tank if common tanks are employed in series. Alarms must be employed on tanks equipped with effluent screens. An effluent screen or pressure filter must be used on all systems. If multiple septic tanks are used, the effluent screen must be placed in the last tank in the series and provided with an alarm.~~ Lint filters are recommended if the sewage contains laundry waste.

### Subp. 4. Tank geometry.

A: For common septic tanks, the maximum liquid depth of septic tanks to determine liquid capacity must be no greater than 84 inches. The length-to-width ratio and the length-to-depth ratio must facilitate settling of solids.

B: For common septic tanks, the space in the tank between the liquid surface and the top of the inlet and outlet baffles must not be less than 20 percent of the total required liquid capacity.

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

Subp. 7. [See repealer.]

## 7081.0270 FINAL TREATMENT AND DISPERSAL.

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

### Subp. 5. Soil absorption area sizing.

A. Effluent loading rates to the soil shall not exceed the soil's ability to infiltrate and transmit effluent as determined by the observations and measurements in part 7081.0170, subpart 7, and must be no greater than loading rates prescribed in:

(1) part 7080.2150, subpart 3, item E, Table IX or IXa, if the absorption area receives treatment level C effluent as described in part 7083.4030; or

(2) ~~part 7080.2350, subpart 3, Table XI or XIa~~ part 7080.2150, item E, if the absorption area receives effluent meeting treatment levels A or B in part 7083.4030; or

(3) part 7080.2400, if allowed by the local unit of government.

B. If the absorption area receives effluent as described in item A, subitem (1), the absorption area shall be increased by 50 percent of the amount derived in item A, subitem (1), and zoned for dosing and resting.

[For text of subps 6 and 7, see M.R.]

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Subp. 8. **Soil treatment zone.** For treatment of effluent by soil to meet the performance criteria in part 7081.0080, subpart 4, item C, the soil treatment and dispersal systems must meet the requirements of item A, B, or C.

A. For soil treatment and dispersal systems that receive treatment level A-2, B-2, or C effluent as described in part 7083.4030, the soil treatment zone requirements must meet ~~or exceed the requirements of~~ part 7080.2150, subpart 3, item C. The required three-foot vertical separation must be maintained during operation after accounting for groundwater mounding.

B. For soil treatment and dispersal systems that receive treatment level A or B effluent as described in part 7083.4030, the soil treatment zone requirements must meet ~~or exceed the requirements of subitems (1) to (4); part 7080.2150, subpart 3, item C, unless it is modified in Table XI of part 7080.2350, subpart 2, with a minimum vertical separation of two feet. The required vertical separation must be maintained during operation after accounting for groundwater mounding.~~

(1) a minimum vertical depth of the soil treatment and dispersal zone below the distribution media shall be determined according to part 7080.2350, subpart 2, Table XI, with a minimum vertical separation of two feet. This zone shall meet criteria in units (a) to (c):

(a) the zone must be above the periodically saturated soil and bedrock. The zone must be continuous and not be interrupted by seasonal zones of saturation;

(b) any soil layers with a sizing texture group of 1 or 4 in Table IX in part 7080.2150, subpart 3, item E, must not be credited as part of the necessary treatment zone; and

(c) the entire treatment zone depth must be within seven feet from final grade;

(2) the distribution system or media must not place a hydraulic head greater than 30 inches above the bottom of the absorption area;

(3) the system's absorption area must be original soil; and

(4) the system's absorption area must be sized according to subpart 6.

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

[For text of subs 9 to 11, see M.R.]

## 7081.0275 COLLECTION SYSTEMS.

The collection system for collection of sewage from multiple buildings or multiple other establishments discharging into an MSTs must be designed:

A. according to the Prescriptive Designs and Design Guidance for Advanced Designers, incorporated by reference under part 7080.1550, subpart 2; or

B. by a Minnesota licensed professional engineer.

## **7082.0040 REGULATORY ADMINISTRATION RESPONSIBILITY.**

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

Subp. 5. **Reporting requirements for all local programs.** Local units of government that administer SSTS programs must provide an annual report to the commissioner. The report must be submitted to the commissioner no later than ~~February 1~~ January 10 for the previous calendar year. The ~~reports~~ report must include:

A. ~~a copy of the standard construction permit, operating permit, and inspection forms, if different from previous year's;~~

B. the name and address of the program administrator, all qualified employees, and contracted licensed businesses authorized to perform services on behalf of the local unit of government;

C. the number of permits issued in the reporting year in the following categories: Total SSTS by flow permitted in year:

1-2,499	2,500-4,999	5,000-10,000
gallons	gallons	gallons
per day	per day	per day

New SSTS construction

Replacement SSTS

Total SSTS by type permitted in year:

Residential                      Other establishments

Type I

Type II

Type III

Type IV

Type V

D.C. the total number of systems serving full-time residences and seasonal residences, the total number of cluster systems, and the total number of other establishments in the jurisdiction;

E.D. the estimated percentage of existing SSTS in compliance within the local government's jurisdictional boundaries and how the estimate was developed;

F.E. the number of septic system tanks installed by each licensed installation business or homeowner;

G.F. the number of systems regulated under an operating permit;

H.G. for counties, the names of cities and townships that have local ordinances within the county; and

I.H. a narrative description of problem areas in local SSTS administration.

## 7082.0100 REQUIREMENTS FOR LOCAL ORDINANCES.

Subpart 1. **Requirement.** All SSTS ordinances must contain the provisions in items A to D.C.

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

~~C. A provision requiring that the owner has five years from the date of the bedroom addition permit issuance to upgrade, replace, repair, or discontinue use of the system. This upgrade criterion applies only if:~~

~~(1) the local unit of government issues a permit to add a bedroom;~~

~~(2) the system inspection is triggered by a bedroom addition permit request;~~

~~(3) the system was installed between May 27, 1989, and January 3, 1996;~~

~~(4) the system does not comply with part 7080.1500, subpart 4; and~~

~~(5) the system is not an imminent threat to public health or safety as described in part 7080.1500, subpart 4, item A.~~

D.C. Local ordinance requirements regulating vertical separation for systems built before April 1, 1996, in systems that are not SWF as defined in part 7080.1100, subpart 84, must meet the requirements in part 7080.1500, subpart 4, item E.

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

Subp. 3. **Additional ordinance requirements for all programs.** Ordinances adopted by a local unit of government under part 7082.0050 must contain the provisions in items A to R.

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

~~J. A provision requiring that a management plan be developed, reviewed, and approved submitted by the designer to the local unit of government before issuance of a construction permit for all new or replacement ISTS as described in part 7080.1100, subparts 51 and 66.~~

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

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

## 7082.0300 LOCAL PROGRAM ADMINISTRATION.

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

Subp. 2. **Prohibited variation.**

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

~~B. Programs adopted under part 7082.0100, subpart 3, must not issue variances from provisions in part 7080.2150, subpart 2, items A to D, or 7081.0080, subparts 2 to 5.~~

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

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

## 7082.0500 PERMIT PROGRAM FOR SSTS.

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

Subp. 2. **SSTS permit application requirements.**

~~A. SSTS permit applications must require the submittal of exhibits necessary for issuing a permit as described in this chapter, along with general requirements for identifying the property and owners, a site evaluation report, a design report, a management plan, and any other information requested by the local unit of government pertinent to this process. Exhibits for site evaluation, design, and applicable construction information must be complete and include a certified statement from the certified person who conducted or oversaw the work.~~

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An approval process must be developed to address changes in the approved design that served as the basis for issuing a permit.

~~B. Local units of government must require, review, and approve the technical basis for Type II to Type V systems as listed in parts 7080.2250 to 7080.2400.~~

Subp. 3. **Permit approval requirements and procedures.** The permit program must include the requirements in items A to D.

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

B. The local unit of government must review and either approve or deny the permit application ~~and management plan~~ before issuing a construction permit. Construction must not be initiated until a construction permit is granted. Final approval of the system must be evidenced by issuance of a certificate of compliance.

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

## 7082.0600 SYSTEM MANAGEMENT.

Subpart 1. **Management plans.**

A. Local units of government ~~shall~~ must require management plans for all new or replacement SSTS as described in parts 7080.2210 to ~~7080.2300~~ 7080.2400. These plans must be submitted to the local government before issuance of a construction permit.

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

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

## 7082.0700 INSPECTION PROGRAM FOR SUBSURFACE SEWAGE TREATMENT SYSTEMS.

Subpart 1. **Inspection requirements.** Local units of government must ~~have an adopt and implement a construction~~ inspection program for new construction and replacement SSTS to enforce requirements under this chapter. The construction inspection program must specify the frequency and times of inspections, specify the requirements of an inspection, establish an inspection protocol, provide for when an inspection cannot be completed in a timely manner, and, at a minimum, include the requirements for a compliance inspection under subparts 2 and 3, except for subpart 3, item E.

Subp. 2. **Compliance inspection; new construction or replacement.**

A. A compliance inspection for all new construction or replacement must be conducted:

- (1) to ensure compliance with applicable requirements;
- (2) to ensure compliance before issuance of a permit for the addition of a bedroom on property served by an SSTS, if the local unit of government issues permits for the addition of a bedroom, unless the requirements under part 7082.0500, subpart 3, item C, are met;
- ~~(3) for all new construction or replacement;~~
- ~~(4)~~ (3) by a qualified employee or licensed inspection business, authorized by the local unit of government, who is independent of the owner and the installer; and

~~(5)~~ (4) for an evaluation, investigation, inspection, recommendation, or other process used to prepare a disclosure if conducted by a party who is not the system owner. This disclosure action constitutes a compliance inspection and must be conducted according to this chapter.

B. A licensed inspection business that inspects an existing SSTS is allowed to subsequently design and install a new SSTS for that property, provided the inspection business is also licensed to design and install.

~~C.~~ A licensed inspection business working on behalf of a local unit of government must not design or install a new or replacement system if there is a likelihood that the inspector or business will be responsible for permitting or inspecting the new or replacement system or system site.

~~D.~~ A licensed inspection business may inspect an existing system that they designed or installed once it has been independently inspected.

~~E.~~ A person working for or on behalf of a local unit of government is not allowed to use the person's position to solicit for private business gain.

Subp. 3. **Certificate of compliance; notice of noncompliance; ~~new construction or replacement.~~**

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

C. Local units of government ~~shall~~ must develop a certificate of compliance document or use a certificate of compliance developed by the agency for new construction and replacement. The certificate of compliance for new construction and replacement must include the vertical separation distance report described in subpart 4, item B, subitem (2), and the management plan developed under part 7082.0600, subpart 1. All certificates of compliance and notices of noncompliance for new construction and replacement must include property and



property owner identification, date of inspection, system components, system location (dimensioned or drawn to scale), well setback distance, field check of soil conditions, SWF, as defined under part 7080.1100, subpart 84, designations as applicable, and Class V designation as applicable.

D. A certificate of compliance or notice of noncompliance for new construction or replacement must be signed by a licensed inspection business or by a qualified employee certified as an inspector who is authorized by the local unit of government. The certificate of compliance or notice of noncompliance for new construction and replacement must be submitted to the local unit of government no later than 15 business days after any compliance inspection. The certificate of compliance or notice of noncompliance for new construction and replacement must be submitted to the owner or owner's agent within 15 business days.

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

F. If a compliance inspection for new construction and replacement indicates that the system is not in compliance with applicable requirements, the notice must contain a statement to this effect and specify what must be done to achieve compliance the reason for noncompliance.

