

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**
Published every Monday (Tuesday when Monday is a holiday)

TUESDAY 27 December 2011

Volume 36, Number 23

Pages 701 - 758

Cumulative Rules Index: TUESDAY 5 July 2011 - TUESDAY 27 December 2011

State Register

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

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 36 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
# 23	TUESDAY 27 DECEMBER	Noon Tuesday 20 December	Noon Wednesday 14 December
# 24	TUESDAY 3 JANUARY	Noon Tuesday 27 December	Noon Wednesday 21 December
# 25	Monday 9 January 2012	Noon Tuesday 3 January 2012	Noon Wednesday 28 December
# 26	TUESDAY 17 JANUARY	Noon Tuesday 10 January	Noon Wednesday 4 January

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Certification/Internal Contract Negotiation" form. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the *State Register*, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor if you have questions (651) 297-7963, or **e-mail:** robin.panlener@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 297-8777. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE *State Register* free at **website:** <http://www.minnesotasbookstore.com>

- **State Register: On-line subscription** – \$180, includes LINKS, INDEX, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:30 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: *State Register* \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.

Governor: Mark Dayton (651) 296-3391	Administration Commissioner: Spencer R. Cronk (651) 201-2555	State Register editor: Robin PanLener (651) 297-7963
Lieutenant Governor: Yvonne Prettnier Solon (651) 296-3391	Plant Management Division: David Fielding (651) 201-2350	Assistant editor: John Mikes (651) 297-4616
Attorney General: Lori Swanson (651) 296-6196	Minnesota's Bookstore: Mary Mikes (651) 297-3979	Subscriptions Manager: Loretta J. Diaz (651) 297-8777
Auditor: Rebecca Otto (651) 296-2551		
Secretary of State: Mark Ritchie (651) 296-2803		

Copyright © 2011 Plant Management Division, Department of Administration, State of Minnesota.
USPS Publication Number: 326-630 (ISSN: 0146-7751)

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

Minnesota Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

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

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 **Website:** www.mncourts.gov

Federal Register

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

Minnesota Rules: Amendments & Additions

Cumulative Rules Index - Vol. 36, # 1-23:
TUESDAY 5 July 2011 - TUESDAY 27 December 2011..... 704

Proposed Rules

Labor and Industry Department (DLI)

Minnesota Plumbing Board:
Proposed Permanent Rules Adopting Plumber Licensing,
Certification and Registration, and Continuing Education..... 706

Minnesota Plumbing Board:
Proposed Permanent Rules Governing the Plumbing Code..... 713

Adopted Rules

Dentistry Board

Adopted Permanent Rules Relating to Advanced
Dental Therapists and Dental Therapists..... 738

Exempt Rules

Education Department (MDE)

Adopted Exempt Permanent Rules Governing
English Language Development Standards..... 739

Commissioners' Orders

Transportation Department (Mn/DOT)

Commissioner's Order # 92452:
2011 Minnesota Uniform Traffic Control Devices Manual..... 740

Official Notices

Announcements, Meetings and More..... 741

Human Services Department (DHS)

Disability Services Division:
Request for Statements of Interest on the Public Advisory Committee
on Use of Controlled Procedures in Licensed Facilities for Persons
with Developmental Disabilities..... 741

Labor and Industry Department (DLI)

Minnesota Rehabilitation Review Panel and Medical Services Review Board:
Request for Comments on Possible Amendment or Repeal of Joint Rules
of Procedure, (Medical and Rehabilitation: Reviews)..... 742

Metropolitan Airports Commission (MAC)

Adoption of Ordinance No. 113 - Electric Carts..... 743

Metropolitan Council

Public Hearing on Draft Facility Plan Amendment for the
Blue Lake Wastewater Treatment Plant Improvements Project..... 744

Natural Resources Department (DNR)

Hearing on Sale of State Land in Marshall County..... 745

Pollution Control Agency (MPCA)

Regional Division:
Request for Comments on Possible Amendment to Rules Governing
the State Clean Water Partnership Financial Assistance Program
and the Federal Nonpoint Source Management Program..... 745

Minnesota Department of Public Safety (DPS)

Criminal and Juvenile Justice Information Policy Group:
Meeting to Receive Public Comment..... 746

Transportation Department (Mn/DOT)

**Engineering Services Division,
Office of Construction and Innovative Contracting:**
Notices of Suspension and Debarment..... 747

State Contracts

Vendors and Consultants..... 748

Administration Department (Admin)

State Designer Selection Board Project No. 11-13:
Availability of Request for Proposal for Designer Selection for:
Education Complex Addition, Camp Ripley, 15000 Highway 115,
Little Falls, Minnesota..... 748

Colleges and Universities, Minnesota State (MnSCU)

Availability of Request for Proposal for Owner Representative Selection
for Science Education Center at Metropolitan State University..... 749

Corrections Department (DOC)

Availability of Contract for Registered Nurse
Advanced Practitioner in Remote Northern Minnesota Area..... 749
Request for Proposals to Provide
Domestic Violence Intervention Services..... 750

Minnesota Historical Society (MHS)

Request for Bids for Replacement and Refinishing
of End-Grain Flooring at Mill City Museum..... 750

Transportation Department (Mn/DOT)

Customer Relations:
Request for Proposals for Multicultural Marketing..... 751

Engineering Services Division:

Contracting Opportunities for a Variety of General
Organizational Related Activities..... 751

Engineering Services Division:

Contracting Opportunities for a Variety of Highway Related
Technical Activities ("Consultant Pre-Qualification Program")..... 752

Engineering Services Division:

Professional/Technical Contract Opportunities and
Taxpayers' Transportation Accountability Act Notices..... 752

Veterans Affairs Department (MDVA)

Minnesota Veterans Homes:
Availability of Contract for Clinical/Nursing Consultant
for Long Term Care at Minnesota Veterans Homes..... 753

Non-State Bids, Contracts & Grants

Other Funding..... 754

Metropolitan Airports Commission (MAC)

Minneapolis-Saint Paul International Airport:
Call for Bids for Energy Conservation Project 2012 (P17/18/19)..... 754

Minneapolis-Saint Paul International Airport:
Call for Bids for MAC Air Handling Unit Replacement 2012 (P2)..... 755

Minneapolis-Saint Paul International Airport:
Call for Bids for Project Name: 2012 Restroom Upgrade..... 755

Minnesota's Bookstore..... 756

Contract information is available from the Materials Management (MMD)
Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

State Register information is available from Minnesota's Bookstore (651)
297-3000, or (800) 657-3757, Web site: www.minnesotasbookstore.com

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.

Cumulative Index for Minnesota Rules appearing in Volume 36, #1-23

TUESDAY 5 July 2011 - TUESDAY 27 December 2011

Labor and Industry Dept - Electricity Board

1315.0200 (adopted)..... 39

Agriculture Department

1515.3000; .3200; .3300; .3400; .3500; .3600; .3800 (adopted)..... 179

1515.3100 s. 4, 5; .3700 (repealed)..... 179

Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design

1800.0800; .0900; .2600; .3600 (proposed)..... 337

Chiropractic Examiners Board

2500.7000 (adopted)..... 158

Corrections Department

2920.0100; .0210; .0500; .0800; .0900; .1000; .1100; .1200; .1300;
.1400; .1500; .1800; .2000; .2100; .2400; .2500; .2600; .2700; .2800;
.3000; .3200; .3400; .3600; .3700; .3800; .3900; .4000; .4100; .4300;
.4400; .4600; .4900; .5000; .5100; .5200; .5300; .5400; .5700; .5900;
.6000; .6100; .6200; .6300; .6400; .6500; .6600; .6700; .6800; .6900;
.7200; .7300; .7400; .7500; .7600 (adopted)..... 635

2920.0100 s. 11 becomes 2920.0100 s. 16a
(proposed renumbering)..... 635

2920.0100 s. 6, 7, 9, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28;
.0200 s. 1; .0500 s. 3; .1900; .2300; .2900; .3100; .3300; .3500;
.3700 s. 4; .3800 s. 3, 5; .4200; .4700; .4800; .5500; .5600; .5800;
.6700 s. 5; .7500 s. 1, 4, 5, 7, 8, 10, 11; .7700; .7800; .7900
(repealed)..... 635

Dentistry Board

3100.0100; .1170; .1700; .1850; .3100; .3200; .3350; .3600; .5100;
.6100; .6200; .6300; .8200; .8300; .9600 (adopted)..... 738

Employment and Economic Development Department (DEED)

3325.0100; .0110; .0120; .0130; .0135; .0140; .0142; .0145; .0150;
.0165; .0175; .0180; .0190; .0200; .0205; .0208; .0210; .0220;
.0230; .0240; .0250; .0260; .0270; .0420; .0430; .0435; .0440;
.0445; .0450; .0460; .0470; .0478 (adopted)..... 33

3325.0100 s. 4; .0110 s. 8, 9, 18, 19, 23, 24, 25, 32, 34, 42, 43, 48,
52, 56, 57, 61, 62, 63, 64, 68, 69, 70, 71, 73, 74, 75, 79, 82, 85,
86, 89, 90; .0140 s. 4, 5, 6, 7; .0150 s. 4; .0160; .0170; .0220 s. 6;
.0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370;
.0380; .0390; .0400; .0410; .0420 s. 6, 9; .0460 s. 2, 3, 4, 5, 7, 10;
.0470 s. 5; .0480; .0490 (repealed)..... 33

3325.0440 s. 6, repealed effective July 1, 2011, effective for all
individualized plans for employment, including those in effect
on that date (repealed)..... 33

Education Department (MDE)

3501.0640; .0645; .0650; .0655 (proposed)..... 153

3501.0640; .0645; .0650; .0655 (adopted)..... 589

3501.1200; .1210 (adopted exempt)..... 739

Environmental Quality Board

4410.4300 (adopted)..... 567

Health Department (MDH)

4606.3300; .3302; .3303; .3304; .3305; .3306 (adopted)..... 615

4606.3302 s. 9, 18 (repealed)..... 615

4654.0200; .0800 (proposed expedited)..... 111

4654.0200; .0800 (adopted expedited)..... 615

Minnesota Rules: Amendments and Additions

Health Department - Plumbing Board

4715.0100; .0420; .0510; .0640; .0900; .1105; .1240; .1310; .1380; .1410; .1420; .1430; .1500; .1530; .1540; .1590; .2100; .2110; .2150; .2300; .2350; .2420; .2440; .2450; .2550; .2790; .2820 (proposed).....	713
4715.1110; .1115 (proposed repealer).....	713
4716.0010; .0070; .0071; .0072; .0090; .0091; .0092; .0200; .0205; .0210 (proposed).....	706
4715.5800; .6000 (proposed repealer).....	706

Health Department - Radiation Safety

4731.2320; .2360; .2510; .2520; .2650; .4070; .4350; .4411; .4412; .4414; .4430; .4433; .4436; .4443; .4444; .4445; .4446; .4458; .4459; .4479; .4525; .4526; .4600; .4605; .4610; .4612; .4615; .4620 (adopted).....	74
--	----

Labor and Industry Department

4715.0100; .0420; .0510; .0640; .0900; .1105; .1240; .1310; .1380; .1410; .1420; .1430; .1500; .1530; .1540; .1590; .2100; .2110; .2150; .2300; .2350; .2420; .2440; .2450; .2550; .2790; .2820 (proposed).....	713
4715.1110; .1115 (proposed repealer).....	713
4716.0010; .0070; .0071; .0072; .0090; .0091; .0092; .0200; .0205; .0210 (proposed).....	706
5205.0010 (proposed exempt).....	341
5205.0010 (adopted exempt).....	567
5205.0650; .0730 (proposed exempt).....	510
5219.0500; 5221.4020 (adopted exempt).....	315

Natural Resources Department (DNR)

6212.1400; 6262.0100; .0500 (repealed effective November 1, 2011).....	435
6230.0200; .0250; .0295; .0400; .0700; 6234.1200; .1300; .1400; .1700; .1900; .2000; .2200; .2600; .2700 (adopted expedited emergency).....	75
6230.0200 s. 3, 9 published at 36 SR 75, August 8, 2011; .0250 s. 9, 10, 19, published at 36 SR 75, August 8, 2011; .0295 s. 1, published at 36 SR 75, August 8, 2011; .0400 s. 9, published at 36 SR 12, July 5, 2011; .0400 s. 2, 10, 21, 33, 35, 52, 60, published at 36 SR 75, August 8, 2011; .0700, published at 36 SR 75, August 8, 2011; 6234.1200 s. 1, published at 36 SR 75, August 8, 2011; .1300 s. 1, published at SR 75, August 8, 2011; .1400 s. 1, published at SR 75, August 8, 2011; 6234.2700, published at 35 SR 1915, June 6, 2011, and vol. 36, p. 75, August 8, 2011; 6236.0700 s. 1, published at 35 SR 1976, June 20, 2011; 6240.1200, published at 36 SR 12, July 5, 2011; and 6240.1850, published at 36 SR 12, July 5, 2011 (proposed repealer).....	491
6230.0200; .0250; .0295; .0400; .0700; 6234.1200; .1300; .1400; .2400; .2700; 6236.0100; .0700; 6240.1150; .1200; .1850; 6290.0200; .0300; .0400; .0500 (proposed).....	491
6230.0200; .0250; .0295; .0400; .0700; 6234.1200; .1300; .1400; .2400; .2700; 6236.0100; .0700; 6240.1150; .1200; .1850; 6290.0200; .0300; .0400; .0500 (proposed).....	491
6230.0400; 6240.1200; .1850 (adopted expedited emergency).....	6
6230.0400; 6232.1600; .2100; 6240.0600 (adopted expedited emergency).....	507
6230.0400 s. 2, published at 36 SR 75, August 8, 2011, (repealed expedited emergency).....	507

6232.0200; .0300; .0350; .0400; .0800; .1300; .1600; .1750; .1800; .1980; .2100; .2500; .4700 (adopted expedited emergency).....	113
6232.1000; 6240.0200; .0575; .0610; .0650; .0950; .1150 (adopted expedited emergency).....	160
6236.0300; .0810; .1060 (adopted expedited emergency).....	635
6240.0100 s. 2a; .1200 s. 1, 2 (proposed repealer).....	491
6240.0575 (adopted expedited emergency).....	40
6240.1200 s. 1, 2 (repealed expedited emergency).....	12
6262.0100 (adopted).....	435
6262.0575; 6264.0300; .0400 (adopted expedited emergency).....	501
6262.0575; 6264.0300; .0400; (adopted expedited emergency).....	505
6262.0575 s. 7 (repealed expedited emergency).....	501
6264.0400 s. 69 (repealed exempt).....	436

Pharmacy Board

6800.0100; .0300; .0350; .0400; .0500; .0700; .0910; .0950; .1010; .1050; .1250; .1300; .1400; .1430; .1440; .1500; .2250; .2400; .2600; .3000; .3100; .3110; .3120; .3200; .3300; .3350; .3400; .3450; .3510; .3750; .3850; .3950; .4075; .4200; .4300; .5100; .5300; .5350; .5400; .5500; .6200; .6500; .6700; .7520; .7900; .8000; .8004; .8007; .8550; .9900; .9921 (adopted).....	237
6800.0100 s. 2a; .1300 s. 6; .3110 s. 6; .5100 s. 1, 7, 8, 9, 10; .5300 s. 4; .6500 s. 3 (repealed).....	237

Pollution Control Agency (MPCA)

7001.0030; .0090; .1050 (adopted exempt).....	179
7001.3111; 7035.2525 (proposed).....	71
7035.2525; .2665; .2695; .2751; .2755 (proposed).....	373

Public Safety Department (DPS)

7411.0515 (adopted exempt).....	436
7414.0100; .1460; .1550; .1600; 7421.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900 (proposed).....	401
7455.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400 (proposed).....	265

Minnesota Racing Commission

7873.0185; .0199; 7877.0170; 7883.0170 (adopted).....	10
7876.0100; .0110; .0120; 7890.0100; .0110; 7897.0100 (proposed)...	5
7876.0100; .0110; .0120; 7890.0100; .0110; 7897.0100 (withdrawn).....	410

Secretary of State

8210.0100; .0400; .0500; .0600; .0710; .0800; .2600; .3000 (proposed).....	293
---	-----

Transportation Department (Mn/DOT)

8820.0100; .1500; .2500; .3100; .3200; .9920; .9922; .9936; .9946; .9981; .9995 (proposed expedited).....	180
8820.3100 s. 9a (proposed expedited repealer).....	180

Human Services Department

9505.0170; .0215; .5025 (adopted exempt).....	10
---	----

Proposed Rules

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

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

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

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

Department of Labor and Industry (DLI)

Minnesota Plumbing Board

Proposed Permanent Rules Adopting Plumber Licensing, Certification and Registration, and Continuing Education

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 and New Rules Regulating Plumber Licensing, Certification and Registration, and Continuing Education, *Minnesota Rules*, Chapter 4716; and Repeal of *Minnesota Rules* Parts 4715.5800 and 4715.6000.

Introduction. The Minnesota Plumbing Board 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* §§ 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 Thursday, January 26, 2012, the Board will hold a public hearing in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 9:00 a.m. on Monday, March 12, 2012. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after Thursday, January 26, 2012 and before Monday, March 12, 2012.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Carrie Rohling, Minnesota Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **phone:** (651) 284-5006, **fax:** (651) 284-5725, **e-mail:** dli.cclboards@state.mn.us. **TTY** users may call the Board at (651) 297-4198.

Subject of Rules and Statutory Authority. The proposed rules are about regulating the licensure or registration of plumbing and water conditioning contractors and installers and other persons engaged in or working at the business of plumbing and water conditioning installation or service; certification for persons engaged in medical gas system installation, maintenance, or repair; continuing education for individuals licensed as master plumbers, journeyman plumbers, restricted master plumbers, restricted journeyman plumbers, water conditioning masters and journeymen; and other necessary amendments for clarity or editorial corrections, or to coordinate the rules with other licensing related rule chapters or the Minnesota Building Code, and to address laws passed during any regular or special legislative sessions in 2010 or 2011.

Proposed Rules

The statutory authority to adopt the rules is *Minnesota Statutes* §§ 326B.43, 326B.435, and 326B.52. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, January 26, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules 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 rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, January 26, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board 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 rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Board must give written notice of this to all persons who requested a hearing, explain the actions the Board took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Board will follow the procedures in *Minnesota Statutes* §§ 14.131 to 14.20.

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

Modifications. The Board may modify the proposed rules, 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 Board or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

As the proposed rules and this notice were prepared for publication, the Board noticed that language it had approved to be included in the proposed rules was inadvertently left out. The Board intends to modify proposed rule part 4716.0092, subpart 2, by adding the words “had at least 12 months experience as a licensed water conditioning journeyman, or”. With this modification the subpart will read:

4716.0092, subp. 2. Water conditioning master. An applicant for a water conditioning master license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning master examination must have **had at least 12 months experience as a licensed water conditioning journeyman, or** at least six months of practical experience as listed in subpart 4, item C, subitem (2). The applicant is responsible for verifying practical experience.

This language creates an additional option for water conditioning master examination applicants to satisfy the pre-examination criteria. In addition, enabling applicants to qualify for examination with 12 months experience as a license water conditioning journeyman will expedite approvals by relieving applicants and the department from verifying work experience.

The Board will also correct a typo by replacing “4716.0080” with “4716.0072” at line 1.15 of the proposed rules.

Cancellation of Hearing. The Board will cancel the hearing scheduled for March 12, 2012, if the Board does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Board will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 284-5006 after January 26, 2012 to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling 651-284-5006 or going on-line at

<http://www.dli.mn.gov/PDF/docket/4716docket.pdf>

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes* §§ 14.131 to 14.20. The Board will hold the hearing on the date and at the time and place

Proposed Rules

listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Beverly Jones Heydinger is assigned to conduct the hearing. Judge Heydinger can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7838, and **fax:** (651) 361-7936.

Hearing Procedure. If the Board 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 rules. 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 Board 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* §§ 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The Board 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 agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person or online at <http://www.dli.mn.gov/PDF/docket/4716docket.pdf>. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

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 Board may adopt the rules after the end of the comment period. The Board 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 the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the Board to receive notice of future rule proceedings, submit your request to the agency 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 rules. 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 Board adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Dated: 12 December 2011

John Parizek, Chair
Minnesota Plumbing Board

4716.0010 DEFINITIONS.

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

Subp. 3. **Department.** "Department" means the Minnesota Department of Labor and Industry.

Subp. 4. **Person.** "Person" means any individual, limited liability company, corporation, partnership, incorporated or unincorporated association, sole proprietorship, joint stock company, or any other legal or commercial entity.

Subp. 5. **Plumbing Code.** "Plumbing Code" means the code adopted as chapter 4715.

MEDICAL GAS

4716.0070 AUTHORITY; PURPOSE.

Part 4716.0080 establishes certification requirements for individuals engaging in the installation, maintenance, or repair of medical gas systems under *Minnesota Statutes*, section 326B.438.

4716.0071 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4716.0070 to 4716.0072 have the meanings given them in this part and parts 4715.0100 and 4715.0420, subpart 2.

Subp. 2. **Breaching.** “Breaching” means opening any portion of the medical gas system to atmosphere.

Subp. 3. **Certified installer.** “Certified installer” means an individual who has met the requirements of ASSE Standard 6010 Medical Gas Systems Installers and the brazing qualification as defined in NFPA 99C, and is currently certified to this standard and qualification by National Inspection Testing Certification (NITC) or by a recognized third-party certification agency.

Subp. 4. **Installation.** “Installation” means the process of putting in place the equipment and piping required for a medical gas system and making it ready for use.

Subp. 5. **Maintenance.** “Maintenance” means performing work that is done regularly to keep the medical gas system and system components in good condition and working order. Maintenance does not mean replacing cylinders or filters, and work that does not breach the integrity of the medical gas piping system.

Subp. 6. **Recognized third-party certification agency.** “Recognized third-party certification agency” means an agency approved by the commissioner and conforming to ANSI/ISO/IEC Standard 17024 Conformity assessment - General requirements for bodies operating certification of persons, or equivalent.

Subp. 7. **Repair.** “Repair” means breaching the medical gas system for the replacement of pipe, equipment, or other components and restoring the system to working order.

4716.0072 LICENSURE; CERTIFICATION.

Subpart 1. **Licensure requirement.** No person shall offer to perform or perform medical gas installation, maintenance, or repair without a plumbing contractor license issued under chapter 326B. Each plumbing contractor shall designate an individual holding a medical gas certification issued by the commissioner as the individual responsible for the plumbing contractor’s compliance with this part, chapter 4715, and *Minnesota Statutes*, section 326B.438.

Subp. 2. Certification requirement.

A. An applicant for medical gas installer certification must meet the following requirements:

(1) current certification as a certified installer as defined in part 4716.0071, subpart 5, that was obtained on or before August 1, 2010; or

(2) both current licensure as a master plumber or journeyman plumber under *Minnesota Statutes*, section 326B.46, and current certification as a certified installer as defined in part 4716.0071, subpart 3.

B. An individual meeting the requirements of this subpart may submit an application to the commissioner for certification as a medical gas installer. Individuals granted medical gas installer certification by the commissioner must maintain their status as a certified installer as defined in part 4716.0071, subpart 3, while installing, maintaining, or repairing medical gas systems, and carry verification while in the field.

Subp. 3. **Application.** All applications submitted pursuant to this part must be submitted on a form approved by the commissioner and include the fees required by *Minnesota Statutes*, sections 326B.092 and 326B.438, subdivision 4.

Subp. 4. **Renewal and expiration.** The renewal and expiration of a medical gas installer certification shall be in accordance with *Minnesota Statutes*, section 326B.438, subdivisions 2 to 4.

Proposed Rules

WATER CONDITIONING

4716.0090 AUTHORITY; PURPOSE.

Pursuant to *Minnesota Statutes*, section 326B.435, subdivision 2, part 4716.0092 establishes licensing requirements for water conditioning contractors, water conditioning masters, water conditioning journeymen, and other persons engaged in or working at the business of water conditioning installation or service.

4716.0091 DEFINITIONS.

The terms used in parts 4716.0090 to 4716.0092 have the meanings given them in this part, part 4715.0100, and *Minnesota Statutes*, section 326B.50.

4716.0092 LICENSURE.

Subpart 1. Water conditioning contractor. An applicant for a water conditioning contractor license must designate a water conditioning master or master plumber, licensed by the commissioner, as the individual responsible for the water conditioning contractor's compliance with this part, chapter 4715, *Minnesota Statutes*, sections 326B.50 to 326B.59, and all orders issued under *Minnesota Statutes*, section 326B.082. The responsible water conditioning master or master plumber must give a minimum 15-day notice to the water conditioning contractor and the department before resigning as the responsible water conditioning master or master plumber for the contractor. The contractor and responsible water conditioning master or master plumber must immediately notify the department upon the termination or separation of the contractor's responsible water conditioning master or master plumber. The water conditioning contractor shall have 60 days from the last day of employment of its previous responsible water conditioning master or master plumber to employ another responsible water conditioning master or master plumber. The water conditioning contractor shall submit written notification to the department that they have designated a different water conditioning master or master plumber as the individual responsible for the contractor's compliance with this part, chapter 4715, and *Minnesota Statutes*, sections 326B.50 to 326B.59. If the water conditioning contractor is unable to acquire a replacement responsible water conditioning master or master plumber, the water conditioning contractor's license is invalid and the contractor shall cease and desist from performing any water conditioning work and return the contractor's license for voluntary termination. Upon acquiring a replacement responsible water conditioning master or master plumber, the water conditioning contractor may request reinstatement of the terminated license under *Minnesota Statutes*, section 326B.096.

Subp. 2. Water conditioning master. An applicant for a water conditioning master license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning master examination must have at least 12 months of practical experience as listed in subpart 4, items B and C, subitem (1). The applicant is responsible for verifying practical experience.

Subp. 3. Water conditioning journeyman. An applicant for a water conditioning journeyman license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning journeyman examination must have at least six months of practical experience as listed in subpart 4, item C, subitem (2). The applicant is responsible for verifying practical experience.

Subp. 4. Experience. For the purposes of the experience required under subparts 2 and 3, the following requirements apply.

A. Experience in the planning, superintending, installing, and servicing of water conditioning systems is acceptable in the situations described in the following:

(1) experience while in the employ of a contractor licensed under *Minnesota Statutes*, section 326B.46 or 326B.55, and this part;

(2) experience while working in Minnesota for an employer who is exempt from being licensed as a contractor under *Minnesota Statutes*, section 326B.46 or 326B.55, subdivision 1, paragraph (d), clause (2), if the water conditioning installation or servicing work is done under the supervision of a properly licensed individual;

(3) experience while performing the practical installation and servicing of water conditioning systems outside of Minnesota, which the department has determined is substantially equivalent to work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the employer for the type of work performed; or

(4) experience while performing the practical installation and servicing of water conditioning systems in the armed forces of the United States, which the department has determined is substantially equivalent to the work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the military for the type of work performed.

B. Twelve months of experience consists of at least 1,750 hours, which may be obtained in more than one 12-month period;

however, not more than 1,750 hours shall be credited for one calendar year.

C. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate experience. The commissioner shall make the final determination about the adequacy and acceptability of an applicant's experience.

(1) An applicant for water conditioning master examination must include at least the following number of hours in the following water conditioning aspects:

(a) installation, 450 hours;

(b) servicing, 300 hours;

(c) planning, 250 hours; and

(d) supervising, 250 hours. The maximum allowable experience shall be zero hours before the age of 17. The remaining required hours of practical experience may be in any aspect of water conditioning work.

(2) An applicant for water conditioning journeyman examination must include at least the following number of hours in the following water conditioning aspects:

(a) installation, 375 hours; and

(b) servicing, 250 hours. The maximum allowable experience shall be zero hours before the age of 17. The remaining required hours of practical experience may be in any aspect of water conditioning work.