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

#### Subp. 4. ~~Certificate of Compliance; notice of noncompliance inspection; existing systems.~~

A. ~~The agency's existing SSTS inspection report forms shall be used for existing system compliance inspections. A local unit of government is authorized to require the use of additional, local existing system inspection forms. A compliance inspection of an existing system must first determine whether the soil dispersal system, sewage tanks, or other conditions pose an imminent threat to public health and safety as defined in part 7080.1500, subpart 4, item A. A determination must then be made as to whether the sewage tanks and soil dispersal area are failing to protect ground water as defined in part 7080.1500, subpart 4, item B. The inspection must also verify compliance with part 7080.1500, subpart 4, item C.~~

B. ~~An inspection~~ The agency's inspection report form for existing SSTS must verify the conditions, supplemented with any necessary or locally required supporting documentation, must be used for the existing system compliance inspections in subitems (1) to (3). Allowable supporting documentation includes tank integrity assessments made within the past three years and prior soil separation assessments.

(1) ~~Sewage tanks must be assessed for leakage below the operating depth. A leakage report~~ A tank integrity and safety compliance assessment must be completed that includes the method or methods used to make the assessment. The assessment must be made by either a licensed SSTS inspection, maintenance, installation, or service provider business, except a design business, or a qualified employee with an SSTS certification, except as a designer inspector with jurisdiction. A passing report An existing compliant tank integrity and safety compliance assessment is valid for three years unless the certified individual has reason to believe that a new inspection is to be conducted and the tank is found not to be watertight a new evaluation is requested by the owner or owner's agent or is required according to local regulations.

(2) ~~The vertical separation distance from the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock must be verified. This verification must be achieved by~~ A soil separation compliance assessment must be completed by a licensed inspection business or a qualified employee inspector with jurisdiction. Compliance must be determined either by conducting new soil borings or by prior verifications soil separation documentation made by two independent parties. The soil borings used for system design or previous inspections qualify as a verification. A vertical separation distance report must be completed that includes the method or methods used to make the assessment and includes any previous soil borings. The assessment must be made by either a licensed inspection business or a qualified employee inspector with jurisdiction are allowed to be used. If the verification soil separation report consists of verifications has been determined by two independent parties, a subsequent verification determination is not required unless the inspector has reason to believe a noncompliant condition exists requested by the owner or owner's agent or required according to local regulations.

(3) ~~Sewage backup, surface seeping, or surface discharge from the system must be determined. A Determination of hydraulic function report performance and other compliance in part 7080.1500, subpart 4, item A, must be completed that includes the method or methods used to make the assessment. The assessment must be made by either a licensed inspection business or a qualified employee with an inspector certification with jurisdiction. A passing report is valid until a new inspection is requested or if the hydraulic performance is believed to have changed.~~

C. A certificate of compliance ~~shall for an existing system must~~ be based on the results of the verifications in item B. The certificate of compliance for an existing system must be signed by a licensed inspection business or a qualified employee certified as an inspector with jurisdiction. The certificate or notice for an existing system must be submitted to the local unit of government with jurisdiction and the property owner or owner's agent no later than 15 days after a compliance inspection. The completed form must also be submitted to the owner or owner's agent. The certificate of compliance for an existing system is valid for three years from the date of issuance, even if one of the supporting reports expires before the three-year period, unless an inspector finds evidence of noncompliance a new inspection is

# Proposed Rules

requested by the owner or owner's agent or is required according to local regulations.

D. If a compliance inspection for an existing system indicates that the system is noncompliant, the notice must be signed by a licensed inspection business or qualified employee certified as an inspector and with jurisdiction, contain a statement to that effect of noncompliance, and specify what must be done to achieve compliance the reasons for noncompliance of each component specified in item B.

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

## 7083.0750 INSPECTION LICENSE.

### Subpart 1. **Authorization.**

A. A licensed basic inspection business is authorized to conduct compliance inspections and issue written certificates of compliance and notices of noncompliance for an existing ISTS described in part 7083.0740, subpart 1, item A. An inspection business is allowed to install a new system for a property in which the business has conducted an existing ISTS compliance inspection, provided the business holds the appropriate licenses. A local unit of government is allowed to authorize a licensed inspection business to review and approve site evaluations and designs, inspect new construction and replacement systems, verify the submittal of management plans, and issue written certificates of compliance and notices of noncompliance for systems described in part 7083.0740, subpart 1, ~~items item A and B.~~

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

Subp. 2. **Responsibilities.** ~~Basic and advanced inspection and MSTs inspection~~ licensees must submit a completed version of the agency's existing inspection form to the local unit of government and the property owner within ~~30~~ 15 days after any existing system compliance inspection.

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

## 7083.1000 BONDING AND INSURANCE FOR SSTS LICENSED BUSINESSES; LIABILITY.

### Subpart 1. **Bond and insurance requirements.**

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

E. The corporate surety bond must be submitted to the commissioner on the bond form provided in ~~part 7080.2030~~ this chapter, or on an alternate bond form provided by the commissioner, and must name the applicant as the principal.

[For text of items F and G, see M.R.]

[For text of subps 2 to 5, see M.R.]

## 7083.1050 EXPERIENCE.

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

Subp. 3. **Experience plan.** Experience plans must meet the requirements in this subpart.

A. Experience gained under an experience plan must be gained under the supervision of an unrestricted certified individual who has a specialty area certification that is the same as the specialty area sought by the individual acquiring the experience or under the supervision of an inspector who is authorized to design and inspect the system. After December 31, 2010, an individual providing experience oversight must be a mentor as described in part 7083.2000. If an apprentice loses the apprentice's mentor before completing the approved experience plan, the apprentice must notify the agency. The apprentice must not perform any more work until a new mentor is secured and the revised experience plan is approved by the agency.

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

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

Subp. 5. **Amount of experience.**

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

C. An applicant for certification as a basic inspector must have:

(1) co-completed, with a mentor, a minimum of 15 inspections of Type I, II, or III systems, as defined under parts 7080.2200 and 7080.2300, with a flow of 2,500 gallons per day or less. The inspections must include a minimum of one aboveground system inspection and one belowground system inspection; and

(2) observed, with or without a mentor:

(a) five soil evaluations, system designs, and management plans being developed;

(b) five system installations; and

(c) five service or operational instances.

No additional experience is required to qualify for the advanced inspector certification.

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

### 7083.2040 TRANSITIONING EXISTING REGISTRATIONS AND LICENSES.

Subpart 1. **Designers.** A business licensed, and an individual registered, as a designer I or designer II on February 4, 2008, are reclassified as basic designers. A business reclassified as a basic designer under this chapter is authorized to design all types and sizes of SSTS until February 4, ~~2011~~ 2012. After that time, a business designing systems described under part 7083.0740, subpart 1, item B, must meet the requirements of this chapter.

Subp. 2. **Inspectors.** A business licensed, and an individual registered, as a designer I or inspector on February 4, 2008, are reclassified as basic inspectors. A business or individual reclassified as an inspector under this chapter is authorized to inspect all types of SSTS until February 4, ~~2011~~ 2012. After that time, the business or government employee inspecting systems described under part 7083.0740, subpart 1, item B, must meet the requirements of this chapter.

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

### 7083.4000 PRODUCT REVIEW AND REGISTRATION PROCESS.

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

#### Subp. 2. **Proprietary treatment products; certification and registration.**

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

B. Manufacturers verifying product performance through testing according to the following standards or protocols ~~shall~~ must have product testing conducted by a qualified, third-party testing facility. Product performance testing ~~shall~~ must be consistent with the following:

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

~~(6) other equivalent protocols and standards consistent with the above-referenced standards and protocol to verify product performance as approved by the commissioner; and~~

~~(7)(6) protocol for bacteriological reduction described in part 7083.4060; and~~

(7) other equivalent protocols and standards consistent with the standards and protocols in subitems (1) to (6) to verify product performance as approved by the commissioner.

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

### 7083.4030 PRODUCT PERFORMANCE REQUIREMENTS FOR PROPRIETARY TREATMENT PRODUCTS.

TABLE III

Treatment component/ sequence category

Product performance requirements

Category A:

Treatment system performance testing levels

Designed to treat sewage with strength typical of a residential source when septic tank effluent is anticipated to be equal to or less than treatment

Level C.

Level

Parameters

	CBOD <sub>5</sub> (mg/l)	TSS (mg/l)	O&G (mg/l)	FC (#/100ml)	Nutrient (mg/l)
A	15	15	—	1,000	—
<u>A-2</u>	<u>15</u>	<u>15</u>	<u>—</u>	<u>—</u>	<u>—</u>
B	25	30	—	10,000	—
<u>B-2</u>	<u>25</u>	<u>30</u>	<u>—</u>	<u>—</u>	<u>—</u>
C	125*	<u>80</u> <u>60</u>	<u>20</u> <u>25</u>	—	—
TN	—	—	—	—	<u>&lt;20, or actual value</u>
TP	—	—	—	—	<u>2 &lt;5, or actual value</u>

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\*  $BOD_5 = 170 \text{ mg/l}$

Values for levels A and A-2, B, and B-2 are 30-day values (averages for  $CBOD_5$ , TSS, and geometric mean for FC). All 30-day averages throughout the test period must meet these values in order to be registered at these levels. Values for levels C, TN, and TP are derived from full test averages.

Category B:

All of the following requirements must be met:

Designed to treat high-strength sewage when septic tank effluent is anticipated to be greater than treatment level C, including restaurants, grocery stores, mini-marts, group homes, medical clinics, residences, etc.

- (1) all full test averages must meet level C; and
- (2) the treatment capacity of the product tested in pounds per day for  $CBOD_5$  must be reported.

Total nitrogen and phosphorus reduction in Categories A and B

Test results must establish product performance effluent quality meeting levels TN and TP, when presented as the full test average.

## 7083.4060 BACTERIOLOGICAL REDUCTION.

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

Subp. 4. **Disinfection.** Manufacturers are allowed to register products that either:

A. ~~use meet the bacteriological testing requirements alone, without the need for a separate disinfection in device to meet treatment levels level A and or B; or~~

B. ~~use meet the bacteriological testing requirements when tested with a compatible secondary disinfection device as a component of the process in to meet treatment level A or B; or~~

C. ~~meet the bacteriological testing requirements when coupled with a compatible secondary disinfection device that meets bacteriological requirements of this part as a component of the process to meet treatment level A or B.~~

## 7083.4120 PRODUCT REGISTRATION CONTESTED CASE HEARING.

~~A person is afforded an opportunity for whose application for product registration under part 7083.4040, item A, has been denied in whole or in part may petition the agency to hold a contested case hearing under *Minnesota Statutes*, chapter 14, for an approval, denial, or other final agency action in relation to product registration or renewal. To be considered by the agency, the petition must be submitted within 30 days after the person receives written notice of the commissioner's proposed action and must comply with part 7000.1800. The commissioner must grant the petition for a contested case hearing if the commissioner finds that the criteria in part 7000.1900 have been met. Final agency decisions following contested case hearings must be made according to parts 7000.2000 to 7000.2200.~~

**REPEALER.** ~~*Minnesota Rules*, parts 7080.1100, subpart 48; 7080.2260; 7081.0120, subpart 2; and 7081.0240, subparts 2 and 7, are repealed.~~

# Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Department of Natural Resources (DNR)

### Commissioner's Order No. INF-10-002: Designation of Infested Waters

Supplements: Commissioner's Order INF-07-001 dated October 4, 2007, Commissioner's Order INF-08-001 dated April 21, 2008, Commissioner's Order INF-08-002 dated July 7, 2008, Commissioner's Order INF-09-001 dated May 7, 2009, Commissioner's Order INF-09-002 dated July 9, 2009, Commissioner's Order INF-09-003 dated December 28, 2009, and Commissioner's Order INF-10-002 dated April 27, 2010.

**EFFECTIVE DATE:** Upon publication in the *State Register* on June 21, 2010

**Statutory authority:** *Minnesota Statutes*, section 84D.03, subdivision 1

**WHEREAS**, pursuant to *Minnesota Statutes*, section 84D.03, subdivision 1, the commissioner shall designate a water of the state as an infested water if it is determined that the water contains a population of an aquatic invasive species that could spread to other waters if use of the water and related activities are not regulated to prevent spread, or the water is highly likely to be infested by an aquatic invasive species because it is connected to a water that contains a population of an aquatic invasive species.