Subp. 5. Examinations.

A. Applications to take the water conditioning master or water conditioning journeyman examination must be submitted on a form approved by the commissioner. Each application must include the fee under *Minnesota Statutes*, chapter 326B.

B. A written examination for the licensing of water conditioning contractors and installers shall be given at least once per year. The written licensing examination for contractors and installers shall include questions covering one or more of the following subject areas: relevant plumbing and installation provisions, materials and tools of the trade, general principles of water conditioning processes, and operation of water conditioning equipment. Additionally, the contractor's licensing examination shall include questions covering one or more of the following subjects: calculations to determine appropriate equipment size, and specific functions and processes involved in different types of water conditioning.

C. A score of 70 percent shall be considered passing. The examinee shall be notified of the results of the examination.

Subp. 6. Renewal and expiration. The renewal and expiration of a water conditioning contractor, water conditioning master, or water conditioning journeyman license shall be in accordance with *Minnesota Statutes*, sections 326B.092 to 326B.097, and 326B.50 to 326B.59.

CONTINUING EDUCATION

4716.0200 DEFINITIONS.

Subpart 1. Scope. The definitions in this part apply to parts 4716.0205 and 4716.0210.

Subp. 2. Continuing education program. "Continuing education program" means a course, seminar, workshop, or other educational offering, where interactive instruction is provided by one or more instructors, either directly or by interactive media.

Subp. 3. Hours of instruction. "Hours of instruction" means the number of classroom hours approved by the department in advance for the attendance of a continuing education program.

Subp. 4. Plumbing license. "Plumbing license" means a master plumber or journeyman plumber license issued by the department. Plumbing license does not include a water conditioning journeyman or a water conditioning master as defined by *Minnesota Statutes*, section 326B.50, subdivisions 3a and 3b.

Subp. 5. Restricted plumber. "Restricted plumber" means an individual who meets the qualifications of *Minnesota Statutes*, section

Proposed Rules

326B.55, subdivision 1, and is licensed by the department.

Subp. 6. **Sponsor.** “Sponsor” means a person that provides a continuing education program approved in advance by the department.

4716.0205 REQUIREMENTS.

Subpart 1. Continuing education; content.

A. In addition to satisfying the requirements of *Minnesota Statutes*, chapter 326B, the following license types are required to obtain 16 hours of continuing education instruction during the license period before the license may be renewed:

(1) master plumber;

(2) journeyman plumber; and

(3) restricted plumber. At least 12 hours of instruction must pertain to the Plumbing Code, and at least four hours of instruction must pertain to the technical topics related to plumbing installations and equipment, this chapter, the Minnesota State Building Code, or *Minnesota Statutes*, sections 326B.41 to 326B.49. Continuing education hours obtained by electronic media must not exceed four hours during the renewal period.

B. In addition to satisfying the requirements of *Minnesota Statutes*, chapter 326B, the following license types are required to obtain four hours of continuing education instruction during the license period before the license may be renewed:

(1) water conditioning master; and

(2) water conditioning journeyman. At least two hours of instruction must pertain to the technical topics related to water conditioning installation and servicing, this chapter, or *Minnesota Statutes*, sections 326B.50 to 326B.59.

C. In addition to satisfying the requirements of *Minnesota Statutes*, chapter 326B, an applicant for renewal of a medical gas installer certification is required to obtain four hours of continuing education instruction during the certification period before the certification may be renewed. The required hours of instruction must pertain to the technical topics related to the installation, repair, or maintenance of medical gas systems, this chapter, NFPA 99, or *Minnesota Statutes*, section 326B.438.

Subp. 2. Application.

A. Each applicant for the renewal of a license, registration, or certification specified in subpart 1 must obtain during the term of the license, registration, or certification period and before a renewal application is submitted to the department, credit for the required hours of instruction through one or more continuing education programs as required by this part. Continuing education hours of instruction obtained shall not be transferred and may not be used for more than one renewal period. Carryover of continuing education hours of instruction shall not be permitted.

B. Where an individual holds more than one type of plumbing license, registration, or certification credits for hours of instruction may be applied to each license, registration, or certification during the same renewal period.

4716.0210 CREDIT FOR HOURS OF INSTRUCTION.

Subpart 1. **Approval of continuing education programs.** To qualify as a continuing education hour of instruction under part 4716.0205, subpart 1, a continuing education program shall be approved in advance by the department. The sponsor shall submit an application for approval according to *Minnesota Statutes*, section 326B.098. An interactive educational program may also be approved for presentation through electronic media. In addition to the requirements of part 4716.0205, a program presented through electronic media that does not include real-time interaction between the presenter and the licensee or registrant must include an examination process that ensures a licensee or registrant has successfully completed the program.

Subp. 2. **Notification of presentations.** Not less than 30 days prior to a presentation of a continuing education program, the sponsor shall notify the department in writing of the date, time, and location of the program.

Subp. 3. **Instruction in another state.** Notwithstanding subparts 1 and 2, continuing education programs that are offered in another state and have not been preapproved by the department, shall be approved for credit if the department is provided with evidence that the educational program meets the requirements of this part, part 4716.0205, and *Minnesota Statutes*, sections 326B.098 to 326B.099, and the course has been approved for continuing education hours of instruction or credit by a public authority licensing plumbers or restricted

plumbers in the other state.

Subp. 4. Qualifications of instructors. All educational programs shall be conducted by instructors who meet the requirements of *Minnesota Statutes*, section 326B.099, subdivision 3, and have the qualifications described in at least one of the following items:

A. an individual plumber license issued by the department and at least four years' experience in plumbing inspection, plumbing installations, or teaching subjects within the scope of plumbing work permitted by the instructor's license;

B. at least five years' practical experience in the subject being taught. An instructor in this category may only be approved for instruction on technical topics related to plumbing installations and equipment; or

C. an instructor certified by a national plumbing-related training program.

Subp. 5. Credit for teaching. Instructors of educational programs approved under this part shall receive instruction credit for each hour of instruction allowable under subpart 1.

Subp. 6. Report of credits earned. Within 14 days after presentation of an educational program for credit under part 4716.0205, the sponsor shall provide a certificate of completion to each licensee or registrant in attendance and shall forward an attendance list and original attendance sign-in document to the department on a form supplied by the department, or in a format approved by the department. Each certificate of completion and attendance list shall include the name of the sponsor, date and location of the presentation, educational program identification that was provided to the department, hours of instruction or continuing education units, and the licensee's or registrant's name and license or registration number or the last four digits of the applicant's Social Security number. The attendance list must be typewritten and provide a summary of each attendee's hours for each course attended.

Subp. 7. Credit for completing an educational program. Participants in an educational program must complete the entire program to receive credit. Partial credit must not be granted.

REPEALER. *Minnesota Rules*, parts 4715.5800; and 4715.6000, are repealed.

EFFECTIVE DATE. Parts 4716.0010 to 4716.0210 are effective 180 days after the board adopts the rules, or five working days after publication of the notice of adoption in the *State Register*, whichever occurs later.

Department of Labor and Industry (DLI)

Minnesota Plumbing Board

Proposed Permanent Rules Governing the Plumbing Code

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 the Minnesota Plumbing Code, *Minnesota Rules*, Chapter 4715, and Repeal of parts 4715.1110 and 4715.1115

Introduction. The Minnesota Plumbing Board 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 Thursday, January 26, 2012, the Board will hold a public hearing in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, Minnesota 55155, starting at 9:00 a.m. on Monday, February 13, 2012. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after Thursday, January 26, 2012 and before Monday, February 13, 2012.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Carrie Rohling, Minnesota Plumbing Board, c/o Department of Labor and Industry, 443 Lafayette

Proposed Rules

Road North, St. Paul, MN 55155, **phone:** (651) 284-5006, **fax:** (651) 284-5725, **e-mail:** dli.cclboards@state.mn.us. **TTY** users may call the Board at (651) 297-4198.

Subject of Rules and Statutory Authority. The proposed rules are about plumbing code rules that govern grease interceptors, backflow preventers relating to dental water treatment systems, deck-mounted and equipment-mounted vacuum breaker backflow preventers, standards associated with backflow devices, design of sumps and grinder pumps, macerating toilet systems, water closet personal hygiene devices, wet venting of water closets, materials and fixtures including pedicure whirlpool tubs, existing bathtub and whirlpool bathtub provisions, clarifications on shower control valve requirements, trough urinals, stand pipe, hangers and supports, siphonic roof drainage systems, indirect waste piping, and clarification of existing language, editorial corrections, or to coordinate the rules with other licensing related rule chapters or the Minnesota Building Code, and to address laws passed during any regular or special legislative sessions in 2010 or 2011. The proposed rules also repeal parts 4715.1110 and 4715.1115 because they are replaced with proposed rule part 4715.1105.

The statutory authority to adopt the rules is *Minnesota Statutes* §§ 326B.43, 326B.435, and 326B.52. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Thursday, January 26, 2012, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules 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 rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Thursday, January 26, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board 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 rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Board must give written notice of this to all persons who requested a hearing, explain the actions the Board took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Board will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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

Modifications. The Board may modify the proposed rules, 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 Board or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Cancellation of Hearing. The Board will cancel the hearing scheduled for February 13, 2012, if the Board does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Board will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 284-5006 after January 26, 2012 to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (651) 284-5006 or going on-line at: <http://www.dli.mn.gov/PDF/docket/4715docket.pdf>.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Board will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Board 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 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

Proposed Rules

64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7843, and **fax:** (651) 361-7936.

Hearing Procedure. If the Board 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 rules. 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 Board 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 Board 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 agency contact person at the address stated above.

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person or online at <http://www.dli.mn.gov/PDF/docket/4715docket.pdf>. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

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 Board may adopt the rules after the end of the comment period. The Board 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 the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the Board to receive notice of future rule proceedings, submit your request to the agency 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 rules. 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 Board adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

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

Dated: 12 December 2011

John Parizek, Chair
Minnesota Plumbing Board

4715.0100 DEFINITIONS.

[For text of subs 1 to 56, see M.R.]

Subp. 56a. Gravity grease interceptor. "Gravity grease interceptor" means a grease interceptor identified by volume, retention time, and gravity separation.

[For text of subp 57, see M.R.]

Subp. 57a. Grinder pump. A "grinder pump" is a specialized submersible pump designed for reducing sewage particulates and pumping the resulting slurry.

[For text of subs 58 to 60, see M.R.]

Subp. 60a. Hydromechanical grease interceptor. "Hydromechanical grease interceptor" means a grease interceptor that incorporates air entrainment, hydromechanical separation, interior baffling, and/or barriers in combination or separately.

Proposed Rules

[For text of subps 61 to 70, see M.R.]

Subp. 70a. **Macerating toilet system.** “Macerating toilet system” means a system consisting of a toilet and a sump with a macerating pump. The system is intended to receive and break waste from a toilet, bathtub, shower, or lavatory into pieces of fine slurry and pump to the building drainage.

[For text of subps 71 to 112, see M.R.]

Subp. 113. **Trap seal.** “Trap seal” means the vertical distance between the crown ~~wire~~ weir and the top dip of the trap.

[For text of subps 114 to 128, see M.R.]

4715.0420 STANDARDS FOR PLUMBING MATERIALS.

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

Subp. 2. **Abbreviations.** Abbreviations in this chapter refer to the following:

~~A.~~ ASME, American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990;

~~A.B.~~ ANSI, American National Standards Institute, 10 East 40th Street, New York, New York 10016 1899 L Street, NW, 11th Floor, Washington, D.C. 20036;

~~B.C.~~ ASTM, American Society for Testing and Materials, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959;

~~E.D.~~ AWWA, American Water Works Association, 2 Park Avenue, New York City, New York 10016 6666 W. Quincy Avenue, Denver, CO 80235;

~~Ð.E.~~ CSA, Canadian Standards Association, 178 Rexdale Boulevard, Rexdale (Toronto), 5060 Spectrum Way, Suite 100, Mississauga, Ontario, Canada M9W 1R3 L4W 5N6;

~~E.F.~~ CS, Commercial Standards available from: Commodity Standards Division, Office of Industry and Commerce, U. S. Department of Commerce, Bureau of Industry and Security, 14th Street & Constitution Avenue NW, Washington, D. C. 20234 20230;

~~F.G.~~ FS, Federal Specifications available from: Federal Supply Service, Standards Division, U.S. General Services Administration, One Constitution Square, 1275 - 1st Street NE, Washington, D. C. 20406 20417;

~~G.H.~~ NSF, NSF International 789 N. Dixboro Road, P.O. Box 130140, Ann Arbor, Michigan 48106 MI 48113-0140;

~~H.I.~~ FHA, Federal Housing Authority Administration, Architectural Standards Division, U.S. Department of Housing & Urban Development, 451 - 7th Street SW, Washington, D. C. 20410;

~~I.J.~~ AASHTO, American Association of State and Highway Transportation Officials, 444 North Capital Street Northwest, Suite 249, Washington, D. C. 20001;

~~J.K.~~ IAPMO, International Association of Plumbing and Mechanical Officials, 5001 4755 E. Philadelphia St., Ontario, California CA 91761;

~~K.L.~~ ASSE, American Society of Sanitary Engineering, 901 Canterbury Road, Suite A, Westlake, Ohio 44145-1480; OH 44145;

M. ASPE, American Society of Plumbing Engineers, 2985 S. River Road, Des Plaines, IL 60018.

Proposed Rules

Subp. 3. Standards for plumbing materials.

DESCRIPTION	ANSI	ASTM	FS	OTHER
I. CAST IRON PIPE AND FITTINGS				
	A21.2			
	A21.6	A-74	WW-P-401C	CS188
1A Cast Iron Pipe and Fittings Extra Heavy	A21.8			
1B Cast Iron Pipe Centrifugally Cast Only and Fittings Service Weight	A21.6	A-74	WW-P-401C	CS188
	A21.8			
1C Cast Iron Mechanical (Gland Type) Pipe	A21.11		WW-P-421a	
	A21.2			
	A21.6			
1D Cast Iron Mechanical (Gland Type) Pipe Cement Lined	A21.8			
	A21.4			
	A21.2			
	A21.6			
	A21.8			
1E Cast Iron Short Body Water Service Fittings (2"-12")	A21.10			AWWA C100
1F Cast Iron Threaded Pipe	A40.5			
1G High Silicon Pipe, Fittings Cast Iron				
1H Cast Iron Threaded Fittings Black and Galvanized 125#	B16.4		WW-P-501	
1J Cast Iron Drainage Fittings Black and Galvanized	B16.12		WW-P-491	
1K Hubless Cast Iron Pipe and Fittings		A888-07a		CISPI Standard 301-05 CSA/CAN 3-B70
1L Ductile Iron Pipe Flanged	A21.15			AWWA C115
1M Ductile Iron Pipe Push-on Joints,				

Proposed Rules

Mechanical Joints

A21.51

AWWA C151

II. STEEL AND WROUGHT IRON PIPE FITTINGS

2A	Steel Pipe, Welded and Seamless Galvanized, Schedule 40 and Above	B36.1 B36.20	A53	WW-P-406 6(1)
2B	Wrought Iron Pipe, Galvanized Schedule 40 and Above	B36.2		
2C(a)	Stainless Steel Pipe	B36.19		
2C(b)	Stainless Steel Pipe	A112.3.1		
2D	Galvanized Malleable Fittings 150 psi and Above	B16.3	A197	
2E	Steel Unions, Galvanized			WW-V-531 C
2F	Corrugated Steel Pipe, Aluminized and fittings (18- to 120-inch) (Storm only)	A760 A796		AASHTO M36

III. COPPER AND COPPER BASE PIPE AND FITTINGS

3A	Red Brass Pipe, Regular and Heavier	H27.1	B42B	
3B	Seamless Brass Tube	H36.1		
3C	Brass or Bronze Threaded Fittings 125 lbs. and Over	B16.15	B62	WW-P-460
3D	Brass or Bronze Flare Fittings 125 lbs. and Over, Heavy Duty Long Collar Type	B62		
3E	Seamless Copper Tube Type K, Soft Temper	H23.1	B88	
3F	Seamless Copper Tube Type K, Hard Temper	H23.1	B88	
3G	Seamless Copper			

Proposed Rules

Tube Type L, Soft Temper	H23.1	B88	
3H Seamless Copper Tube Type L, Hard Temper	H23.1	B88	
3H(a) Welded Copper Alloy 194 Water, Tube, Type "Heavy," Hard Temper	B543-72		OFT194-101A Navfac TS-15400
3H(b) Stainless Steel Water Tubing, Type SL, Copper Plated Coating (HWT-T439)	A-651		
3J Seamless Copper Tube, Type M, Hard and Soft Temper	H23.1	B88	
3J(a) Welded Copper Alloy 194 Water Tube, Type "Standard," Hard Temper		B543-72	OFT194-101A Navfac TS-15400
3J(b) Stainless Steel Water Tubing, Type SM, Copper Plated Coating (HWT-T439)	A-268 A-651		
3K Seamless Copper Tube Type DWV	H23.3	B306	
3L Copper Pipe I.P.S.	H26.1	B42	
3M Copper Pipe, Threadless Type T P and Fittings	H26.2	B302	
3N Cast Bronze and Wrought Solder Joint Pressure Fitting	B16.22 H23.1 B16.18		
3O Cast Bronze and Wrought Solder Joint D W V Fittings	B16.23		
3P Copper Alloy Water Tube 1/2 Inch and 3/4 Inch		B447 B75	
3Q Welded Brass Water		B587	

Proposed Rules

Tube 1/2 Inch and 3/4 Inch			
3R Removable and Nonremovable Push-Fit Fittings for Copper Pipe (3/8 to 2 inches only)			NSF 61 ASSE 1061-06

IV. LEAD PIPE AND FITTINGS

4A Lead Pipe AA		WW-P-325-44	
4B Lead Pipe AAA		WW-P-325-44	
4C Lead Bends and Traps		WW-P-325-44	
4D Sheet Lead		QQ-L201d	

V. SILICA AND EARTH PRODUCTS PIPE AND FITTINGS, NONMETALLIC

5A Asbestos-Cement Pressure Pipe and Fitting	C500 C296	SS-P351	
5B Asbestos-Cement Water Pipe and Fittings	C500	SS-P-351	AWWA C400
5C Asbestos-Cement Nonpressure Pipe and Fittings	C428	XX-P-331	
5D Asbestos-Cement Perforated Underdrain Pipe and Fittings	C508		
5E Vitrified Clay Pipe, Standard Strength and Stronger Fittings	C13 C200		
5F Unglazed Clay Pipe, Extra Strength and Fittings	C278		
5G Perforated Clay Pipe and Fittings	C211		
5H Borosilicate Glass Pipe and Fittings 60 psi			
5J Nonreinforced Concrete Drain Tile	C412		AASHTO M178
5K Nonreinforced Concrete Pipe	C14	SS-P-371	AASHTO M86 CSA-A257.1
5L Perforated Concrete Pipe,			

Proposed Rules

Underdrainage	C444		
5M Reinforced Concrete Pipe	C76	SS-P-375	CSA-A257.2
5N Reinforced and Prestressed Concrete Pipe, Pressure Type and Fittings			
5O Bituminized Fiber Drain and Sewer Pipe	D1860	SS-P-1540A	
5P Perforated Bituminized Fiber Pipe for General Drainage	D2311	SS-P-1540A	
VI. PLASTIC PIPE AND FITTINGS DRAIN, WASTE AND VENT			
6A Acrylonitrile-Butadiene-Styrene (ABS)	D2661 FHA-MPS	L-P-322a	NSF14 CSA-B181.1 CS270
Type 1, Schedule 40 Cellular core	F628		
6B (1) Polyvinyl Chloride (PVC) Schedule 40 Unthreaded Schedule 80 can be threaded Cellular core	D2665 FHA-MPS F891	L-P-320a	NSF14 CS272 CSA-B181.2
Fabricated Fittings (8- to 24-inch)	D3311		
Fabricated Fittings (8-inch and larger with mitered joints 4-inch and larger)	F1866		
6B (2) Polyvinyl Chloride (PVC) Schedule 30 (3-inch only)	D2949	L-P-001221	
6B (3) Polyvinyl Chloride (PVC) Schedule 40 (14- to 24-inch only) with ASTM D3311 fittings	D1785		
Fabricated Fittings (8-inch and larger with mitered joints 4-inch and larger)	F1866		
6B (4) Polyvinyl Chloride (PVC) Schedule 40 and 80 SDR 21 and SDR 26 (6-inch and larger)	D2241		
6B (5) Corrugated Poly-vinyl Chloride (PVC) Schedule 40 (4- to 36-inch) with ASTM D3212			

Proposed Rules

fittings (Storm only)

F949

BUILDING SEWER

6C (1) Styrene — Rubber	D2852		CS228
6C (2) Polyvinyl Chloride (PVC) (18- to 27-inch only)	D3034F789	WW-P-00380a	CSA-B182.2
(18-inch and larger)	F679		
	F794		
6C (3) Acrylonitrile- Butadiene-Styrene (ABS)	D2751		CSA-B182.1
6C (4) Corrugated High Density Polyethylene (Corrugated HDPE) (4- to 60-inch) with ASTM D3212 fittings (Storm only)			4- to 10-inch AASHTO M252 12- to 60-inch ASTM F2306

WATER SERVICE - Minimum working pressure rating shall be at least 150 psi for municipal water service and 100 psi for other service.

6D Polyethylene (PE)	B72.1	D2239 D2737	LP-315a FHA-UM-31C	NSF14 CS255 CSA-B137.1
6E Acrylonitrile- Butadiene-Styrene (ABS)	B72.3	D2282		NSF14 CS254
6F Polyvinyl Chloride (PVC)	B72.2	D2241 D1785	L-P-1036 FHA UM-41	NSF14 <u>NSF61</u> <u>AWWA</u> <u>C900</u> CS256 CSA-B137.3
6G Polybutylene		D2662 D2666		NSF14 CSA-B137.7
6I Polyethylene/Aluminum/ Polyethylene (PE-AL-PE) Composite Pressure Pipe (up to 1 inch only)		F1282		NSF 14 NSF 61

WATER DISTRIBUTION - Polybutylene (PB) systems (PB tubing together with recommended fittings) and chlorinated polyvinyl chloride (CPVC) pipe together with fittings must be tested by the manufacturer at 150 psi and 210 degrees Fahrenheit for a period of not less than 48 hours by a qualified independent testing laboratory acceptable to the administrative authority. Cross-linked polyethylene (PEX) tubing systems together with approved fittings must be tested at 150 psi and 210 degrees Fahrenheit for a period of not less than 30 days by a qualified independent testing laboratory acceptable to the administrative authority.

Proposed Rules

Polypropylene (PP-R) pipe together with fittings must be tested by the manufacturer at 510 psi hoop stress and 203 degrees Fahrenheit for a period of not less than 40 days by a qualified independent testing laboratory acceptable to the administrative authority.

6K	Polybutylene		D3309		CSA-B137.8 (tubing)
6L	Chlorinated Polyvinyl Chloride (CPVC), Schedule 80 (2-1/2 to 6 inches)	119.1, 119.2	D2846 F441 F442		NSF14 FHA Bulletin #76 CSA-B137.6
6M	Cross-linked Polyethylene (PEX) Tubing		F876		NSF 14 NSF 61
6N	(1) Metal Insert Fittings Utilizing a Copper Crimp Ring for PEX Tubing		F1807		NSF 14 NSF 61
6N	(2) Cold Expansion Fittings with PEX Reinforcing Rings for Use with PEX Tubing		F1960		NSF 14 NSF 61
6N	(3) Cold Expansion Fittings with Metal Compressions Sleeves for Use with PEX Tubing		F2080		NSF 14 NSF 61
6N	(4) Stainless Steel Clamps for Securing PEX Tubing to Metal Insert Fittings		F2098-01		NSF 14 NSF 61
6N	(5) Plastic Insert Fittings Utilizing a Copper Crimp Ring for PEX Tubing		F2159		NSF 14 NSF 61
6N	(6) Cross-linked Polyethylene (PEX) Plastic Hot and Cold Water Distribution Systems		F877		NSF 14 NSF 61
6P	Polypropylene (PP-R)		F2389		NSF 14 NSF 61

SPECIAL WASTES

6S	Polyethylene		F1412	LP 315a	PS10-69
----	--------------	--	-------	---------	---------

Proposed Rules

PS11-69
PS12-69

6T Polypropylene F1412

6U Polyvinylidene Fluoride (PVDF) F1673

6V Chlorinated Polyvinyl Chloride (CPVC) IAPMO IGC 210-2005a

GENERAL DRAINAGE

6W Polyethylene (corrugated) F405

VII. FIBERGLASS PIPE AND FITTINGS

7A Fiberglass pipe (reinforced thermosetting resin pipe) (one- to 16-inch) (18- to 48-inch must be manufactured in accordance with ASTM D2996) D2996 NSF14 NSF61 AWWA C-950

4715.0510 WATER SERVICE PIPE.

The following materials may be used for water service pipe:

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

G. Plastic pipe 6D, 6E, 6F, 6G, and 6I may be used for water service pipe only up to the water meter or pressure tank and provided there is no more than two feet of such piping exposed within the building. These materials shall be installed in accordance with ASTM D 2774-72 2774, except that plastic pipe meeting AWWA C900 must be installed according to AWWA C605. Particular care shall be taken to avoid sharp edges in contact with the pipe and to provide for expansion and contraction. Plastic pipe 6I must be installed in accordance with the manufacturer's installation instructions.

[For text of items H and I, see M.R.]

4715.0640 FIXTURE MATERIALS.

Plumbing fixtures shall have smooth, impervious surfaces, be free from defects and concealed surfaces. All receptacles used as water closets, urinals, or otherwise, for the disposal of human excreta, shall be vitreous china, or other material acceptable to the administrative authority, ~~except trough urinals may be cast iron, enameled on the inside~~. Drinking fountains shall be constructed of impervious nonoxidizing material and shall be so designed that they may be easily cleaned. Plumbing fixtures shall conform to the applicable commercial standards, where such standards exist.

4715.0900 FIXTURE TRAP REQUIREMENTS.

Each plumbing fixture, except those having an integral trap, shall be separately trapped by a water seal trap, installed as close to the fixture as possible, and in such a manner as to be readily accessible for cleaning and repairing.

A single trap may serve a two or three compartment sink or laundry tray. The trap shall be located not more than 30 inches horizontally from each compartment outlet. The vertical distance between the fixture outlet and the trap weir shall be as short as possible, but in no case more than 24 inches in length.

No food waste disposal unit shall be installed in a set of restaurant, commercial, or industrial sinks, served by a single trap. Each such disposal unit shall be individually trapped and connected to a separate waste opening. Each trap shall have the manufacturer's name or identification stamped legibly thereon and each tubing trap shall show the gauge of the tubing used in its manufacture.

4715.1105 GREASE INTERCEPTORS.

Subpart 1. **Uniform Plumbing Code (UPC).** For the purposes of this part, “UPC” means the 2009 edition of the Uniform Plumbing Code as adopted by the International Association of Plumbing and Mechanical Officials (IAPMO), 5001 East Philadelphia Street, Ontario, CA 91761. Portions of this part reproduce text and tables from the UPC, with permission of IAPMO. The UPC is not subject to frequent change and a copy of the UPC is available in the office of the commissioner of labor and industry. The UPC is copyright 2009 by the IAPMO. All rights reserved.

Subp. 2. **General requirements.** A grease interceptor complying with this part shall be installed in waste lines leading from fixtures or equipment in establishments where grease may effect line stoppage as determined by the administrative authority. Only waste requiring separation may discharge to a grease interceptor. Food waste grinders and dishwashers may discharge to a gravity grease interceptor where permitted by the manufacturer and the administrative authority.