**WHEREAS**, pursuant to *Minnesota Statutes*, section 84D.03, subdivision 1, the designation of infested waters by the commissioner shall be by written order published in the State Register.

**WHEREAS**, the following described waters in the state meet the criteria established in *Minnesota Statutes*, section 84D.03, subdivision 1, for designating infested waters and the following explanations apply to the list:

1. A lake in more than one county is listed under the county corresponding to its public waters inventory number, but the designation applies to the entire lake. Lake Superior and designated portions of rivers that flow through more than one county are listed under the heading Multiple Counties.
2. Ponds and wetlands that are not on the public waters inventory are listed with "none" in the number column.
3. Rivers and streams on the public waters inventory are listed without a number in the number column.
4. Changes to previous designations of infested waters are shown by underlining the new text and strikethrough of deleted text.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, section 84D.03, subdivision 1, the following waters are designated as infested waters and previous designations are modified or removed from designation. All currently designated infested waters are listed at the Department of Natural Resources Web site at [http://files.dnr.state.mn.us/eco/invasives/infested\\_waters.pdf](http://files.dnr.state.mn.us/eco/invasives/infested_waters.pdf).

#### **Waters infested with Eurasian water milfoil.**

The following water bodies are infested with Eurasian water milfoil (*Myriophyllum spicatum*) or its hybrids.

##### **Anoka County**

Marshan Lake 2-0007

##### **Crow Wing County**

Long (Tame Fish) Lake 18-0002

##### **Rice County**

Lake Mazaska 66-0039

##### **Wright County**

Pelican Lake 86-0031

# Commissioner's Orders

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## Waters infested with faucet snail.

The following water bodies are infested with faucet snail (*Bithynia tentaculata*).

Name	DNR Public Waters Inventory Number
<b>Multiple Counties</b> Crow Wing River, from Highway 109 in Hubbard County downstream to the confluence with the Mississippi River (Cass, Hubbard, Morrison, Todd, and Wadena counties)	

## Waters infested with zebra mussels.

The following water bodies are infested with zebra mussel (*Dreissena* spp.).

Name	DNR Public Waters Inventory Number
<b>Douglas County</b> Lake Jessie Lake Victoria	 21-0055 21-0054
<del><b>Morrison County</b></del> Crow Wing River, downstream of the confluence with the Long Prairie River to the Mississippi River	
<b>Multiple Counties</b> Crow Wing River, downstream of the confluence with the Long Prairie River to the Mississippi River (Cass and Morrison counties)	

This order is effective upon publication in the State Register.

**Date signed:** June 13, 2010

**Approved by:** Mark Holsten, Commissioner  
Department of Natural Resources

## 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.

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## Minnesota Department of Agriculture

### **Pesticide and Fertilizer Management Division, Incident Response Unit Notice of Proposed Addition to the State Superfund Priority List (Superfund List), (also known as the Permanent List of Priorities) Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Agriculture (MDA) is publishing for public comment, a proposal to add to the Superfund List which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MDA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* §§ 115B01-115B.20.

Pursuant to *Minnesota Statutes* § 115B.17 and *Minnesota Rules* Chapter 7044.0600, the MDA is proposing to add the Page & Hill Forest Products, Inc. site (Site) located in Big Falls in Koochiching County to the State’s Superfund List. The Hazard Ranking Score assigned to this Site pursuant to *Minnesota Rules* Chapter 7044.0350 is 20.4. Listing of the Site on the Superfund List is necessary for the MDA to access MERLA funding to complete remedial actions at the Site. Necessary remedial actions at the Site include, but are not limited to excavation of contaminated media, treatment, disposal, site restoration and ground water monitoring.

The MDA invites members of the public to submit written comments on the proposed addition to the Superfund List. All written comments with regard to the proposed addition to the Superfund List must be received no later than 4:30 p.m. on July 21, 2010.

Written comments regarding MDA’s proposed addition to the Superfund List should be submitted to: Greg Hanson, Incident Response Unit, Pesticide & Fertilizer Management Division, Minnesota Department of Agriculture, 625 Robert St. North, St. Paul, Minnesota 55155-2538, or by **e-mail** to [greg.hanson@state.mn.us](mailto:greg.hanson@state.mn.us).

All written comments received by the above deadline will be considered by the MDA in establishing the updated State Superfund Priority List.

# Official Notices

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## Minnesota Department of Commerce

### Office of Energy Security

#### **RETRACTION: Notice of Public Hearing and Comment Period for the FFY2011 Energy Assistance Program published 24 May 2010, Page 1647**

**Reason:** The U.S. Department of Health and Human Services transmitted addition program requirements on June 8, 2010 that must be attached to the Proposed Minnesota State Plan for the Energy Assistance Program for Federal Fiscal Year 2011.

**Effective Date of Retraction:** May 24, 2010

**Republish Date:** A new comment period and notice of public hearing will be published within the next few weeks.

## **Emergency Medical Services Regulatory Board (EMSRB) Notice of Completed Application in the Matter of the License Application of the Glencoe Regional Health Services Ambulance Service, Glencoe, Minnesota**

**PLEASE TAKE NOTICE** that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from **Glencoe Regional Health Services Ambulance Service, Glencoe, Minnesota**, for a new license, part-time advanced ambulance.

**NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes*, section 144E.11, subd. 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by July 22, 2010, 4:30 p.m.

Written recommendations or comments opposing the application should be sent to:

Katherine Burke Moore, Executive Director  
EMSRB  
2829 University Avenue S.E., Suite 310  
Minneapolis, Minnesota 55414-3222

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes*, section 144E.11, subd. 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes*, section 144E.11, sub. 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes*, section 144E.11, subd. 5(c), (e).

Dated: 04 June 2010

Katherine Burke Moore, Executive Director  
Emergency Medical Services Regulatory Board



**Minnesota Department of Health (MDH)****AMENDED APO PLAN****Proposed Amendments to the Plan for Using the Administrative Penalty, Cease and Desist Authority and Other Division-Wide Enforcement Tools (Plan)**

**Introduction.** The Department of Health intends to adopt the revised plan for the administrative penalty, cease and desist authority (Plan) following the procedures that are outlined in Appendix B of the original Plan. You may review the Plan on the Department's web site at [www.health.state.mn.us](http://www.health.state.mn.us) or by requesting a copy from MDH's contact person named below. You may submit written comments on the proposed amendments to the Plan until July 30, 2010.

**Subject of Rules and Statutory Authority.** The Health Enforcement Consolidation Act (*Minnesota Statutes*, sections 144.989–144.993), which applies to all regulatory programs of the Environmental Health and Public Health Laboratory Divisions, authorizes the commissioner to prepare a plan for using the administrative penalty and cease and desist authority.

The Health Enforcement Consolidation Act of 1993 authorizes the Commissioner of Health to both assess a penalty for violations of MDH's environmental health statutes and rules and prepare a plan for consistent enforcement. MDH initially adopted the Plan, which outlines procedures that implement the Health Enforcement Consolidation Act of 1993, on November 8, 1993. MDH subsequently amended the plan in 1995, 1998, and 2002. Due to the number of changes required at present, the outcome will be a completely restated Plan.

MDH intends primarily to revise the Plan so that it conforms to current laws, which includes the rules, that govern the MDH Environmental Health and Public Health Laboratory Divisions. Effective July 1, 2009, the Legislature authorized MDH to enforce Public Health Laboratory Division rules under the Health Enforcement Consolidation Act. MDH also plans to make minor technical adjustments and corrections to existing language. The Department will also consider changes to Appendix B of the Plan, which outlines the procedure to review and modify the Plan.

These amendments will affect the regulatory programs administered by the Environmental Health and Public Health Divisions, which include: Asbestos; Food, Beverage & Lodging Establishments; Manufactured Home Parks; Recreational Camps; Children's Camps; Indoor Air Unit; Lead; Public Pools; Public Water Supplies; Radioactive Materials; Source Water Protection; Wells and Borings; X-ray Equipment; and Environmental Laboratory Accreditation Program.

**Comments.** You have until 4:30 p.m. on July 30, 2010, to submit written comments about the Plan. You must make your comments in writing and the agency contact person must receive them by the due date. Please identify the portion of the proposed Plan that you are addressing, either in support or opposition to the proposed changes, and the reason for the comment. MDH encourages you to propose any change that you desire.

**Agency Contact Person.** You must submit comments or questions on the Plan to the agency contact person:

Justine Greene  
Minnesota Department of Health  
P.O. Box 64975  
St. Paul, Minnesota  
**Phone:** (651) 201-4496  
**Fax:** (651) 201-4606  
**E-mail:** [justine.greene@state.mn.us](mailto:justine.greene@state.mn.us)  
TTY users may call the Department of Health at (651) 201-5797

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

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone: (651) 296-5148 or 1-800-657-3889.

# Official Notices

**Adoption and Review of the plan.** The agency intends to adopt the Plan after the comment period ends. MDH will post any additional changes on the Department's Web site. The commissioner will then adopt the Plan without further notice.

Dated: 21 June 2010

Dr. Sanne Magnan, Commissioner  
Department of Health

## Minnesota Department of Health (MDH)

### Summary Notice of Adoption of Rules Regarding *Minnesota Uniform Companion Guides for the Implementation of the National Council for Prescription Drug Programs (NCPDP) Version D, Release Ø (Version D.Ø) Pharmacy Claims Submission and Response and Pharmacy Reversal Submission and Response*, Pursuant to *Minnesota Statutes*, Section 62J.536.

**Adoption:** Notice is hereby given that *Minnesota Uniform Companion Guides for the Implementation of the National Council for Prescription Drug Programs (NCPDP) Version D, Release Ø (Version D.Ø) Pharmacy Claims Submission and Response and Pharmacy Reversal Submission and Response*, as proposed in the *State of Minnesota State Register*, Volume 34, Number 42, pages 1415-1417, April 19, 2010, (34 SR 1415) are adopted.

**Companion Guides Available:** *The Minnesota Uniform Companion Guides for the Implementation of National Council for Prescription Drug Programs (NCPDP) Version D, Release Ø (Version D.Ø) Pharmacy Claims Submission and Response and Pharmacy Reversal Submission and Response*, as defined by the Commissioner of Health, are available on the World Wide Web at

<http://www.health.state.mn.us/asa/rules.html>

and at Minnesota's Bookstore at (651) 297-3000 or (800) 657-3757. The Minnesota's Bookstore TTY relay service phone number is (800) 627-3529. If you have any questions, please e-mail: [health.asaguides@state.mn.us](mailto:health.asaguides@state.mn.us).

Interested parties may also obtain a printed copy of the rules by contacting Mayumi Reuvers via e-mail at [mayumi.reuvers@state.mn.us](mailto:mayumi.reuvers@state.mn.us) or by phone at 651-201-5508 or fax at: (651) 201-5179.

**Description and Statutory Reference:** *Minnesota Statutes*, section 62J.536, requires the Minnesota Commissioner of Health, in consultation with the Minnesota Administrative Uniformity Committee (AUC), to promulgate rules pursuant to section 62J.61, requiring group purchasers and health care providers to use electronic claims and eligibility transactions with a single, uniform companion guide to the implementation guides described under *Code of Federal Regulations*, title 45, part 162.

Minnesota Uniform Companion Guides for the Pharmacy Claims Submission and Response and Pharmacy Reversal Submission and Response transactions were adopted in 2008 as companion guides to the NCPDP Version 5, Release 1 (Version 5.1) Telecommunication Standard. These Companion Guides are currently required for use by health care providers and group purchasers (payers) subject to *Minnesota Statutes* § 62J.536.