Each establishment for which a grease interceptor is required shall have an interceptor that serves only that establishment unless otherwise approved by the administrative authority. Grease interceptors must be installed in approved locations and must be readily accessible for inspection and maintenance. Grease interceptors shall be located as close as practical to the fixtures served. Each grease interceptor installation must preclude siphoning and provide air relief. Each fixture discharging to a grease interceptor shall be trapped and vented according to this chapter.

A grease interceptor located outside the building that is a part of an individual sewage disposal system is not subject to the requirements of this chapter.

Subp. 3. Hydromechanical grease interceptors.

A. Hydromechanical grease interceptors shall comply with ASME Standard A112.14.3. Plumbing fixtures or equipment connected to a hydromechanical grease interceptor shall discharge through an approved type of flow control installed in a readily accessible and visible location. The total flow through the flow control device shall not be greater than the rated flow of the grease interceptor. No external flow control device having adjustable or removable parts shall be installed. Except for integral flow control devices, each flow control vent shall connect to the plumbing vent system. A vent shall be installed downstream of the grease interceptor according to this chapter.

B. Hydromechanical grease interceptors shall be sized using one of the following methods.

(1) When the flow rate of fixtures or appliances are unknown, the grease interceptor shall be sized based on the diameter of the drain discharging to the interceptor according to the following table:

<u>Hydromechanical Interceptor Sizing Using Gravity Flow Rates</u>	
<u>waste pipe diameter,</u>	<u>min. interceptor size,</u>
<u>in.</u>	<u>gpm</u>
2	20
3	75
4	150
5	250
6	500

(2) Where fixture dimensions and flow rates of all connected fixtures and equipment are known, the interceptor must be sized as follows:

- (a) calculate the volume of each connected fixture;
- (b) multiply the volume of all connected fixtures by a fill factor of 0.75 to obtain the discharge volume;
- (c) divide the fixture discharge volume by a drain period of one minute; and
- (d) add flow rates of appliances, hydrants, and equipment.

The minimum grease interceptor size is the sum of all flow rates discharging to the interceptor.

Proposed Rules

C. Example for sizing using fixture capacity: Two compartments of a sink, a hose bibb, and an appliance will discharge to the interceptor.

(1) Calculate the volume of each fixture.

$$[\text{Length, in.}] \times [\text{Width, in.}] \times [\text{Depth, in.}] / 231 = [\text{Volume, gallons}]$$

$$24" \times 24" \times 12" \times 2 \text{ compartments} / 231 = 59.8 \text{ gallons}$$

(2) Calculate the discharge volume of each fixture.

$$[\text{total volume}] \times 0.75 \text{ fill factor} = [\text{discharge volume}]$$

$$59.8 \text{ gallons} \times 0.75 = 44.9 \text{ gallons}$$

(3) Calculate the flow rate from each fixture.

$$[\text{discharge volume}] / [1\text{-minute drainage period}] = [\text{flow rate}]$$

$$44.9 \text{ gallons} / 1 \text{ minute} = 44.9 \text{ gpm}$$

(4) Add flow rates from appliances, equipment, and hydrants.

2 compartments of a sink	44.9 gpm
hose bibb	5 gpm
appliance	2 gpm
	51.9 gpm

(5) Minimum interceptor size.

The interceptor must be rated at 51.9 gpm or greater.

Subp. 4. **Gravity grease interceptors.** Gravity grease interceptors shall comply with IAPMO/ANSI Standard Z1001 or ASTM Standard C1613. Gravity grease interceptors shall provide for free air circulation through the interceptor and inlet and outlet pipes. Gravity grease interceptors shall be sized by the drainage fixture unit value for all connected fixtures according to the following table.

<u>Drainage fixture units</u> <u>(A,B,C)</u>	<u>Interceptor volume,</u> <u>gallons</u>
8	500
21	750
35	1,000
90	1,250
172	1,500
216	2,000
307	2,500
342	3,000
428	4,000
576	5,000
720	7,500
2112	10,000
2640	15,000

A. The maximum allowable drainage fixture units plumbed to the kitchen drain lines must be connected to the grease interceptor.

B. When the flow rate of directly connected fixtures or appliances have no assigned drainage fixture unit values, the additional grease interceptor volume shall be based on the known flow rate (gpm) multiplied by 30 minutes.

C. Drainage fixture unit values must be determined according to part 4715.2300.

Subp. 5. **Protective treatments.** Grease interceptors constructed of metal, concrete, or other materials subject to corrosion shall have

protective treatment approved by the manufacturer.

Subp. 6. Interceptors located outside of buildings. A grease interceptor outside of the building must be installed to be protected from freezing. Buoyancy protection must be provided when required by the manufacturer's installation instructions. If installed in a nonpaved area, the landscape must be bermed to divert runoff. Accessways for exterior grease interceptors must be at least 20 inches square or a diameter to allow adequate access to tank interior for inspection and maintenance. Access to the inlet and outlet must be provided. The grease interceptor and covers must be protected from loadings that may lead to structural collapse and must be designed to withstand any anticipated traffic loadings. Exterior grease interceptors to be abandoned are subject to the requirements of the Minnesota Pollution Control Agency for abandoning septic tanks.

Subp. 7. Labeling. All grease interceptors must contain a clear and permanent product identification label listing the construction standard identified in subpart 3 or 4 and any additional labeling requirements of that standard.

Subp. 8. Testing, maintenance, and records. Each grease interceptor installation must pass a manometer test with one inch of water column for five minutes or a vacuum test with two inches of mercury for 60 minutes. Grease interceptors shall be inspected at least once every three months and shall be maintained in efficient operating condition by periodic removal of the accumulated grease and latent material. Records of inspection and maintenance must be kept. The administrative authority shall set the exact frequency, duration, and availability of the inspection, cleaning, and record-keeping information.

4715.1240 BATHTUBS, WHIRLPOOL BATHTUBS, AND WHIRLPOOL PEDICURE TUBS.

Subpart 1. **General.** All bathtubs, whirlpool bathtubs, and whirlpool pedicure tubs must comply with the applicable material product standards. Bathtubs and whirlpool bathtubs with pressure-sealed doors must comply with ASME A112.19.15.

Subp. 1a. Outlets. Bathtubs and whirlpool bathtubs must have waste outlets and overflows at least one and one-half inches in diameter. The waste control device must be located at the tub outlet.

Subp. 2. Whirlpool bathtubs. Whirlpool bathtubs and their installation with pumps, air circulation, or both must comply with ANSI H2.19.7 and ANSI H2.19.8. ASME A112.19.7. Pipeless whirlpool bathtubs must comply with ASME A112.19.7 or IAPMO IGC 155. All whirlpool bathtub equipment must be provided with an access panel.

Subp. 2a. Whirlpool pedicure tubs. Whirlpool pedicure tubs must comply with general requirements and water retention sections of ASME A112.19.7 or IAPMO IGC 155.

Subp. 3. Drop-in bathtubs. Bathtubs which do not have a factory applied flange for installation against a wall are considered drop-in-type and must not be installed against a wall.

Subp. 4. Hot water temperature control device for tubs. Bathtubs and whirlpool tubs must be provided with water temperature limiting devices set at a maximum water temperature of 120 degrees Fahrenheit to reduce the risk of scalding, according to ASSE Standard 1070.

4715.1310 FOOD-WASTE GRINDER UNITS.

Domestic food-waste grinders shall be connected to a drain of not less than 1-1/2 inches in diameter.

Commercial food-waste grinders shall be connected to a drain of sufficient size to serve the unit, but in no case connected to a drain of less than two inches in diameter, and shall be connected, trapped, and vented separately from any other fixtures or compartments.

All food-waste grinders shall be provided with an adequate supply of water in sufficient flow rate to insure proper functioning of the unit. The water supply line to a commercial food waste grinder, which is equipped with a water rinsed funnel, shall be protected against back-siphonage by an air gap or vacuum breaker.

Except as provided in part 4715.1105, no food-waste grinders shall be connected so as to discharge through a grease interceptor.

4715.1380 SHOWERS.

Subpart 1. **Water supply riser.** Every water supply riser from the shower valve to the shower head outlet, whether exposed or not,
(Cite 36 SR 727)

Proposed Rules

shall be securely attached to the structure.

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

Subp. 5. **Anti-scald control devices.** A shower or combination shower-bath in a new or remodeled installation must be equipped with an anti-scald type individual shower control valve. The valve must be of the thermostatic or, pressure-balancing, or combination thermostatic and pressure-balancing type in accordance with ANSI/ASSE ASSE Standard 1016-96 1016.

The temperature of mixed water to multiple showers must be controlled by either a master anti-scald type thermostatic blender that provides scald and thermal shock protection according to ASSE 1069, or the showers must be individually equipped with approved anti-scald type shower control valves meeting ASSE Standard 1016.

4715.1410 URINALS.

Subpart 1. **Prohibited urinals.** Floor-type Trough urinals are prohibited.

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

4715.1420 WATER CLOSETS.

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

Subp. 4. **Water closet personal hygiene devices.** Water closet personal hygiene devices shall conform to ASME Standard A112.4.2.

4715.1430 HANGERS AND SUPPORTS.

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

Subp. 4. **Horizontal piping.** Horizontal piping shall be supported at sufficiently close intervals to keep it in alignment and prevent sagging:

A. cast-iron soil pipe, five-foot intervals except where ten-foot lengths of cast-iron soil pipe are used, ten-foot intervals between supports are acceptable;

B. threaded pipe, 12-foot intervals;

C. copper tubing (1-1/4 inch or less), six-foot intervals;

D. copper tubing (1-1/2 inch or over), ten-foot intervals;

E. lead pipe, on continuous metal or wood strips for its entire length;

F. plastic pipe, 32-inch intervals except where conveying waste from dishwashers or similar hot water wastes it shall be supported on continuous metal or wood strips for its entire length. CPVC and PP-R nonreinforced water distribution pipe (1-1/4 inch or over), four-foot intervals; and

G. fiberglass reinforced pipe shall be installed with hangers and supports according to the manufacturer's installation instructions.

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

4715.1500 INDIRECT WASTE CONNECTIONS.

No cold storage room, walk-in cooler or freezer, refrigerator, display cooling case, cooling counter, compartment, receptacle, appurtenance, or device, which is used, designed, or intended to be used for the storage or holding of food or drink, shall have any drain pipe in connection therewith directly connected to any soil, waste, or vent pipe. Such equipment shall be discharged discharge indirectly to the drainage system through an airbreak as defined in according to part 4715.1570 or 4715.1580. Ice cream dipper wells, ice storage bins, and similar types of receptacles shall discharge into the drainage system through an air gap as defined in part 4715.1570.

The foregoing does not apply to a dishwashing or culinary sink in a food preparation room.

4715.1530 STERILIZERS.

Appliances, devices, equipment, or other apparatus such as stills, sterilizers, and similar equipment requiring water and waste shall be

Proposed Rules

~~indirectly connected, or provided with an air gap between the trap and the appliance discharge to the drainage system by an air gap.~~

4715.1540 POTABLE CLEAR WATER WASTES.

Expansion tanks, cooling jackets, sprinkler systems, ~~water conditioning equipment, water heater relief pipes, backflow preventer relief pipes,~~ or any similar devices which are directly connected to the potable water system and which waste clear water only shall be discharged to the drainage system through an air gap.

4715.1590 RECEPTORS OR SUMPS.

Subpart 1. **Installment.** ~~Except for clothes washers located in bathrooms of single-family dwellings or private use living units,~~ waste receptors or sumps receiving the indirect waste shall not be installed in any toilet room, nor in an inaccessible or unventilated space, ~~such as a closet or storeroom.~~

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

Subp. 4. **Stand pipe receptors.** ~~The Stand pipe receptor for an automatic clothes washer~~ receptors shall be individually trapped and vented according to the requirements of this chapter. ~~Each stand pipe receptor for clothes washers shall meet this requirement,~~ except that multiple clothes washers in the same room may ~~be discharged~~ discharge to multiple standpipes that are manifolded together ~~and use with~~ a single trap. The stand pipe receptor for clothes washers shall extend not more than 30 inches, nor less than 18 inches above its trap, and the trap shall be installed at least six inches above the floor.

Subp. 5. [Repealed, 19 SR 590]

4715.2100 BACKFLOW PREVENTERS.

A. Atmospheric vacuum breaker (AVB):

- (1) must be installed at least six inches above spill line (see special requirements in part 4715.2150);
- (2) no possibility of back pressure permitted;
- (3) only permitted on discharge side of last control valve; ~~and~~
- (4) no more than eight hours of continuous line pressure permitted; and
- (5) must be listed to ASSE Standard 1001.

B. Pressure vacuum breaker assembly (PVB):

- (1) must be installed at least 12 inches above spill line;
- (2) no possibility of back pressure permitted; ~~and~~
- (3) continuous line pressure permitted; and
- (4) must be listed to ASSE Standard 1020.

C. Spill-proof vacuum breaker (SVB):

- (1) must be installed at least ~~six~~ 12 inches above spill line;
- (2) no possibility of back pressure permitted;
- (3) continuous line pressure permitted; ~~and~~
- (4) field testable; and
- (5) must be listed to ASSE Standard 1056.

D. Hose connection vacuum breaker (Hose VB):

Proposed Rules

(1) required for threaded hose connections;

(2) back pressure not permitted;

(3) continuous line pressure not permitted; ~~and~~

(4) any new device must be field testable. Exception: a vacuum breaker installed as an integral part of a product, approved to a ASSE Standard 1011, and installed at the factory will not be required to be field testable; and

(5) must be listed to ASSE Standard 1052. Wall hydrant vacuum breaker must be listed to ASSE Standard 1019.

E. Double-check valve with intermediate atmospheric vent (DCVIAV):

(1) permitted for low hazard with small pipe sizes;

(2) back pressure permitted; ~~and~~

(3) continuous line pressure permitted;

(4) must be listed to ASSE Standard 1012; and

(5) device for beverage dispensing equipment must be listed to ASSE Standard 1022. For carbonated beverage machines, the additional requirements in part 4715.2163 apply.

F. Reduced pressure zone backflow preventer assembly (RPZ):

(1) any degree of hazard permitted;

(2) back pressure permitted; ~~and~~

(3) continuous line pressure permitted;

(4) must be listed to ASSE Standard 1013; and

(5) fire sprinkler system backflow preventer must be listed to ASSE Standard 1013 or 1047.

G. Double-check valve assembly (DCVA):

(1) permitted only for nontoxic, low hazard installations with nuisance or aesthetic concern;

(2) back pressure permitted; ~~and~~

(3) continuous line pressure permitted;

(4) must be listed to ASSE Standard 1015; and

(5) fire sprinkler systems must be listed to ASSE Standard 1015 or 1048.

H. Deck-mounted and equipment-mounted vacuum breakers and faucets with integral atmospheric or spill-proof vacuum breakers shall be installed according to the manufacturer's instructions with the critical level not less than one inch (25 mm) above the flood level rim. The vacuum breaker device must comply with ASSE Standard 1001.

Proposed Rules

4715.2110 TYPES OF DEVICES REQUIRED WHERE AN AIR GAP CANNOT BE PROVIDED.¹

	Where back pressure is possible			Only allowed where no back pressure is possible		
	DCV	IAV	DCVA	SVB or PVB (control valve may be down-stream of device)	Hose AVB (no control valve down-stream of device)	Hose VB (no control valve down-stream of device)
A. Boiler, other than one- or two-family residential	X					
B. Boiler, one- or two-family residential	X	X				
C. Car wash	X			X	X	
D. Carbonated beverage machine (postmix) (see part 4715.2163)		X				
E. Chemical line	X					
F. Chemical tank	X			X	X	
G. Chiller	X					
H. Cooling tower	X	⊗		X	X	
I. Dental units (separate assembly required for each unit) ²	X					
J. Dishwasher, commercial				X	X	
K. Fire sprinkler system ^{2,3}	X	⊗	X			
L. Flush tank (water closet, urinal, similar) (see part 4715.2150)	X			X	X	
M. Flush valve (water closet, urinal, similar) (see part 4715.2150)	X			X	X	
N. Food and beverage equipment or system	X	X	X	X	X	
O. Garbage can washer	X			X	X	
P. Glycol or other antifreeze system	X					

Proposed Rules

Q. Lab equipment	X			X	X
R. Lab faucet					X
S. Laundry machine, commercial	X	✗		X	X
T. Lawn, garden, or greenhouse sprinkler system	X			X	X
U. Operating, dissection, embalming, or mortuary table (see part 4715.1950)	X			X	X
V. Private potable water supply (where permitted by administrative authority)	X	X	X		
W. Private nonpotable water supply (where permitted by administrative authority)	X				
X. Process line	X	✗			
Y. Process tank	X			X	X
Z. RV dump station	X	✗		X	X
AA. Sewage treatment	X			X	X
BB. Soap dispenser (see part 4715.2165)	X	✗		X	X
CC. Swimming pool, fountain, pond, baptistry, aquarium or similar	X	✗		X	X
DD. Threaded hose connections, including: hose bibbs, hydrants, service sinks, laundry trays				X	X ³ X ⁴
EE. Truck fill	X			X	X
FF. Vacuum systems or aspirators	X			X	X

1. For installations not listed in this part, review with the Administrative Authority.

2. If a dental water treatment system that has been cleared by the Food and Drug Administration (FDA) for marketing is to be installed, a single RPZ device shall be installed upstream of the dental water treatment system and not required on each branch line. The system shall be installed and maintained according to the treatment system manufacturer's instructions. Water lines of less than one-half inch are permitted downstream of the water treatment system when required by the manufacturer.

Proposed Rules

2.3. Installations must comply with AWWA-M14, chapter 6 (1990) except that the following statement is deleted from section 6.3: At any time where the fire sprinkler piping is not an acceptable potable water system material, there shall be a backflow-prevention assembly isolating the fire sprinkler system from the potable water system.

3.4. A vacuum breaker installed as an integral part of a product approved to a standard does not require additional backflow prevention on the hose threads; the product must be constructed so that if the integral backflow preventer is removed, the remaining threads will not be hose thread type. An unprotected threaded hose connection must be protected against backflow by addition of a backflow preventer complying with ASSE 1052.

4715.2150 CONNECTIONS NOT SUBJECT TO BACK PRESSURE.

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

Subp. 2. **Cross-connections where protective devices are required and critical level (C-L) settings for backflow preventers.** Critical level (C-L) is defined as the level to which the backflow preventer (vacuum breaker) may be submerged before backflow will occur. Where the C-L is not shown on the preventer, the bottom of the device shall be taken as the C-L.

Fixture or Equipment	Method of Installation
Aspirators and Ejectors	C-L at least 6 inches above flood level of receptacle.
Dental units	On models without built-in vacuum breakers C-L at least 6 inches above flood level rim of bowl.
Dishwashing machines	C-L at least 6 inches above flood level of machine. Install on both hot and cold water supply lines.
Flushometer (Closet & Urinal)	C-L at least 6 inches above top of fixture supplied.
Garbage can cleaning machine	C-L at least 6 inches above flood level of machine. Install on both hot and cold water supply lines.
Hose outlets	C-L at least 6 inches above highest point on hose line.
Laundry machines	C-L at least 6 inches above flood level of machine. Install on both hot and cold water supply lines.
Lawn sprinklers	C-L at least 12 inches above highest sprinkler or discharge outlet.
Steam tables	C-L at least 6 inches above flood level.
Tank and vats	C-L at least 6 inches above flood level rim or line.
Trough urinals	C-L at least 30 inches above perforated flush pipe.
Flush tanks	Equip with approved ball cock. Where ball cocks touch tank water equip with vacuum breaker with C-L at least 1 inch above overflow outlets. Where ball cock does not touch tank water, install ball cock outlet at least 1 inch above overflow outlet or provide vacuum breaker as specified above.
Hose bibbs (Where aspirators or ejectors could be connected)	C-L at least 6 inches above flood level of receptacle served.

Proposed Rules

4715.2300 LOAD ON DRAINAGE PIPING.

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

Subp. 3. Table of fixture unit values for various plumbing fixtures.

Type of Fixture	Fixture Unit Value	Minimum Fixture and Trap Drain Size
Clothes washer (domestic use)	2	1-1/2
Clothes washer (single unit, discharge to standpipe)	2	2
Clothes washer (public use in groups of 3 or more)	6 each	
Bath tub with or without shower	2	1-1/2
Bidet	2	1-1/2
Dental unit or cuspidor	1	1-1/4
Drinking fountain	1	1-1/4
Dishwasher, domestic (gravity drain)	2	1-1/2
Dishwasher, commercial	4	2
Floor drain with 2 inch waste	2	2
Floor drain with 3 inch waste	3	3
Floor drain with 4 inch waste	4	4
Lavatory (<u>single</u>) or hand sink	1	1-1/4
Laundry tray (1 or 2 compartment)	2	1-1/2
Shower stall, domestic	2	1-1/2
Shower (gang) per head	1	
SINKS:		
Classroom, with or without drinking fountain	2	1-1/2
Combination, sink and tray (with disposal unit)	3	1-1/2
Combination, sink and tray (with one trap)	2	1-1/2
Domestic	2	1-1/2
Domestic, with disposal unit <u>and/or dishwasher</u>	2	1-1/2
Surgeons	3	1-1/2
Laboratory; cup sink	1	1-1/2
Flushrim or bedpan washer	6	3
Service	3	2
Pot or scullery	4	2
Soda fountain	2	1-1/2
Commercial; (flat rim, bar, <u>food prep</u> , or counter sink)	3	1-1/2
<u>Commercial (food-waste grinder or food prep sink with grinder)</u>	4	2
Wash, circular, or multiple (per set of faucets)	2	1-1/2
URINAL pedestal, wall hung, with 3 inch trap		
(blowout and syphon jet)	6	3
Wall hung with 2 inch trap	3	2
Wall hung with 1-1/2 inch trap	2	1-1/2
Trough (per 6 foot section)	2	1-1/2
Stall	3	2
WATER CLOSET		
Unlisted Fixture or Trap Size	6	3
1-1/4 inch	1	
1-1/2 inch	2	
2 inch	3	

2-1/2 inch	4
3 inch	5
4 inch	6

4715.2350 MINIMUM SIZE OF UNDERGROUND DRAINAGE PIPING GRAVITY DRAINS.

No portion of the gravity drainage system installed underground shall be less than two inches in diameter.

4715.2420 PROHIBITED FITTINGS AND CONNECTIONS.

Subpart 1. **General prohibitions.** No fittings having a hub in the direction opposite to flow, or straight tee branch shall be used as a drainage fitting. No fitting or connection which has an enlargement chamber or recess with a ledge or shoulder, or reduction in pipe area shall be used. No manhole shall be used to join drainage piping within a building. No drainage or vent piping shall be drilled, tapped, or welded unless otherwise permitted by the administrative authority. Fittings used for back-to-back, wall outlet, blowout type water closet bowls shall have a baffle plate or other device to prevent the waste water from one water closet from entering the opposite water closet. No fixture or cleanout connection shall be made to a closet bend. No running threads, bands, or saddles shall be used. The short pattern fitting in a horizontal position is prohibited in underground work.

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

4715.2440 DESIGN OF SUMPS.

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

Subp. 2. **Discharge line.** The discharge line from such pumping equipment shall be provided with an accessible backwater valve and gate or full port ball valve, and if the gravity drainage line to which such discharge line connects is horizontal, the method of connection shall be from the top through a wye branch fitting. Except for grinder pumps and as provided in part 4715.2450, the minimum size of any pump or discharge pipe from a sump having a water closet connected thereto shall not be less than two inches. The grinder pump and its discharge line shall be a minimum of 1-1/4 inches in size. The calculated velocity in any sump discharge line shall not be less than two feet per second.

Subp. 3. **Sumps for buildings.** Building drains or building sewers receiving discharge from any pumping equipment shall be adequately sized to prevent overloading. In all buildings, other than single- and two-family dwellings, should three or more water closets discharge into the sump, duplicate pumping equipment shall be installed with controls that alternate the operation of each pump under normal conditions.

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

Subp. 5. **Single-family dwellings Capacity.** In a single-family dwellings dwelling, the minimum storage capacity from the pump suction inlet to the alarm level of a sump shall be other than a macerating toilet system is 18 gallons. For all facilities, the sump basin storage volume and the pump capacity shall be adequate to prevent overloading and shall minimally meet the requirements in this subpart.

A. The pump and sump basin shall be able to accommodate the peak flow into the sump for a duration of five minutes.

B. The peak flow into the sump shall be approximated by calculating the peak water supply demand for the fixtures discharging to the sump as determined in part 4715.3700, and adding any flows from tanks or other equipment based on the maximum flow rates from the equipment. The maximum liquid level in the sump shall be calculated with the peak flow beginning at the highest design liquid level in the sump under normal operating conditions with one pump operating.

C. The calculated maximum liquid level in the sump must be less than the alarm level and must be below the sump inlet.

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

4715.2450 MACERATING TOILET SYSTEMS.

Subpart 1. **Macerating toilet systems.** Macerating toilet systems shall comply with ASME A112.3.4 and shall be installed according to the manufacturer's recommendations.

Subp. 2. **Location.** A macerating toilet system may only be installed in one- or two-family dwellings when gravity flow is not possible. Not more than one bathroom group, consisting of a toilet, a lavatory, and a shower or bathtub, may discharge into a macerating toilet system. Components of macerating toilet systems shall be accessible.

Subp. 3. **Discharge line.** The discharge line of a macerating toilet system shall not be less than three-fourths inch.

Proposed Rules

Subp. 4. **Sump vent.** If the macerating toilet system's vent connection is less than two inches, the vent shall transition to a minimum of two inches immediately after the connection to the system.

4715.2550 WET VENTING.

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

Subp. 4. **Basement and cellar Water closet.** A basement or cellar lavatory may be connected to a properly installed vent from a floor-set, basement or cellar, water closet, provided the vent is not less than two inches in diameter.

4715.2790 SIPHONIC ROOF DRAINAGE SYSTEM.

Subpart 1. **General requirements.** In lieu of sizing the storm drainage system from conventional methods as required in part 4715.2710, the roof drainage may be designed as an engineered siphonic roof drainage system when allowed by the administrative authority. The engineered siphonic roof drainage system must meet the requirements of subparts 2 and 3.

Subp. 2. **Design criteria.** The siphonic roof drainage system must be designed and certified by a professional engineer licensed in the state of Minnesota.

A. The system must be sized on the basis of a minimum rate of rainfall of four inches per hour.

B. The drainage system must be designed according to ASPE Standard 45, Siphonic Roof Drainage, and according to the manufacturer's recommendations and requirements. Manufacturer design software must be in accordance with ASPE Standard 45.

C. Roof drains must meet ASME A112.6.9, Siphonic Roof Drains.

D. When designed for water accumulation, the roof must be designed for the maximum possible water accumulation according to chapter 1305 and part 4715.2780, subpart 1, item C.

E. Minimum pipe size must be 1-1/2 inches. All pipe sizes and cleanouts in the drainage system must be designed and installed according to ASPE Standard 45.

F. Horizontal pipe size must not reduce in the direction of flow.

G. The plans and specifications for the drainage system shall indicate the siphonic roof drainage system as an engineered method used for the design.

H. The installed drainage system must be permanently and continuously marked as a siphonic roof drainage system at approved intervals and clearly at points where piping passes through walls and floors. Roof drains must be marked in accordance with ASME A112.6.9.

I. The transition locations from the siphonic roof drainage system to a gravity system must be determined by the design engineer at a location acceptable to the administrative authority. The design, sizing, and venting of the transition location must be in accordance with ASPE Standard 45. The velocity at the transition location to gravity shall be reduced to less than three feet per second. The gravity portion of the building storm sewer system receiving the siphonic roof drainage system must be sized for the design rate but no less than a rainfall rate of four inches per hour and in accordance with part 4715.2710.

J. All plans, specifications, and calculations must be submitted to the administrative authority and signed and sealed by the design engineer. The submitted calculations must include performance data for the drainage system for the required rainfall rate, including the minimum and maximum calculated operating pressures and velocities verifying that the design solution is within the operating parameters required by the design standard. All performance data must be reported as the extreme maximum and minimum calculations and shall not be presented with "averaged" data.