On January 16, 2009, the U.S. Department of Health and Human Services (HHS) published rules (CMS-0009-F) announcing the adoption of a new version of the NCPDP Telecommunication Standard, known as Version D, Release Ø (version D.Ø) that must be used starting January 1, 2012. The Minnesota Department of Health (MDH), in consultation with the Minnesota Administrative Uniformity Committee (AUC), has developed the proposed new Minnesota Uniform Companion Guides to comply with the federal regulations as cited above.

Health care providers and group purchasers subject to *Minnesota Statutes*, section 62J.536 must exchange the above referenced transactions as follows. Starting on the date the Version D.Ø Minnesota Uniform Companion Guides are adopted into rule and until January 1, 2012, providers and group purchasers may use only: the current NCPDP Version 5.1, including any subsequent technical changes or updates; or, by mutual agreement between trading partners, the new NCPDP Version D.Ø Companion Guides. Beginning January 1, 2012, providers and group purchasers may only use the D.Ø version of the Companion Guides.

**Development:** The Commissioner of Health developed these rules in consultation with the AUC and its Pharmacy Work Group. These rules were submitted for public comment in the *State Register*, Volume 34, Number 42, pages 1415-1417, April 19, 2010. The comment period was from April 19, 2010 through May 19, 2010. MDH consulted with the AUC Pharmacy Work Group in reviewing comments. In adopting these final rules, no modifications were made to the rules proposed on April 19, 2010.

**Adopted Rule: Minnesota Uniform Companion Guide for the Implementation of the NCPDP Pharmacy Claims Submission and Response Transaction [NCPDP Version D, Release Ø]**

The Minnesota Department of Health (MDH) adopts and incorporate by reference as the above-named Companion Guide, the applicable parts of section 7, Claim Billing, of the NCPDP Telecommunication Standard Implementation Guide, Version D.Ø, and related NCPDP reference materials, with the following exceptions and clarifications.

The National Provider Identifier (NPI) is the only identifier to be used for the following fields:

Field “2Ø1-B1”, Field Name “SERVICE PROVIDER ID”;  
Field “444-E9”, Field Name “PROVIDER ID”; and,  
Field “411-DB”, Field Name “PRESCRIBER ID”.

This Companion Guide must be used in compliance with all applicable federal and state regulations and statutes.

In addition, field “411-DB”, Field Name “PRESCRIBER ID”, is required because it is “necessary for state agency... programs” (it is necessary for MDH’s collection of encounter data pursuant to *Minnesota Statutes*, 62U.04, subd. 4 and 5, and related rules).

This Companion Guide is adopted pursuant to *Minnesota Statutes*, section 62J.536, and applies only to the NCPDP Version D.Ø Claim Billing (B1) electronic transaction.

**Adopted Rule: Minnesota Uniform Companion Guide for the Implementation of the Pharmacy Reversal Submission and Response Transaction [NCPDP Version D, Release Ø]**

The Minnesota Department of Health (MDH) adopts and incorporates by reference as the above-named Companion Guide, the applicable parts of section 10, Reversal Information, of the NCPDP Telecommunication Standard Implementation Guide, Version D.Ø, and related NCPDP reference materials, with the following exceptions and clarifications.

The National Provider Identifier (NPI) is the only identifier to be used for Field “2Ø1-B1”, Field Name “SERVICE PROVIDER ID”.

This Companion Guide must be used in compliance with all applicable federal and state regulations and statutes.

This Companion Guide is adopted pursuant to *Minnesota Statutes*, section 62J.536, and applies only to the NCPDP Version D.Ø Claim Reversal (B2) electronic transaction.

**Required Date of Compliance:** As described above, the required date of compliance is no later than January 1, 2012.

Dated: June 21, 2010

Sanne Magnan, M.D., Ph.D., Commissioner  
Minnesota Department of Health  
P.O. Box 64975, St. Paul, MN 55164-0975

## Metropolitan Airports Commission (MAC) Notice of Public Hearing on Rental Auto Facility Charge Ordinance

**NOTICE IS HEREBY GIVEN** that on the 7<sup>th</sup> day of July 2010, at 1:00 p.m. in the Lindbergh Terminal at the Minneapolis-St. Paul International Airport, Room 3048A, the Metropolitan Airports Commission will hold a public hearing, as part of the scheduled Management and Operations Committee to receive verbal and written testimony relative to proposed amendments to Ordinance No .88 - Rental Auto Facility Charge (“RAFC”).

# Official Notices

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## RENTAL AUTO FACILITY CHARGE ORDINANCE

An Ordinance to promote and conserve the public safety, health, peace, convenience, and welfare; to establish uniform fees for on-Airport rental auto Customers to fund rental auto facilities at Minneapolis-St. Paul International Airport consistent with Minnesota Statutes § 473.651; establishing payment procedures; and prescribing the penalty for violation thereof.

Copies of the proposed Ordinance will be available under the Management and Operations Committee meeting agenda and materials for the July 7, 2010 meeting at [www.mspairport.com/mac/meetings/mo.aspx](http://www.mspairport.com/mac/meetings/mo.aspx) or can be obtained by contacting Tammy Rader at: (612) 794-4466 or **e-mail:** [tammy.rader@mspmac.org](mailto:tammy.rader@mspmac.org).

Written and verbal comments will be accepted at the public hearing. In addition, written comments will continue to be accepted at the below address until 4:00 p.m. on Friday, July 9, 2010:

Metropolitan Airports Commission  
Attn: Legal Department  
General Office  
6040 28<sup>th</sup> Avenue South  
Minneapolis, MN 55450-2799

Dated this 14<sup>th</sup> day of June 2010

Mr. Jeffrey W. Hamiel, Executive Director  
Metropolitan Airports Commission  
6040 - 28th Avenue South  
Minneapolis, MN 55450

## Minnesota Pollution Control Agency (MPCA) Environmental Analysis & Outcomes Division REQUEST FOR COMMENTS on Planned New Rules Governing “Greenhouse Gas Emission Reporting” to Include Title V (Subpart 70) and Other Air Quality Permit Holders, to be Codified in *Minnesota Rules* Chapter 7019

**Subject of Rule:** The Minnesota Pollution Control Agency (MPCA) requests comments on planned new air quality rules governing the annual reporting of greenhouse gas emissions from Title V (subpart 70) permit holders and any other air quality permit holder in Minnesota for facilities that emit more than a reporting threshold established between 10,000 to 25,000 metric tons of carbon dioxide equivalent and are not required to report greenhouse gas emissions to the United States Environmental Protection Agency (EPA). The statutory authority for these rules is found in *Minnesota Statutes* § 216H.021. The new rules will be codified in *Minnesota Rules* chapter 7019.

**Background:** In 2009, the Commissioner of the MPCA was directed by the Minnesota Legislature under *Minnesota Statutes* § 216H.021 to “*establish a system for reporting and maintaining an inventory of greenhouse gas emissions.*” The statute further requires the Commissioner to design the system to coordinate with other regional or federal greenhouse gas emissions reporting and inventory systems to the extent practicable. Shortly after the Legislative direction to create a state-level greenhouse gas emission reporting system, the EPA published a final rule requiring the reporting of greenhouse gas emissions from specifically identified sources and sources emitting more than 25,000 metric tons of carbon dioxide equivalents, beginning in 2011. In light of the EPA reporting rule, the MPCA is developing an emission inventory system that will avoid potential double-reporting by integrating the data reported to EPA within the state greenhouse gas emission inventory.

The MPCA will develop the state greenhouse gas emission inventory system through several phases, beginning with the development of a reporting rule. The specifics of the statute (*Minnesota Statutes* § 216H.021, subdivision 2(b)(1) and (2)) require the Commissioner to design the greenhouse gas reporting system to include all Title V permit holders and all facilities whose annual carbon dioxide equivalent emissions exceed a limit between 10,000 and 25,000 tons as set by the Commissioner. The MPCA’s proposed rules will establish the Minnesota reporting threshold between 10,000 and 25,000 tons per year and will establish a due date for the submittal of greenhouse gas

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## Official Notices

emission data under *Minnesota Statutes* § 216H.021. During this first phase of development, the MPCA intends to create rules that will apply to those facilities in Minnesota that hold a federal Title V air quality permit and are not required to report to the EPA under the federal regulations. The rules will also apply to those facilities that hold an air quality permit (other than a Title V permit) that are not required to report to the EPA and that emit more than the Minnesota reporting threshold (10,000 to 25,000 metric tons of carbon dioxide equivalent per year).

**Persons Affected:** The MPCA's planned rulemaking potentially affects any facility that currently operates under a Title V (subpart 70) air quality permit or any air emission facility that holds an MPCA air quality permit that may emit at a minimum more than 10,000 metric tons of carbon dioxide equivalent in the state of Minnesota.

**Statutory Authority:** The MPCA's authority to adopt and implement the new rules is found in Minnesota Statutes § 216H.021, subdivision 3 which can be found at: <https://www.revisor.mn.gov/statutes/?id=216H.021>.

**Public Comment:** Affected and interested persons or groups may submit comments on these planned new rules and rule amendments in writing until 4:30 p.m. on July 21, 2010. The MPCA does not contemplate appointing an advisory committee to assist in developing these new rules.

**Rule Drafts:** The MPCA is in the process of preparing draft rules that will establish a due date for information required under Minnesota Statutes § 216H.021 and will establish the reporting threshold required by Minnesota Statutes 216H.021, subdivision 2(b)(2).

**Agency Contact Person:** Written comments, questions, requests to receive a draft of the rules when they are prepared, and requests for more information on the rule amendments should be directed to: Jim Sullivan at the MPCA, 520 Lafayette Road North, Saint Paul, Minnesota, 55155-4194, **phone:** (651) 297-2343, **fax:** (651) 757-2769, and may also be directed by **e-mail:** [jim.sullivan@state.mn.us](mailto:jim.sullivan@state.mn.us). TTY users may call the MPCA at TTY 651-292-5332 or 1-800-657-3864.

**Rulemaking Mailing List:** If you wish to be included in future mailings and updates specifically for this rulemaking and/or would like to be added to the MPCA's general rulemaking mailing list to receive notices of all rule efforts the MPCA is currently promulgating, please contact Shane Hanley at the MPCA, **phone:** (651) 757-2066, **fax:** (651) 297-8676, or **e-mail:** [shane.hanley@state.mn.us](mailto:shane.hanley@state.mn.us). TTY users may call the MPCA at **TTY:** (651) 292-5332 or 1-800-657-3864.

**Alternative Format:** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above. Note: **Comments received in response to this notice may not necessarily be included in the formal rulemaking record when a proceeding to adopt rules is started. The MPCA is required to submit to the administrative law judge reviewing the rules only those written comments received in response to the rules after they are formally proposed for adoption in the *State Register*.**

Paul Eger, Commissioner  
Minnesota Pollution Control Agency

## Minnesota Pollution Control Agency (MPCA)

### Regional Division

## Notice of Availability of Draft Rabbit River Turbidity TMDL Report and Request for Comment

**Public Notice Period Begins: June 21, 2010**

**Public Notice Period Ends: July 21, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Rabbit River Turbidity Total Maximum Daily Load (TMDL). The draft TMDL Report for the Rabbit River is available for review at <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>. Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be sent to the MPCA contact person listed below by 4:30 p.m. on July 21, 2010.

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Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

A reach of the Rabbit River in Wilkin County is impaired because it does not meet the turbidity water quality standard. Turbidity is a measure of the water's clarity and is caused by the amount of particles in the water, such as sediment. Higher turbidities reduce the penetration of sunlight in the water and can harm aquatic life.