Subp. 3. **Proof of suitability.** Upon completion of the project, proper tests, inspections, and certification of the siphonic roof drainage system must be performed according to items A and B.

A. Testing must be performed according to ASPE Standard 45.

Proposed Rules

B. Prior to the final plumbing inspection, the design engineer must provide written certification to the administrative authority that the system has been visually inspected by the design engineer and the installation has been properly implemented according to the certified design, plans, calculations, and specifications. The submitted written certification must include any field modification from the initial design involving dimensions, location, or routing of the siphonic drainage system that must be reapproved and recertified by the design engineer and be accompanied by a final as-built design of the altered system and supported by calculated data to show that the overall system remains in accordance with ASPE Standard 45.

4715.2820 METHOD OF TESTING.

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

Subp. 2. **Rough plumbing.** The piping of plumbing drainage and venting systems shall be tested upon completion of the rough piping. The method of testing shall be specified by the designer and shall either be an air test or hydrostatic test as described in this subpart or an alternative test as approved by the administrative authority. The air test shall be made by attaching the air compressor or testing apparatus to any suitable opening and closing all other inlets and outlets to the system by means of proper testing plugs. Plaster of paris shall not be used in roof terminals. Air shall be forced into the system until there is a uniform pressure of five pounds per square inch on the portion of the system being tested. The pressure shall remain constant for 15 minutes without the addition of air. The pressure gauge scale shall not read more than 30 pounds per square inch and the gauge face shall not be less than 2-1/2 inches in diameter.

The hydrostatic test for thermoplastic piping materials shall be conducted by tightly closing all openings in the entire system to be tested except the highest opening. The system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest opening of the section under test. Each section shall be filled with water, but a section shall not be tested with less than ten foot head of water. In testing successive sections, at least the upper ten feet of the next preceding section shall be tested, so that no joint or pipe in the building, except the uppermost ten feet of the system, is subjected to a test of less than ten foot head of water. The water shall be kept in the system or in the portion under test for at least 15 minutes before inspection begins. The system shall be tight at all points.

In lieu of five pound air test, concrete manholes and sewer lines may be tested by negative pressure in accordance with ASTM Standards C1214-92 and C1244-93.

Subp. 2a. **Exceptions.**

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

B. Building storm sewers may be tested in accordance with the Hydrostatic Test Method from the City Engineers Association of Minnesota, except that an air test may be required for any section of the building storm sewer that passes through contaminated soils or contaminated water. The Hydrostatic Test Method, provisions ~~H2 F2~~ and ~~H3 F3~~, as specified in Standard Utilities Specifications for Watermain and Service Line Installation and Sanitary Sewer and Storm Sewer Installation, written and published by the City Engineers Association of Minnesota, ~~1988~~ 1999 edition, is incorporated by reference, is not subject to frequent change, and is available in the office of the commissioner of administration.

Subp. 3. **Finished plumbing.** After the plumbing fixtures have been set and their traps filled with water, their connections shall be tested and proven gas and water tight by plugging the stack openings on the roof and the building drain where it leaves the building, and air introduced into the system equal to the pressure of a one inch water column. Such pressure shall remain constant for ~~the period of 15 minutes or the duration of the~~ inspection without the introduction of additional air.

[For text of subps 4 to 7, see M.R.]

REPEALER. Minnesota Rules, parts 4715.1110; and 4715.1115, are repealed.

EFFECTIVE DATE. The amendments to these rules are effective 180 days after filing with the secretary of state or five working days after publication of the notice of adoption in the *State Register*, whichever occurs later.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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 Board of Dentistry Adopted Permanent Rules Relating to Advanced Dental Therapists and Dental Therapists

The rules proposed and published at *State Register*, Volume 35, Number 49, pages 1907-1914, June 06, 2011 (35 SR 1907), are adopted with the following modifications:

3100.1170 LICENSE TO PRACTICE AS A RESIDENT DENTAL THERAPIST OR RESIDENT DENTAL HYGIENIST.

Subp. 2. **Termination of licensure.**

C. A person who fails to inform the board as required in item B within 30 days of no longer being enrolled as a student or graduate student in a program approved by the board, is deemed to have committed fraud or deception within the meaning of *Minnesota Statutes*, section 150A.08, subdivision 1, clause (1).

Exempt Rules

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

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

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

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

Department of Education (MDE) Adopted Exempt Permanent Rules Governing English Language Development Standards

3501.1200 SCOPE AND PURPOSE.

The purpose of these standards is to establish statewide standards for English language development that govern the instruction of students identified as limited English proficient under *Minnesota Statutes*, sections 124D.58 to 124D.65. The state of Minnesota's standards for English language development are the current standards developed by the World-Class Instructional Design and Assessment (WIDA) consortium.

3501.1210 ENGLISH LANGUAGE DEVELOPMENT STANDARDS.

Subpart 1. **Application.** English language learners will meet the language development standards in subparts 2 through 6.

Subp. 2. **Social and instructional language.** English language learners communicate for social and instructional purposes within the school setting.

Subp. 3. **The language of language arts.** English language learners communicate information, ideas, and concepts necessary for academic success in the content area of language arts.

Subp. 4. **The language of mathematics.** English language learners communicate information, ideas, and concepts necessary for academic success in the content area of mathematics.

Subp. 5. **The language of science.** English language learners communicate information, ideas, and concepts necessary for academic success in the content area of science.

Subp. 6. **The language of social studies.** English language learners communicate information, ideas, and concepts necessary for academic success in the content area of social studies.

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 Transportation (Mn/DOT)

Commissioner's Order # 92452: 2011 Minnesota Uniform Traffic Control Devices Manual

The Commissioner of Transportation (Commissioner) shall adopt a manual and specifications establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by *Minnesota Statutes*, Section 169.06, Subdivision 1 (2008). Such uniform system shall correlate with and so far as possible conform to the current system as approved by the American Association of State Highway Officials and the national Manual on Uniform Traffic Control Devices (Federal MUTCD) including the List of Known Errors (dated August 17, 2011). (*Minnesota Statutes* § 169.06, subd. 1 (2011); Federal Highway Administration, 23 C.F.R. § 655.603 (2008).

A multi-agency committee has reviewed the 2009 Federal MUTCD, FHWA Guidelines on Retro-reflective Sheeting Identification, and 2005 Minnesota Manual of Uniform Traffic Control Devices as revised by Commissioner's Order Nos. 89453 dated January 2, 2007, 89453 dated February 15, 2008 and 90038 dated March 27, 2009, and recommended adding Appendices and revising or adding text and figures to make provisions for *Minnesota Statutes* and departmental procedures.

Pursuant to *Minnesota Statutes*, Section 169.06, subd. 1 (2011), the Commissioner hereby adopts the following as the 2011 Minnesota Manual on Uniform Traffic Control Devices (2011 MN MUTCD):

1. Federal MUTCD, 2009 edition (dated January 15, 2010), and List of Known Errors (dated August 17, 2011).
2. Minnesota Department of Transportation Appendices:
 - A. Appendix A1 – Congressional Legislation
 - B. Appendix A2 – Metric Conversions
 - C. Appendix A3 – Retroreflective Sheeting Identification Guidelines
 - D. Appendix B – Warrants, Standards, and Guidelines for Traffic Control Devices used at Senior Citizen and Handicapped Pedestrian Crossings
 - E. Appendix C – Sign Listings and Recommended Sizes.
3. State of Minnesota, Department of Transportation, additional sections, revisions, and corrections to the 2009 Federal MUTCD.

It is further ordered that the provisions of the 2011 MN MUTCD shall be implemented and applied to all traffic control devices installed on or after January 1, 2012 upon highways within the State except for those traffic control devices which conform to the 2005 edition of the MN MUTCD with its 3 revisions and are on order or under contract prior to January 1, 2012. All existing traffic control devices or installations not in conformance with standards in the 2011 MN MUTCD shall be changed to conform to the new standards herein when replacement occurs.

This Order supersedes Commissioner's Order No. 88522, dated May 5, 2005 which adopted and prescribed the 2005 Minnesota Manual on Uniform Traffic Control Devices along with Commissioner's Order 89453 dated January 2, 2007, Commissioner's Order 90038 dated February 15, 2008, and as further revised by Commissioner's Order 90627 dated March 26, 2009.

Dated at St. Paul, on this 19th day of December 2011.

Thomas K. Sorel, Commissioner
Department of Transportation

Official Notices

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

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

Announcements, Meetings and More

The Official Notices section gives you a “heads up” on important state meetings and announcements. The *State Register* reaches a large audience of “interested eyes” every week. Remember to publish your notices here - it only costs \$10.20 per 1/10 of a page used in the *State Register* - it’s the least expensive legal advertising in the state.

All Official Notices, including the current volume as it grows, are indexed. Only subscribers can view this current index. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized “Contracts & Grants” section showing bids and grants still open.

- **Early delivery, on Friday**
- **All Contracts & Grants Open for Bid**
- **LINKS**
- **Indexes to Vol. 27 - Vol. 33**
- **Access to *State Register* Archives**
- **WORD SEARCH Capability**
- **E-mailed to you . . . its so easy**
- **Updates to Index to Vol. 33**

Subscribe today. Subscriptions cost \$180 a year (an \$80 savings). You will receive the *State Register* via **e-mail** at the 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 **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Department of Human Services (DHS)

Disability Services Division

Request for Statements of Interest on the Public Advisory Committee on Use of Controlled Procedures in Licensed Facilities for Persons with Developmental Disabilities

The Minnesota Department of Human Services (“the Department”) will revise Minnesota Rules parts 9525.2700 to 9525.2810 (commonly referred to as “Rule 40”) consistent with the Stipulated Class Action Settlement Agreement approved by the Federal Court in *Jensen, et al. v. Minnesota Department of Human Services, et al.*, Court File No. 09-CV-1775 (DWF/FLN) and will publish a request for comments in the *State Register*. These rules govern the use of aversive and deprivation procedures in licensed facilities serving persons with developmental disabilities. In keeping with the settlement agreement, the Department will establish a Rule 40 Advisory Committee (“the Committee”). The Department is seeking Statements of Interest (“SOI”) from individuals interested in serving on the Committee.

The anticipated time commitment is meeting on a monthly basis for six to twelve months. The first Committee meeting is scheduled for **January 30, 2012, from 1:00 p.m. to 4:00 p.m.** Consistent with the settlement agreement, the Department would like SOIs from parents, independent experts, family members, providers, self-advocates, and other interested parties. Below are descriptions of the preferred qualifications the Department will consider when selecting individuals to serve on the Committee. Some employees of the Department as well as plaintiffs’ counsel to the settlement agreement will review the SOIs.

Parents. Parents interested in serving on the Committee should briefly describe their background and experience involving people with developmental disabilities. Parents should also briefly describe their advocacy experience and anything else they believe is useful for the Department and plaintiffs’ counsel to the lawsuit to know in making their selection.

Independent experts. The Department is looking for independent experts with a Ph.D. in a relevant area such as psychology, education, clinical social work, developmental disabilities and mental illness, or other related field. The person should have certification or be eligible for certification as a board certified Behavior Analyst at the doctoral level. Interested persons should briefly describe their experience in person-centered planning, integrating diagnostic findings, assessment results and intervention recommendations across

Official Notices

disciplines to create an individual program plan, and demonstrated competence in the empirical evaluation of mood and behavior altering medications. Due to the high level requirements for this role, a stipend may be made available based on qualifications.

Family members. Family members interested in serving on the Committee should briefly describe their background and experience involving people with developmental disabilities. Family members should also briefly describe their advocacy experience and experience representing a person with developmental disabilities.

Providers. Providers interested in having representation on the Committee should briefly describe how their representative successfully served individuals with complex behaviors or needs, the current licensing status, if any, the number of clients served, the types of services, and the geographic area of the state where providing services. Crisis service providers should state if they are licensed to serve individuals with developmental disabilities.

Self-advocates. Self-advocates interested in serving on the Committee should briefly describe what training and involvement they have had with self-advocacy. They should briefly describe why they like working with large groups and sharing their opinion with those groups.

Other interested parties. Other parties who are interested in serving on the Committee should briefly describe their background and experience involving people with developmental disabilities and why they would like to serve on the Committee.

If you are interested in submitting a Statement of Interest, please complete the form at:

<http://survey.dhs.state.mn.us/surveylogin.asp?k=132440086682>

to submit the form online or contact the Department by phone or mail to have a paper copy sent to you. Reimbursement of some expenses may be made available for some committee members based on need. Completed SOI forms must be received by the Department by **Friday, January 13, 2012**.

To request a paper copy of the SOI form: call (651) 431-2676 or MN Relay: 711 or 1-800-627-3529.

Mail your request for a paper copy AND send your completed form to:

Minnesota Department of Human Services
Disability Services Division
PO Box 64967
St. Paul, MN 55164-0967
ATTN: Suzanne Todnem

Electronic copies of SOI may be sent to: suzanne.todnem@state.mn.us

The Department values and strives for a diverse committee composition including gender, racial, geographic, age, and socioeconomic diversity.

Department of Labor and Industry (DLI) Minnesota Rehabilitation Review Panel and Medical Services Review Board

REQUEST FOR COMMENTS on Possible Amendment or Repeal of Joint Rules of Procedure, (Medical and Rehabilitation: Reviews); *Minnesota Rules*, 5217.0300 to 5217.1000

Subject of Rules. The Minnesota Rehabilitation Review Panel [Panel] and Medical Services Review Board [Board] request comments on possible amendment or repeal of rules governing the rules of procedure for the Board and Panel. The Board and Panel are considering

Official Notices

rule amendments to rules governing definitions, action, officers, meetings, disqualification of Board or Panel members, contested cases, settlement agreements, decisions, orders and appeals, and other rules governing Board and Panel procedures.