The impairment is located along a 22.24 mile segment or "reach" of the Rabbit river running from the Grant County Line to the Bois de Sioux River. The turbidity standard for aquatic life currently is set at 25 Nephelometric Turbidity Units (NTUs). The primary cause of turbidity in the Rabbit River is suspended sediment. The primary contributing sources of the turbidity impairment appear to be upland soil erosion and stream-bank erosion. The impairment can also be directly correlated with higher flows, with sediment reductions near 92 percent needed to achieve the turbidity water quality standard during wet conditions and high flows.

**Agency Contact Person:** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Jack Frederick  
Minnesota Pollution Control Agency  
714 Lake Avenue Suite 220  
Detroit Lakes, MN 565021  
**Phone:** (218) 846-8110  
Minnesota **Toll Free:** 1-800-657-3864  
**Fax:** (218) 846-0719  
**E-mail:** [john.frederick@pca.state.mn.us](mailto:john.frederick@pca.state.mn.us)  
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary Determination on the Draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed below, and at the MPCA web site: <http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>. Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner's preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments," identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.

**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft TMDL Report; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a

reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

## Minnesota Pollution Control Agency (MPCA)

### Regional Division

### Public Notice of Availability of Draft Upper Mississippi St. Cloud/Clearwater River Five Lakes Nutrient TMDL for Lake Caroline, Lake Augusta, Albion Lake, Henshaw Lake, and Swartout Lake Report and Request for Comment

**Public Comment Period Begins: June 21, 2010**

**Public Comment Period Ends: July 21, 2010**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft Report for the Upper Mississippi St. Cloud/Clearwater River Five Lakes Nutrient Total Maximum Daily Load (TMDL) for Lake Caroline, Lake Augusta, Albion Lake, Henshaw Lake, and Swartout Lake TMDL. The draft TMDL Report for Upper Mississippi St. Cloud, Clearwater River Five Lakes Nutrient TMDL for Lake Caroline, Lake Augusta, Albion Lake, Henshaw Lake, and Swartout Lake is available for review at:

<http://www.pca.state.mn.us/water/tmdl/tmdl-draft.html>

Following the comments, the MPCA will revise the draft TMDL Report and submit it to the U.S. Environmental Protection Agency (EPA) for approval. Comments must be received by the MPCA contact person listed below by 4:30 p.m. on July 21, 2010.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing an impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities for achieving the necessary reductions.

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The five lakes addressed in this TMDL are within the Clearwater River Watershed District (CRWD). The 168 square mile CRWD covers parts of eight townships, including Luxemburg, Forest Prairie, Forest City, Maine Prairie, Kingston, Fairhaven, Southside and French Lake across parts of Meeker, Stearns and Wright Counties. The five lakes addressed in this TMDL—Lake Caroline (DNR# 86-0281), Lake Augusta (DNR# 86-0284), Albion Lake (DNR# 86-0212), Swartout Lake (DNR# 86-0208), and Henshaw Lake (DNR# 86-0213)—were placed on the 2008 State of Minnesota’s 303(d) list of impaired waters. All of the five lakes addressed in this TMDL were identified for impairment of aquatic recreation (e.g., swimming). Water quality does not meet State standards for nutrient concentrations.

Lake Caroline, Lake Augusta, Albion Lake, Henshaw Lake, and Swartout Lake have been placed on the state’s impaired waters list because of excess nutrients levels, particularly phosphorus. While phosphorus is an essential nutrient for algae and plants, it is considered a pollutant when it stimulates excessive growth of algae or aquatic plants. Load allocations to meet State standards indicate that average nutrient load reductions for the five lakes ranging from 25 percent to 95 percent are required to meet standards under average precipitation conditions. Internal load management and reduction of phosphorus from watershed runoff will both be required to meet load reduction goals for these impaired waters.

The impairments in this watershed were addressed together because the tributary watersheds for the impairments overlap. This means that the implementation plans to address each of the impairments and meet the TMDLs set forth in this report will also overlap.

**Agency Contact Person:** Written or oral comments, petitions, questions, or requests to receive a draft of the TMDL Reports, and requests for more information should be directed to:

Maggie Leach  
Minnesota Pollution Control Agency  
7678 College Road, Suite 105  
Baxter, MN 56425  
**Phone:** (218) 316-3895  
Minnesota **Toll Free:** 1-800-657-3864  
**Fax:** (218) 828-2594  
**E-mail:** [margaret.leach@state.mn.us](mailto:margaret.leach@state.mn.us)  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary determination on the draft TMDL Report:** The MPCA Commissioner has made a preliminary determination to submit this TMDL Report to the EPA for final approval. A draft TMDL Report and fact sheet are available for review at the MPCA office at the address listed above, and at the MPCA Web site:

<http://www.pca.state.mn.us/water/tmdl>

Suggested changes will be considered before the final TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft TMDL Report or on the Commissioner’s preliminary determination. Written comments must include the following:

1. A statement of your interest in the draft TMDL Report;
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of “Written Comments,” identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the public informational meeting.



**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

**MPCA Decision:** You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft TMDL Report.

## Department of Transportation (Mn/DOT)

### State Aid for Local Transportation Division

### Notice of Appointment and Meeting of a State Aid Variance Committee

**NOTICE IS HEREBY GIVEN** that the Commissioner of Transportation has appointed a State Aid Variance Advisory Committee who will meet on Thursday, June 24, 2010 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 West County Road I, in Shoreview, Minnesota, 55126. This notice is given pursuant to Minnesota Statute 14.46. The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by Minnesota Rules for State Aid Operations 8820 adopted pursuant to Minnesota Statutes Chapters 161 and 162.

The agenda will include the following:

**1. Petition of City of Edina** for a variance from *Minnesota Rules* 8820.9936, *Design Standards, Urban; New or Reconstruction Projects* as they apply to the West 70<sup>th</sup> Street project from Trunk Highway 100 to France Avenue, so as to allow an eight foot parking lane in lieu of the minimum ten foot parking lane as required by law.

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2. **Petition of City of East Grand Forks** for a variance from *Minnesota Rules* 8820.2800, *Construction Requirements*, subpart 2A, as they apply to the construction of the Red River State Recreational Access Road, so as to allow the approval of the final plans after the opening of bids in lieu of before the opening of bids as required by law.

3. **Petition of County of Ramsey** for a variance from *Minnesota Rules* 8820.9936, *Design Standards, Urban; New or Reconstruction Projects* as they apply to the Robert Street (CSAH 34) and University Avenue (CSAH 34) Intersection (Curve 65 of the Central Corridor Light Rail project), so as to allow a 20 mph horizontal design curve in lieu of the 30 mph horizontal curve as required by law.

4. **Petition of City of North Mankato** for a variance from *Minnesota Rules* 8820.9995 *Minimum Bicycle Path Standards* as they apply to the construction of the CSAH 41 Bituminous Trail, so as to allow a grade of 9.04% for a distance of 632 feet in lieu of the maximum grade of 8.3% as required by law.

5. **Petition of City of North Mankato** for a variance from *Minnesota Rules* 8820.9936 *Design Standards, Urban; New or Reconstruction Projects* as they apply to the construction of TH 14/CSAH 41 interchange, so as to allow for a temporary intersection in lieu of a 45 mph design horizontal curve as required by law.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, Mailstop 500, St. Paul, MN 55155. If a written objection is received within 7 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: June 14, 2010

Julie A. Skallman, State Aid Engineer  
State Aid for Local Transportation  
Minnesota Department of Transportation

## Department of Transportation (Mn/DOT) Engineering Services Division Office of Construction and Innovative Contracting Notices of Suspension and Debarment

### NOTICE OF SUSPENSION

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be suspended effective December 28, 2009, until final disposition of the June 4, 2010 hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN

### NOTICE OF DEBARMENT

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (Mn/DOT) has ordered that the following vendors be debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris,  
John Thomas Riley, Morris, MN

*Minnesota Statutes*, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

**Minnesota Board of Water and Soil Resources****REQUEST FOR COMMENTS on Planned Amendments to Rules Governing the Cost Share Program and Reinvest in Minnesota Reserve Program, *Minnesota Rules*, 8400.0050 to 8400.3930**

**Subject of Rules.** The Minnesota Board of Water and Soil Resources requests comments on its possible amendment to rules governing the Cost Share and Reinvest in Minnesota Reserve Programs. The Board is considering rule amendments that will incorporate statutory changes made in 2009 that include: 103C.501 and 103F.505 to 103F.535. The rulemaking will address two separate programs included in this rule chapter, the Cost Share Program and Reinvest in Minnesota Reserve Program.

Changes to the Cost Share Program will focus on shifting from rule to Board policy to provide program oversight and direction, update the program as the current rule was originally adopted in 1977, and to incorporate new statutory language that include water quantity improvements. A principal purpose of the rule changes will be to increase program efficiency and effectiveness for the State and local governments.

Changes to the Reinvest in Minnesota Reserve Program will be primarily focused on shifting from rule to Board policy to provide program oversight and direction, update the program as the current rule was originally adopted 1994, and to incorporate new statutory language changes that will ensure success with the new purposes which include minimizing damage to flood prone areas, carbon sequestration, and support for native plant, fish and wildlife habitats.

Additional items may be identified and incorporated based on review and acceptance by the Board.

**Persons Affected.** The amendment to the rules would likely affect the sectors that have an interest and are affected by soil and water conservation, and wildlife habitat. These groups include landowner, local governments, state and federal government agencies, environmental, agricultural and public advocacy individuals and organizations.

**Statutory Authority.** *Minnesota Statutes*, section 103C.501, subdivision 6, authorizes the Board to adopt rules for the Cost Share. *Minnesota Statutes* 103F.531 authorizes the Board to adopt rules or policy to implement the RIM Reserve Program 103F.505-103F.531.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on [45 days after publishing in the *State Register*]. The Agency will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board does not plan to appoint an advisory committee to comment on the possible rules.

**Rules Drafts.** The Board has not yet prepared a draft of the possible rules amendments. The Board will make a rule draft available on the Agency website as soon as possible.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to the following individuals:

**Cost Share Program**

David Weirens  
Land and Water Section Manager  
Board of Water and Soil Resources  
520 Lafayette Road  
St. Paul, MN 55155  
**Phone:** (651) 297-3432  
**Fax:** (651) 297-5615  
**E-mail:** david.weirens@state.mn.us

**Reinvest in Minnesota Reserve**

Kevin Lines  
Conservation Easement Programs Admin.  
Board of Water and Soil Resources  
520 Lafayette Road  
St. Paul, MN 55155  
**Phone:** (651) 297-1894  
**Fax:** (651) 297-5615  
**E-mail:** kevin.lines@state.mn.us

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

# Official Notices

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**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. 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: May 28, 2010

John Jaschke, Executive Director  
Board of Water and Soil Resources

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Opportunities for Businesses and Advertisers

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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

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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Minnesota Department of Agriculture Agriculture Marketing Services Division Notice of Availability of Grant Funds for Dairy Profitability Enhancement Teams

Grants to Dairy Profitability and Enhancement Teams are available from the Minnesota Department of Agriculture, as authorized by the laws of *Minnesota Laws 2009*, Chapter 94, Article 1, for regional or statewide organizations to administer one-on-one educational delivery teams to provide appropriate new technologies, including rotational grazing and other sustainable agriculture methods, applicable to small and medium sized dairy farms to enhance the financial success and long-term sustainability of dairy farms in the state. Dairy development and profitability enhancement teams are encouraged to engage in activities including, but not limited to, improving milk quality, comprehensive financial analysis, risk management education, enhanced milk marketing tools and technologies, five-year business plans, and design and engineering costs. Activities must be spread throughout the dairy producing regions of the state. Applicants are strongly encouraged to coordinate risk management education and use of milk marketing tools and technologies.

These teams must consist of farm business management instructors, dairy extension specialists, and dairy industry partners to deliver the informational and technological services. These teams must report semiannually to the program director on the aggregate changes in producer financial stability, productivity, product quality, animal health, environmental protection, and other performance measures attributable to the program. Information reported must be sufficient to establish regional and statewide performance benchmarks for the dairy industry a format that maintains the confidentiality of business information related to any single dairy producer. Grants to individual producers must not be used for capital improvements.

Grants will be awarded August 1, 2010 to June 30, 2011. There is approximately \$450,000 in grant funds available.

To receive an application for grant funds contact:

David Weinand  
Minnesota Department of Agriculture  
625 North Robert St.  
St. Paul, MN 55155  
**E-mail:** *David.Weinand@state.mn.us*  
**Phone:** (651) 201-6646  
**Fax:** (651) 201-6114

Questions concerning the grant application should be directed to Mr. Weinand. Two copies of the application must be received by Mr. Weinand 4:00 pm C. D. T. on July 7, 2008. Faxed and emailed applications will be accepted. At the department's discretion, applicants may be asked to meet with the department or submit clarification.

Grant funds will be withheld from grantees that fail to submit reports. Applicants must include participants from the areas of extension and farm business management on the diagnostic teams. Preference will be given to those applicants whose proposals are aimed at small and medium sized farms, show low administrative cost versus services delivered to dairy producers and also for innovative ideas for delivering information and technology to dairy producers.

## Department of Commerce Office of Energy Security Notice of Grant Availability for Local Government Renewable Energy Grant Program

The Minnesota Department of Commerce Office of Energy Security (OES) requests proposals from Minnesota school districts and local governments for the Local Government Renewable Energy Grant Program funded by the American Reinvestment and Recovery Act of 2009 and authorized by Laws of Minnesota 2009, Chapter 138, Article 3, Section 5. Grants will be awarded competitively to eligible school districts and local governments for the following technologies and amounts:

# State Grants & Loans

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- 1) Solar electric projects greater than or equal to 100 kilowatts rated capacity — the lesser of 40 percent of total project cost or \$200,000;
- 2) Solar electric projects less than 100 kilowatts rated capacity — the lesser of 40 percent of total project cost or \$100,000;
- 3) Wind projects greater than or equal to 40 kilowatts rated capacity – the lesser of 35 percent of total project cost or \$150,000;
- 4) Wind projects less than 40 kilowatts rated capacity — the lesser of 35 percent of total project cost or \$25,000;
- 5) Geothermal heating and cooling projects – the lesser of 35 percent of total project cost or 100,000;
- 6) Solar thermal projects — the lesser of 50 percent of total project cost or \$75,000; and
- 7) Combined heat and power projects and district energy projects – the lesser of 35 percent of total project cost or \$200,000.

The Request for Proposals (RFP) will be available for download on the Department's website ([www.energy.mn.gov](http://www.energy.mn.gov)) through August 4, 2010. Responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by the Office of Energy Security no later than 12:00 p.m. Central Standard Time (CST), on August 4, 2010.

The RFP can be obtained from:

**Preferred Method:** [www.energy.mn.gov](http://www.energy.mn.gov)

**U.S. Postal Service:** Natalie Buys  
Minnesota Department of Commerce  
Office of Energy Security  
85 Seventh Place E, Suite 500  
Saint Paul, MN 55101

Proposals submitted in response to this RFP must be received **NO later** than 4:00 p.m. CST, August 4, 2010. **Late proposals will NOT be considered.** Instructions for submitting proposals are detailed in the RFP.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Housing Finance Agency (MHFA) Notice of Availability of Contract for Review of Section 8 Rent Comparability Studies

The Minnesota Housing Finance Agency, in its role as Contract Administrator on behalf of the US Dept of Housing and Urban Development's (HUD) project-based Section 8 portfolio, is requesting proposals for the purpose of contracting with up to five Minnesota-licensed real estate appraisers to conduct "substantive review" of rent comparability studies prepared by other appraisers, on behalf of Section 8 property owners, in accordance with prevailing HUD guidance.

Work is proposed to start after August 1, 2010.

A Request for Proposals will be available by mail from this office through July 16, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After July 16, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Cam Oyen  
Minnesota Housing Finance Agency  
400 Sibley St, Suite 300  
Saint Paul, MN 55101  
Phone: (651) 205-4233

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above **NO later than 12:00 PM, Friday July 23, 2010. Late proposals will NOT be considered.** Fax and e-mail responses **will be** considered; however, the burden of proving timely submission and receipt is upon the responder.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### **Minnesota Department of Human Services (DHS) Disability Services Division**

#### **Notice of Request for Proposals to Technology Grants: Re-posting of the Notice for the Assistive Technology Grant that Was Published in our May 3, 2010 Publication New Deadline Date is July 29, 2010**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is Requesting proposals to provide consultation, evaluation and information for lead agencies on the use of technology for people with disabilities of all ages who live in their own homes.

Work is proposed to start September 1, 2010. For more information, or to obtain a copy of the Request for Proposal, contact:

Kelsey Neumann  
Department of Human Services  
Disability Services Division  
P.O. Box 64967  
444 Lafayette Road North  
St. Paul, MN 551550967  
**Phone:** (651) 431-3490  
**Fax:** (651) 431-7411  
**E-mail:** *Kelsey.Neumann@state.mn.us*

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than the new deadline of **4:00 p.m., Central Time, July 29, 2010. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

*[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)*

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### **Minnesota Department of Human Services (DHS) Nursing Facility Rates and Policy (NFRP) Division Nursing Facility Diversity Mini-Grant Program Open for Proposals**

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services (DHS) through its Nursing Facility Rates and Policy Division (State), is seeking Proposals from qualified Nursing Facility Responders to develop or provide a program related to diversity and/or cultural competency issues in staffing and resident care within their respective facility.

The Nursing Facility Diversity Mini-Grant program was established under authority of the DHS Civil Monetary Penalties (CMP) Committee. The purpose of the Nursing Facility Diversity Mini-Grant program is to encourage the design and development of programming surrounding diversity issues and/or cultural competency affecting nursing facilities. This proposed program may be related to staff and/or resident diversity issues.

# State Grants & Loans

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Funding requests must be limited the \$300 - \$3,000 range. The total available funds will not necessarily be divided equally amongst applicants, nor will selected applicants be guaranteed the entire amount requested.

The term of any resulting grant contract is anticipated to be no longer than 12 months.

A bidder's conference will be held at The Minnesota Department of Human Services (DHS) Elmer Andersen Building, 540 Cedar Street, St. Paul, MN on Monday August 2, 2010, from 11:00 a.m. – 12:00 p.m. Please attend the bidder's conference or contact the DHS staff person listed below for more information.

For more information, or to obtain a copy of the Request for Proposal (RFP), contact:

Audrey Riddle  
MN Department of Human Services  
NF Rates & Policy (NFRP) Division  
P.O. Box 0973  
444 Lafayette Rd N.  
St. Paul, MN 55155-0973  
**Phone:** (651) 431-4981  
**E-mail:** [audrey.riddle@state.mn.us](mailto:audrey.riddle@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 p.m., Central Time, Friday, August 13, 2010. Late proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Public Safety (DPS) Office of Justice Programs Notice of Application for Funding from the Bureau of Justice Assistance

The Office of Justice Programs is submitting an application to the Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant Program (JAG).

The purpose of the JAG program is to reduce or prevent crime by providing support to all components for the crimianl justice system. JAG funded projects may address crime through provision of direct services and by imporving the effectiveness and efficiency of the criminal and juvenile justice systems, processes and procedures.

Those wishing to comment on the application may contact Jeri Boisvert at the Department of Public Safety, telephone number (651) 201-7305 or **e-mail:** [Jeri.Boisvert@state.mn.us](mailto:Jeri.Boisvert@state.mn.us). The application will be paosted online at [www.ojp.state.mn.us](http://www.ojp.state.mn.us).



## 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.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar day.

## A Boon in Business Opportunities

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **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. 31, 30, 29, 28 and 27**

Subscriptions cost \$180 a year (an \$80 savings). 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 Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **Fax:** (651) 297-8260, or **E-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Notice of Request for Proposals for Contraceptives

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is requesting proposals for contraceptive products for MMCAP's university student health centers. MMCAP is a voluntary group purchasing organization made up of governmental entities which contracts for pharmaceuticals. MMCAP is currently made up of 46 participating states and approximately 2000 participating facilities purchasing over \$1.2 billion per year. For more information, go to: [www.mmcap.org](http://www.mmcap.org) (no password necessary).

To request a copy of the RFP, send an e-mail to: [mn.multistate@state.mn.us](mailto:mn.multistate@state.mn.us)

Or write to:

Oral Contraceptives RFP Request  
MMCAP  
c/o Minnesota Department of Administration  
50 Sherburne Avenue, Room 112  
St. Paul, MN 55155

Proposals submitted in response to the Request for Proposals in this notice must be received at the address specified in the Request for Proposals **no later** than July 19, 2010. **Late proposals will NOT be considered.**

# State Contracts

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The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Administration (Admin) Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Notice of Request for Proposals for Pharmaceutical and Medical Supply Industry Consultants

The Minnesota Department of Administration, MMCAP Program, is requesting proposals for the purpose of strategic planning services and consulting regarding the pharmaceutical group purchasing and medical supply industries and best practices.

The Request for Proposal can be obtained on the MMCAP web page: [www.mmcap.org](http://www.mmcap.org), click on "Vendors & RFPs," then on "Open RFPs"

Requests for paper copies of the RFP may be sent to: [mn.multistate@state.mn.us](mailto:mn.multistate@state.mn.us) or call: (651) 201-2420.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above **no later than July 19, 2010. Late proposals will NOT be considered.**

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Administration (Admin) Real Estate & Construction Services Notice of Request for Proposals (RFP) for Professional Services for Design and Construction Administration for the Installation and Integration of ARMER into the Department of Corrections (DOC) Radio Communications System

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services ("State") has issued a request for proposals for Radio Communication, Information Technology and Infrastructure Modification logistical services for the ARMER Radio Migration project. The consultant will develop the existing conceptual design into a finalized migration and implementation plan which will include radio systems design as well as elements of design for the minor building and site infrastructure modifications necessary to support the new radio infrastructure.

The Request for Proposal may be found online at: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on "Construction Services" and "Solicitations and Announcements"). Copies of the RFP may also be requested from:

Contracts Coordinator  
Real Estate and Construction Services  
309 Administration Building, 50 Sherburne Avenue  
St. Paul, MN 55155  
**Phone:** (651) 201-2372

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFP is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFP if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

**Department of Administration (Admin)****Real Estate & Construction Services****Notice of Request for Proposals (RFP) for Professional Services for Providing an Enterprise Lease Administration Software System**

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services (“State”) has issued a request for proposals for a consultant to provide a collaborative Enterprise Lease Administration Software solution to be utilized in the management and administration of leasing activities for state agencies. The system will provide and implement an Enterprise web-based software solution, including data migration, training and support.

The Request for Proposal may be found online at: [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on “Construction Services” and “Solicitations and Announcements”). Copies of the RFP may also be requested from:

Contracts Coordinator  
Real Estate and Construction Services  
309 Administration Building, 50 Sherburne Avenue  
St. Paul, MN 55155  
**Phone:** (651) 201-2376

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFP is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFP if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

**Minnesota State Colleges and Universities (MnSCU)****Anoka-Ramsey Community College****Request Proposals for Printing and Mail Preparation for the Public Art Work for Visual Arts Center**

**NOTICE IS HEARBY GIVEN** that Anoka-Ramsey Community College will receive proposals for public art work for the new Visual Arts Center located at the Coon Rapids Campus of Anoka-Ramsey Community College. Specifications are available on the website:

<http://www.anokaramsey.edu/IT/proposal.cfm>

Copies of the specifications can also be obtained from Mirela Gluhic at (763) 433-1338 or [mirela.gluhic@anokaramsey.edu](mailto:mirela.gluhic@anokaramsey.edu). Sealed proposals must be received by the Business Office of Anoka-Ramsey Community College, 11200 Mississippi Blvd., Coon Rapids, MN 55433 by 4 p.m. on June 30, 2010. Anoka-Ramsey Community College reserves the right to reject any or all proposals, or portions thereof, or to waive any irregularities or informalities, in proposals received.

**Minnesota State Colleges and Universities (MnSCU)****Central Lakes College****Advertisement for Bids for New Finishes Plus Mechanical and Electrical Upgrades of the Brainerd Chalberg / Large Classroom Initiative**

**Sealed Bids for:** Central Lakes College  
Brainerd Chalberg / Large Classroom Initiative  
Minnesota State Colleges and Universities  
Brainerd, Minnesota

# State Contracts

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**will be received by:** **Kari Christianson**  
Room C228  
Central Lakes College, 501 West College Drive  
Brainerd, Minnesota 56401

Until 2:00 PM, local time, July 8, 2010 at which time the bids will be opened and publicly read aloud in room C228.

**Project Scope:** The project consists of new finishes plus mechanical and electrical upgrades in the Chalberg Theater and adjacent supporting areas.

A **Pre-Bid Meeting** will be held at 10:00 AM, Thursday, July 1, 2010 in room C233 at Central Lakes College Brainerd Campus. The Architect/Engineer and/or College Representatives will review the bidding procedures,

**Bidding Documents** and other conditions with interested Bidders and answer questions.

**Bidding Documents** as prepared by the Project Architect/Engineer; Architecture One, 311 South 8th Street, Brainerd, MN, are on file at the offices of the:

- 1) above named Project Architect/Engineer.
- 2) Rick Otteson, Physical Plant Director, Central Lakes College, Brainerd, MN

Interested parties may also view the Bidding Documents at no cost at:

<http://www.finance.mnscu.edu/facilities/design-construction/announcements/index.html>

and click on "Advertisements for Bids (**E-Plan Room**)". Bidding Documents can be downloaded for a non-refundable charge of \$10.00.

Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact [QuestCDN.com](http://QuestCDN.com) at 952-233-1632 or [info@questcdn.com](mailto:info@questcdn.com).  
**mail to:** [info@questcdn.com](mailto:info@questcdn.com) for assistance in viewing or downloading with this digital project information.

## Minnesota State Colleges and Universities (MnSCU) Metropolitan State University Advertisement for Request for Proposals for Delivered Catering

**NOTICE IS HEREBY GIVEN** that proposals will be received by the Director of Purchasing, Metropolitan State University, until 2:00 pm, Central Daylight Time on July 22, 2010, for the purpose of providing delivered catering for the Minnesota State Colleges and Universities, Metropolitan State University located at the Saint Paul Campus at 700 East Seventh Street, Saint Paul, MN and the Midway Campuses at 1450 Energy Park Drive, Saint Paul, MN and 1380 Energy Lane, Saint Paul, MN according to the specifications on file at Metropolitan State University 700 East Seventh Street, Saint Paul, MN 55106.

A complete copy of the Request for Proposal can be found on the Metropolitan State University Web site,  
[http://www.metrostate.edu/msweb/resources/depts\\_services/bldg\\_services/RFP.html](http://www.metrostate.edu/msweb/resources/depts_services/bldg_services/RFP.html)

**Institution:** Metropolitan State University  
**Name:** Dave Peasley  
**Title:** Purchasing Coordinator/Buyer  
**Mailing Address:** 700 East Seventh Street  
Founders Hall, Room 329  
Saint Paul, MN 55106

Sealed proposals can be hand delivered to the cashiers' window at Founders Hall, Room 327 on the Saint Paul Campus or mailed at the

above address. Proposals received after this date and time will be rejected and returned unopened.

Faxed or electronic proposals are not accepted. This request for proposal does not obligate the State to complete the proposal project and the state reserves the right to cancel the solicitation process if it is considered to be in its best interest.

There will be a pre-award vendors conference scheduled for Tuesday, June 29, 2010, from 1:00 – 3:00 pm, CDT in Room Founders Hall 301 on the Saint Paul campus.

## Minnesota State Colleges and Universities (MnSCU) Minnesota State University Moorhead Notice of Intent to Solicit a Request for Proposal for Executive Search Consultants

The MINNESOTA STATE UNIVERSITY MOORHEAD is requesting proposals to assist in developing an unranked list of qualified search consultants for the fiscal year beginning July 1, 2010. If it is necessary to conduct a senior leadership search a consultant will be selected from the list.

MINNESOTA STATE UNIVERSITY MOORHEAD's agent for purposes of responding to inquiries about the RFP is:

Herb Trenz  
Director , Human Resources  
Minnesota State University  
1104 - 7<sup>th</sup> Avenue South  
Moorhead, MN 56563  
Phone: (218) 477-2066  
E-mail: "Herb" <trenz@mnstate.edu>

Other persons are **NOT** authorized to discuss RFP requirements before the proposal submission deadline and

MINNESOTA STATE UNIVERSITY MOORHEAD shall not be bound by and responders may not rely on information regarding RFP requirements obtained from non-authorized persons.

MnSCU also reserves the right to change the evaluation criteria or any other provision in this RFP by posting the RFP and notice of change(s) as a link to: <http://www.mnstate.edu/humanres/>

Questions must include the name of the questioner and his/her telephone number, fax number and/or e-mail address. Anonymous inquiries will not be answered.

The selection process includes DIRECTOR FOR HUMAN RESOURCES and other designees of the PRESIDENT. This group will evaluate the proposals and make the final decision.

### Selection and Implementation Timeline:

Monday, June 21, 2010	Publish RFP notice in <i>State Register</i>
Monday, July 12, 2010 4:00 p.m. CDT	Deadline for RFP proposal submissions
Tuesday, July 26, 2010	Complete evaluation process to establish an unranked list for fiscal year 2011

Contracts will be awarded if and when a search is required during the fiscal year.

**Sealed proposals** must be received at the following address not later than July 12, 2010, 4:00 p.m. CDT. The responder shall submit two (2) copies of its RFP response. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. One copy of the proposal must be unbound and signed in blue or black ink by an authorized representative of the vendor. Proof of authority of the person signing must accompany the response.

# State Contracts

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Proposals received after this date and time will be returned to the responder un-opened. Fax and e-mail responses will not be considered.

MINNESOTA STATE UNIVERSITY MOORHEAD desires to enter into a contract with the successful vendor(s) if and when a search is announced. The length of such contract(s) shall be for the duration of the search.

## Minnesota State Colleges and Universities (MnSCU)

### Pine Technical College

#### Request for Proposals to Develop Healthcare Alliance Website

**NOTICE IS HEREBY GIVEN** that Pine Technical College, directly through an award from U.S. Department of Labor Health Care and High Growth and Emerging Industries grant (American Reinvestment and Recovery Act), is seeking proposals for professional and technical services to create an Internet web site that will effectively serve the needs of all Healthcare Alliance audiences.

Interested parties must contact Stefanie Schroeder at (320) 629-5126 or **e-mail:** [schroeders@pinetech.edu](mailto:schroeders@pinetech.edu) to obtain proposal specifications. Proposals submitted by parties without having obtained specifications will not be considered.

Sealed proposals must be submitted to: Stefanie Schroeder, Director of Strategic Initiatives, Pine Technical College, 900 - 4<sup>th</sup> Street S.E., Room 85, Pine City, MN 55063 by 3:00 pm CST July 6, 2010.

Pine Technical College reserves the right to reject any or all proposals or portion thereof, to waive technicalities in bids, and to delay final award for a period of 15 days.

## Minnesota State Colleges and Universities (MnSCU)

### Ridgewater College

#### Advertisement for Bids for Front Entry Sidewalk Replacement Project

**Sealed Bids for:** Front Entry Sidewalk Replacement Project  
Ridgewater College  
Main campus - located at Two Century Ave.  
Hutchinson MN

**will be received by:** Tm Schroepfer  
Ridgewater College  
Two Century Ave.  
Hutchinson MN 55350

Until **2:00 p.m.**, local time, **Monday, June 28, 2010**, at which time the bids will be opened and publicly read aloud in Room #153 at the Hutchinson MN main campus.

**Project Scope:** Work includes masonry foundation repair including excavation, demolition, new brick and block masonry units, through-wall flashing, waterproofing, and a door replacement along all elevations of the Activities Building. Work also includes masonry repair of tuck pointing, replacement of individual broken or cracked brick, and control joints, as shown on drawings.

A **Mandatory Pre-Bid Meeting** for all **prime bidders** will be held at **1:00 p.m.**, local time, **Wednesday, June 23, 2010, in Room #240, at Ridgewater College, Two Century Ave, Hutchinson, MN 55350.** The Architect/Engineer and/or College/University Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

Interested parties may view the Bidding Documents at no cost on the website:

<http://www.finance.mnscu.edu/facilities/design-construction/index.html>

and click on “Announcements”, then click on “**Advertisement for Bids (E-Plan Room)**”. Bidding Documents can be downloaded for a non-refundable charge of \$10.00. Planholders are parties that have downloaded the plans and specifications. Planholders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. The sales of paper copies for projects listed on this site are not available. Contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in viewing or downloading with this digital project information.

## Department of Commerce Unclaimed Property Division REQUEST FOR PROPOSALS to Perform Special Audit Services

The Minnesota Department of Commerce, Unclaimed Property Division, is seeking proposals from individuals or organizations qualified to perform special audit services. The services consist of identifying holders of unclaimed property who are subject to the Minnesota unclaimed property law, auditing their records, preparing reports of reportable unclaimed property, and collecting reportable unclaimed property.

For a copy of the complete Request for Proposal or more information contact:

Amy Trumper  
Minnesota Department of Commerce  
Unclaimed Property Division  
85 - 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198  
**Phone:** (651) 282-5087  
**Fax:** (651) 296-4328  
**E-mail:** [amy.trumper@state.mn.us](mailto:amy.trumper@state.mn.us)

The deadline for proposal submittal is June 25, 2010, 3:30 p.m. CDT.

## Minnesota Historical Society (MHS) Notice of Request for Bids for Printing Services – *Shefzilla*

The Minnesota Historical Society, dba Minnesota Historical Society Press/Borealis Books (MHS Press), is seeking bids for printing the book entitled *Shefzilla* [7,000 printed case (lithocase) NO Jacket].

Note that this book will require printing four (4)-color process throughout and that the schedule calls for MHS Press to supply all files to the printer by July 15, 2010, with the printer to have finished books at the Society’s warehouse by September 15, 2010. The combination of these requirements might mean this job is available only to North American printers.

The Request for Bids is available by contacting Mary Green-Toussaint, Purchasing Coordinator, Minnesota Historical Society, via e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

Bids must be received no later than 2:00 p.m. local time, **Thursday, July 8, 2010**. A public bid opening will be conducted at that time. No late bids will be accepted.

Dated: 21 June 2010

# State Contracts

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## Minnesota Department of Human Services (DHS)

### Managed Care and Payment Policy Division

#### Notice of Request for Proposals to Provide Prepaid Health Care from Qualified Managed Care Organizations (MCOs) to Medical Assistance (MA), Including Minnesota Senior Care Plus (MSC+), and MinnesotaCare Recipients in Cass and Crow Wing Counties

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals for the purpose of providing health care services for Medical Assistance, including Minnesota Senior Care Plus (MSC+), and MinnesotaCare in Cass and Crow Wing Counties.

The service begin date is January 1, 2011.

Proposals submitted in response to the RFP in this notice must be sent to:

**Request for Proposal Response**  
Attention: Pam Olson - 0984  
Managed Care & Payment Policy Division  
Department of Human Services  
444 Lafayette Road North  
St. Paul, MN 55155

This is the only person designated to answer questions by potential responders regarding this request..

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, July 19, 2010. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Department of Human Services RFP website after 12 noon on June 21, 2010 at:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Labor and Industry (DLI)

### Workplace Safety Consultation

#### Notice of Availability of Contract for Providing Logger Safety Training

The Minnesota Department of Labor & Industry is requesting proposals for the purpose of contracting logger safety training per *Minnesota Statutes* §176.130.

Work is proposed to start after January 1, 2011.

A Request for Proposals will be available by mail from this office. **A written request (by direct mail, e-mail or fax) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Dave Ferkul  
Non-Traditional Programs Supervisor  
Minnesota Department of Labor & Industry  
Workplace Safety Consultation



443 Lafayette Road North  
St. Paul MN, 55155-4311  
**Phone:** (218) 733-7832  
**Fax:** (651) 284-5739  
**E-mail:** *Dave.ferkul@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:30 pm, Central Daylight Time, August 2, 2010. **Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Natural Resources (DNR) Notice of Contract for Conducting and Completing the Third-party Re-certification Assessments and Subsequent Annual Surveying Audits CERTIFICATION # 22321

Notice of Availability of Contract for conducting and completing the third-party re-certification assessments and subsequent annual surveying audits to the FSC, SFI and/or a different forest management standard on 4.9 million acres of DNR-administered forestlands.

The Minnesota Department of Natural Resources is requesting proposals for the purpose of Forest Certification of 5-year and 3-year comprehensive re-certification assessment audits and subsequent annual surveillance audits.

Work is proposed to start after August 2010.

A Request for Proposals will be available by mail from this office through June 30, 2010. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After June 30, 2010, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Rebecca Barnard, Forest Certification Coordinator  
Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155-4044  
**E-mail:** *Rebecca.Barnard@state.mn.us*

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:00 p.m. Central Daylight Time, July 14, 2010.** **Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

# State Contracts

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## Department of Public Safety (DPS)

### Driver and Vehicle Services

#### Notice of Request for Proposal to Solicit and Sell Advertising for the Minnesota Drivers Manuals

The Minnesota Department of Public Safety, Driver & Vehicle Services Division is requesting proposals for the purpose of seeking qualified vendors to provide professional technical services to the State of Minnesota.

Qualified vendors shall be considered who have:

- 1) background and experience with the sale and production of advertising, production and printing of publications, and familiarity or experience working with governmental interests.
- 2) experience in identifying potential advertisers appropriate for the publication material, and target market audience.

Work is proposed to start on or after November 1, 2010.

This request for proposal does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Details are contained in a complete Request for Proposal (RFP) that may be obtained by contacting the following person:

Patrick Martineau, Contract Coordinator  
Department of Public Safety, Driver & Vehicle Services  
445 Minnesota Street, Suite 196  
St. Paul, MN 55101  
**Phone:** (651) 201-7632  
**Fax:** (651) 797-1194  
**E-mail:** *patrick.martineau@state.mn.us*

All questions concerning this RFP should be in writing and e-mailed or faxed to the above address no later than 2:00 P.M. Central Standard Time (CST) on Friday, July 23, 2010. All answers to questions will be in writing and sent to all entities requesting a complete RFP. Final date for submitting proposals is **2:00 P.M. CST on Friday, August 6, 2010**. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered. The Department of Public Safety will retain an option to extend the contract for three additional one-year periods.

## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities

This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general

organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program

Interested firms should send the following information to the email address below: Firm name, firm contact person, phone number, and email address.

**Contact:** Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginnis@state.mn.us](mailto:melissa.mcginnis@state.mn.us)  
**Telephone:** (651) 366-4644

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

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop 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 awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to 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 for application. Applications are accepted on a continual basis. All expenses are 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 applications forms are available on Mn/DOT’s Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

# State Contracts

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## Department of Transportation (Mn/DOT)

### Engineering Services Division

#### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

**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. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## Department of Transportation (Mn/DOT)

### Office of Traffic, Safety and Technology

#### Request for Proposal (RFP) for Intelligent Transportation Systems Support Services

**NOTICE OF AVAILABILITY** of Contract for Support Services for Mn/DOT's Intelligent Transportation Systems Program. Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this request for proposal. All expenses incurred in responding to this notice shall be borne by the responder.

The Minnesota Department of Transportation is requesting proposals to provide support services to its Intelligent Transportation Systems Program. General categories of support services include:

1. ITS program development and management
2. ITS project delivery
3. ITS project evaluation
4. ITS architecture, standards and integration services
5. ITS marketing and outreach

RFP's are available online at Mn/DOT's Consultant Services Website located at:

<http://www.dot.state.mn.us/consult/index.html>

All proposals must be mailed or delivered to:

Ron Bisek, Contract Administrator  
Minnesota Department of Transportation  
Office of Traffic, Safety and Technology  
RTMC Building, **Mailstop 725**  
1500 West County Road B2  
Roseville, MN 55113

Fax and e-mail responses will not be considered.

Note: PROPOSALS WILL BE DUE ON **Tuesday, July 20, 2010** no later than 2:00 pm CENTRAL DAYLIGHT TIME.

## Non-State Bids, 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.

## Lower Costs; Increase Profits

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us). Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

## Dakota County

### Transportation Department

### Request for Proposals for Engineering Services for Cedar Avenue/County State Aid Highway (CSAH) 23 Bus Rapid Transit Station Siting Project

**NOTICE IS HEREBY GIVEN** that Dakota County Public Works, as the lead agency, is seeking qualified firms to provide services for station siting project for Cedar Avenue (CSAH 23) at four different locations in the City of Lakeville. Qualified firms will have experience in Planning, Traffic Studies and Forecasting, Public and Agency Involvement, Environmental Documentation and Layout Development and Analysis. The project work will commence immediately upon selection of the consultant. The consultant will prepare a project schedule based on a start date of August 27, 2010 and a target date of March 15, 2011 for completion of the siting project.

The siting project for Cedar Avenue Transitway will include four station stops: 161<sup>st</sup>/162<sup>nd</sup>, Glacier Way, 195<sup>th</sup> St, and 215<sup>th</sup> St.

The following is the anticipated solicitation schedule:

- RFP Issued: June 21, 2010
- Proposals Due: July 26, 2010
- Selection of Consultant /Interview Listing: August 4, 2010
- Conduct Interviews (if needed): August 6, 2010
- Regional Railroad Authority: August 24, 2010
- Anticipated Study Completion: March 15, 2011

All firms interested in receiving a RFP may contact:

Peter DeMuth

**Phone:** (952) 891-7109

**E-mail:** [peter.demuth@co.dakota.mn.us](mailto:peter.demuth@co.dakota.mn.us)

# Non-State Bids, Contracts & Grants

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## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh

#### Notice of Call for Bids for MAC 2010 Miscellaneous Modifications Bid Package 1

**MAC Contract No.:** 106-2-609

**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour. The work includes several small projects at the Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh to include minor demolition, concrete, steel, miscellaneous metals, metal fabrications, doors, windows, curtain wall, carpeting, painting, and resilient flooring.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 2%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding Documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport

#### Notice of Call for Bids for MAC 2010 Miscellaneous Modifications - Bid Package No. 2

**MAC Contract No.:** 106-2-623

**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for General, Mechanical, and Electrical Construction.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 4%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Miller Dunwiddie Architecture, Inc.; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Miller Dunwiddie Architecture, Inc.; 123 North Third Street, Suite 104; Minneapolis, Minnesota 55401; **phone:** (612) 337-0000; **fax:** (612) 337-0031. Make checks payable to Miller Dunwiddie Architecture, Inc. Deposit per set (refundable) \$100.00. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

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## Non-State Bids, Contracts & Grants

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

### Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh Notice of Call for Bids for Passenger Screening Improvements-Phase 3

**MAC Contract No.:** 106-2-629  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work consists of General, Mechanical, and Electrical interior remodeling work bid as a single lump sum contract with add alternates.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

### Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport, Terminal 1-Lindbergh Notice of Call for Bids for Tug Drive Floor Waterproofing & Rehabilitation-Phase 4

**MAC Contract No.:** 106-2-613  
**Bids Close At:** 2:00 p.m. July 13, 2010

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The work includes repair of the tug drive structural slab and waterproofing of the same.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430;

# Non-State Bids, Contracts & Grants

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**phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within (10) days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on June 21, 2010, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/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](http://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.

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## Mn/DOT has reissued their County Maps - in FULL COLOR We have them at \$1.00 per map

# NEW

### ***Woodworking for Wildlife* - updated, Stock No. 275, \$19.95**

Minnesota author Carrol Henderson's popular book, *Woodworking for Wildlife*. Along with designs for 28 different nest box projects, this newly-expanded edition includes 300 color photographs and information on deterring nest predators, placing and maintaining boxes, and setting up remote cameras in nest boxes. The 164-page book, which has a soft cover that opens flat for easy use, features new designs for great crested flycatchers, mergansers, dippers, bumblebees and toads. *Woodworking for Wildlife* was printed in Minnesota on recycled paper manufactured in Cloquet and certified by the Forest Stewardship Council.

## Newly Updated Laws, Rules & Manuals:

[2009 Session Laws](#)  
[Cosmetology Laws](#)  
[Cosmetology Rules](#)  
[Wetland Conservation Laws & Rules](#)  
[2009 Base Value Guide—Final](#)  
[Clean Indoor Air Laws & Rules](#)  
[Criminal Code](#)  
[Gambling Managers Handbook](#)  
[Barber Laws & Rules](#)  
[Gambling Laws Architects, Engineers &  
Land Surveying Laws/Rules 2009](#)  
[Nursing & Boarding Care Laws 2009](#)  
[Fair Labor Standards Act 2009](#)  
[Residential Contractor Laws & Rules 2009](#)  
[High Pressure Piping Laws/Rules 2009](#)

[Boiler Inspection Laws/Rules 2009](#)  
[Public Swimming Pool Rules 2009](#)  
[Government Data Privacy Laws & Rules 2009](#)  
[Liquor Laws & Rules 2009](#)  
[Workers Compensation Laws 2009](#)  
[Administrative Hearings Laws/Rules 2009](#)  
[Pharmacy Laws 2009](#)  
[Supervised Living Facility Laws & Rules 2009](#)  
[Child Care Center Laws & Rules 2009](#)  
[Developmental Disabilities Laws & Rules 2009](#)  
[Day Care Facility Laws & Rules 2009](#)  
[Home Care Licensure Laws & Rules 2009](#)  
[Real Estate Laws 2009](#)  
[Real Estate Appraiser Laws & Rules 2009](#)  
[Hospice Licensure Laws & Rules 2007](#)  
[Business Corporation/Non-Profit Laws 2009](#)

[Income & Excise Tax Laws 2009](#)  
[Minnesota Plumbing Code 2009](#)  
[Minnesota State Mechanical  
& Fuel Gas Code 2009](#)  
[Base Value Guide 2010](#)  
[Minnesota Rules 11-Volume  
Set 2009](#)  
[Dentistry Laws & Rules 2009](#)  
[Minnesota Construction  
Code & Licensing Laws/  
Rules 2009](#)  
[Motor Vehicle Tax Manual 2009](#)  
[Minnesota Income Tax  
Package XM 2009](#)  
[Securities Rules 2009](#)  
[Securities Laws 2009](#)



# ***Minnesota's Bookstore***

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155  
(1 block east of I-35E Bridge, 1 block north of University Ave.)

## **FREE PARKING**

Phone: (651) 297-3000; Fax: (651) 215-5733  
E-mail: <http://www.minnesotasbookstore.com>

## ***Great Books and Gifts for Your Reading Pleasure***

- **Minnesota Hail to Thee:** A Sesquicentennial History, \$28.00
- **International Residential Code:** Commentary Vol. 1, \$107.00
- **Ducks & Geese:** Minnesota Field Guide, \$14.95
- **Minnesota Education Director,** \$24.95
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