Persons Affected. The rules would likely affect members of the public who attend Board and Panel meetings and who are interested in medical and vocational rehabilitation services provided to employees with workers' compensation injuries. For example, interested parties may include health care providers, vocational rehabilitation providers, injured employees, employers, labor organizations, workers' compensation insurers and other payers, and workers' compensation attorneys.

Statutory Authority. *Minnesota Statutes*, sections 176.102, subd. 3b and 176.103, subd. 3 (g), authorize the Panel and Board to adopt joint rules of procedure.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board and Panel intend to adopt or to withdraw the rules. The Board and Panel 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 and Panel do not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board and Panel have not yet drafted the possible rule amendments. If draft rules become available, they will be posted on the Panel and Board webpages at: <http://www.dli.mn.gov/Boards.asp>.

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: Carrie Rohling, Rules Coordinator, Department of Labor and Industry, 443 Lafayette Rd. N., St. Paul, MN; **phone:** (651) 284-5006; **fax:** (651) 284-5725; **E-mail:** dli.rules@state.mn.us. **TTY/TDD** users may call the Department at: (651) 297-4198.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge 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: 2 December 2011

Dr. Joseph Sweere, D.C.
Chair, Rehabilitation Review Panel

Reed Pollack
Member, Medical Services Review
Board

Metropolitan Airports Commission (MAC) Notice of Adoption of Ordinance No. 113 - Electric Carts

Please take notice that on the 19th day of December, 2011 at a regular Commission meeting, the Metropolitan Airports Commission adopted Ordinance No. 113 – Electric Cart Ordinance.

An ordinance to promote and conserve public safety, health, peace, convenience, and welfare by regulating the use of the public properties owned by or under the supervision and control of the Metropolitan Airports Commission, including the regulation of electric Carts or other Carts, and drivers and Owners thereof in or about Terminal 1 – Lindbergh and Terminal 2 - Humphrey; prescribing the penalties for violation thereof, and repealing Ordinance 86.

Copies of Ordinance No. 113 as adopted will be on file with the Secretary of State and may be obtained electronically through accessing the Metropolitan Airports Commission website at: <http://www.msairport.com/mac/organization/Bylaws.aspx> or may be obtained from

Official Notices

the Metropolitan Airports Commission offices.

Dated this 19 day of December 2011.

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

Metropolitan Council Public Hearing on Draft Facility Plan Amendment for the Blue Lake Wastewater Treatment Plant Improvements Project

Shakopee Library (Large Meeting Room)
235 S. Lewis St.
Shakopee, Minnesota
Tuesday, January 31, 2012
6:30 p.m.

The Metropolitan Council will hold a public hearing to inform the public about and accept comments on its Draft Facility Plan Amendment for the Blue Lake Wastewater Treatment Plant Improvements Project (MCES Project No. 801800). The Draft Facility Plan Amendment for this project, prepared by the Metropolitan Council's Environmental Services Division (MCES), outlines alternatives studied and the resulting recommendations for construction of a solar panel facility to generate a portion of the electricity required by the Blue Lake Wastewater Treatment Plant.

MCES proposes constructing a 1.25 megawatt (MW) solar panel facility on the southwest corner of the Blue Lake Wastewater Treatment Plant property, which is located at 6957 County Road 101 E., Shakopee, Minn. The facility would be designed to provide enough electricity to meet the plant's minimum electrical-demand cycles. This would equate to approximately 12 percent of the plant's annual electrical demand, and result in energy-cost savings of approximately \$100,000 per year. Construction of the solar panel facility would be scheduled for 2013.

Copies of the Draft Facility Plan Amendment for the Blue Lake Wastewater Treatment Plant Improvements Project are available at:

- Shakopee Library, 235 S. Lewis St., Shakopee
- Shakopee City Hall, 129 S. Holmes St., Shakopee
- Metropolitan Council Data Center, 390 Robert St. N., St. Paul
- Metropolitan Council Website, www.metrocouncil.org/environment/ESReports

All interested persons are encouraged to attend the public hearing and provide comments. You also may submit comments, which must be **received** by the Metropolitan Council no later than February 10, 2012, to be included in the public hearing record:

- Send written comments to: Tim O'Donnell at Metropolitan Council Environmental Services, 390 Robert St. N., St. Paul, MN 55101-1805
- Fax comments to: Tim O'Donnell at (651) 602-1477
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to (651) 291-0904

Upon request, the Metropolitan Council will provide reasonable accommodations to persons with disabilities at the public hearing. Please submit such requests to Tim O'Donnell via mail or fax (see above) or by **phone** at (651) 602-1269 before January 24, 2012.

**Minnesota Department of Natural Resources (DNR)
Notice of Hearing on Sale of State Land in Marshall County**

NOTICE IS HEREBY GIVEN, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, in the conference room at the DNR Area Office, 246 125th Ave NE, Thief River Falls, Minnesota, on January 10, 2012 at 10:00 a. m.

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Marshall, and described as:

That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 155 North, Range 39 West, Marshall County, Minnesota, described as follows:

Commencing at the Southwest Corner of said Southwest Quarter of the Southeast Quarter being marked by a ¾" by 24" rebar with plastic cap stamped "MN DNR LS 17005" (DNR Monument); Thence on a bearing based on the 1983 Marshall County Coordinate System of North 89 degrees 27 minutes 31 seconds East along the south line of said Southwest Quarter of the Southeast Quarter 400.00 feet to a DNR Monument and the point of beginning of the parcel to be described; thence at a right angle to the said south line of the Southwest Quarter of the Southeast Quarter North 00 degrees 32 minutes 29 seconds West 208.71 feet to a DNR Monument; thence North 89 degrees 27 minutes 31 seconds East parallel with said south line of the Southwest Quarter of the Southeast Quarter 208.71 feet to a DNR Monument; thence at a right angle South 00 degrees 32 minutes 29 seconds East 208.71 feet to the south line of said Southwest Quarter of the Southeast Quarter and a DNR Monument; thence South 89 degrees 27 minutes 31 seconds West along the south line of said Southwest Quarter of the Southeast Quarter 208.71 feet to the point of beginning, containing 1.0 acre.

Minnesota Statutes, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of Espelie SEM Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a private sale to Espelie Township to resolve ownership issue. This parcel is no longer needed for resource management purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Jodi Dehn at (651) 259-5391 or Jodi.M.Dehn@state.mn.us .

Dated: 20 December 2011

Kathy A. Lewis, Assistant Director
Division of Lands and Minerals
Department of Natural Resources

Minnesota Pollution Control Agency (MPCA)**Regional Division****REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the State Clean Water Partnership Financial Assistance Program and the Federal Nonpoint Source Management Program, *Minnesota Rules*, Chapter 7076**

Subject of Rules. The Minnesota Pollution Control Agency (MPCA) requests comments on its possible amendment to rules governing the administration of the State of Minnesota Clean Water Partnership Financial Assistance Program and the Federal Nonpoint Source Management Program. The MPCA is considering rule amendments to address recent changes to *Minnesota Statutes* §§ 103F.701 - 103F.761 as provided by *2011 Minnesota Laws, chapter 107, sections 53 – 62, 107, and 108*. The MPCA is also considering changes to streamline rule requirements based on current MPCA water quality objectives. Changes may include housekeeping changes to address obsolete requirements, elimination of noncompetitive continuation grants, and funding changes from advance payments to expense reimbursement, as well as other changes necessary to streamline and update existing requirements.

Official Notices

Persons Affected. The amendment to the rules would likely affect local units of government, public agencies, and local stakeholders.

Statutory Authority. *Minnesota Statutes*, section 103F.745, authorizes the MPCA to adopt rules necessary to implement sections 103F.701 to 103F.761.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on January 27, 2012. The MPCA 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 MPCA does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The MPCA has not yet drafted the possible rules amendments.

Where to Get More Information:

Website: A website has been established where supplemental information will be posted as it becomes available:

<http://www.pca.state.mn.us/oxpgf5f>

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:

Yolanda Letnes
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Phone: (651) 757-2527 (direct)
Minnesota Toll Free: 1-800-657-3864
Fax: (651) 297-8676
E-mail: yolanda.letnes@state.mn.us

TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request, please contact the Agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge 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: 6 December 2011

Michelle Beeman, Assistant Commissioner
Pollution Control Agency

Minnesota Department of Public Safety (DPS) Criminal and Juvenile Justice Information Policy Group Notice of Meeting to Receive Public Comment

The Criminal and Juvenile Justice Information Policy Group (Policy Group) will review recommendations from the Criminal and Juvenile Justice Information Task Force (Task Force) for participation by Minnesota criminal justice agencies in the FBI's N-DEX program. As part of its review process, the Policy Group will accept public comment on the recommendations during a meeting on Wednesday, January 18, 2012. The recommendations can be reviewed at: <http://bca.dps.mn.gov> then click on "Boards/Committees" and then on "CriMNet."

The meeting is scheduled to begin at 1:00 p.m. and end at 4:00 p.m. During the meeting, 90 minutes have been set aside for public

comment from registered presenters. The meeting will be held in the Room G-06 of the Minnesota Judicial Center, 25 The Rev. Martin Luther King, Jr., Blvd., St. Paul, Minnesota, 55155.

Each registered presenter will have up to four (4) minutes to make comments to the Policy Group about the Task Force recommendations. The order for the presentations will be based on the order of registration and each organization or person is entitled to one presentation. To sign-up to make a presentation, please send an e-mail to: Crimnet.support@state.mn.us by 4:30 pm. on Friday, January 13, 2012. If you do not have e-mail, you may call: (651) 793-1007. If there are any time slots remaining after January 13th, there will be a sign-in sheet at the meeting room on January 18, 2012, and speakers will be added for the remaining time slots.

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 (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective October 14, 2011 until December 13, 2011:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of two (2) years, effective January 4, 2010 until January 3, 2012:

- Riley Bros. Companies, Inc. and its affiliates, Morris, MN
- Riley Bros. Construction, Inc. and its affiliates, Morris, MN
- Riley Bros. Properties, LLC, and its affiliates, Morris, MN
- Riley Bros. Utilities, Inc. d/b/a Chris Riley Utilities, Inc. and its affiliates, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) 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, MN
- John Thomas Riley, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute 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 to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

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 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 days.

Vendors and Consultants

The state spends \$2-3 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 \$10.20 each 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**
- **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**

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

State Department of Administration

State Designer Selection Board Project No. 11-13

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Education Complex Addition, Camp Ripley, 15000 Highway 115, Little Falls, Minnesota

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

A full Request for Proposals is available on the Minnesota National Guard's website: <http://www.MinnesotaNationalGuard.org/rfp>.

There will **NOT** be a mandatory informational meeting. Any questions should be directed to Mr. Pat Rolph at **fax:** (320) 632-7473 or e-mail: pat.rolph@us.army.mil. Project questions will be taken by this individual only. Questions regarding this RFP must be received by January 10, 2012 no later than 4:30 pm Central Time.

Proposals must be delivered to Jeanne Caturia, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2551 not later than **12:00 noon on Monday, January 23, 2012**. Late responses will not be considered.

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

Minnesota State Colleges and Universities (MnSCU) Notice of Availability of Request for Proposal (RFP) for Owner Representative Selection for Science Education Center at Metropolitan State University

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

A full Request for Proposal is available at: http://www.metrostate.edu/msweb/resources/depts_services/bldg_services/RFP.html

An **optional** project informational meeting has been scheduled for **10 a.m. CST on Jan. 11, 2012 at the Metropolitan State's Saint Paul Campus in the Founders Hall Auditorium.**

Proposals must be delivered to: Metropolitan State University, David Peasley, Suite 329 Founders Hall, 700 East Seventh Street, Saint Paul, MN 55106, not later than **2 p.m. CST Jan. 18, 2012.**

Late responses will not be considered.

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

Minnesota Department of Corrections (DOC) Notice of Availability of Contract for Registered Nurse Advanced Practitioner in Remote Northern Minnesota Area

The Minnesota Department of Corrections is requesting proposals for the purpose of providing part-time medical services by a Registered Nurse Advanced Practitioner on-site at the correctional facility located at 62741 County Rd 551, Togo, MN 55723. This facility is located in a remote area in northern Minnesota and houses a group of adult female offenders and a group of male and female juvenile residents under the court appointed authority of the Commissioner of Corrections.

Work is proposed to start effective February 1, 2012.

The Request for Proposals (RFP) will be available by email from this office. **A written request (by direct email) is required to receive the RFP.** The RFP can be obtained from:

David Barker, Project Coordinator
Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200, St. Paul, MN 55108
E-mail: david.barker@state.mn.us

Proposals submitted in response to this RFP must be received at 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108, no later than 2:30pm, Central Standard Time, January 19, 2012, as indicated by notation made by the 2nd floor receptionist. **Late proposals will NOT be considered.** Faxed 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.

State Contracts

Minnesota Department of Corrections (DOC) Notice of Request for Proposals to Provide Domestic Violence Intervention Services

The Minnesota Department of Corrections (DOC) is seeking proposals from qualified contractors to provide domestic violence intervention services for adult males residing in the Northern Minnesota area that have been released from a Minnesota Correctional facility, on probation, work release or supervised release. A portion of the contract award must be used to train both therapists and corrections agents in facilitation of the Duluth Model Batterers Intervention Program. All services provided must be based on the concepts used in the Duluth Model Batterers Intervention Program.

The total amount of contract funding available is \$50,000.00. The contract will be financed from funds made available through the Minnesota DOC. The contract will begin on February 1, 2012, or upon full execution of the contract, whichever is later, and will be completed by June 30, 2012.

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.

The deadline for proposal submission is 2:30 p.m. on January 19, 2012. The full RFP will be sent free of charge in response to requests sent to the contact person listed below.

Diane Lunda - **Email:** Diane.lunda@state.mn.us
Department of Corrections Grants and Subsidies Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Telephone: (651) 361-7389
Fax: (651) 642-0292

Minnesota Historical Society (MHS) Notice of Request for Bids for Replacement and Refinishing of End-Grain Flooring at Mill City Museum

The Minnesota Historical Society (Society) is seeking competitive bids from qualified contractors to provide all labor, materials, equipment, and supplies for the replacement and refinishing of approximately 4,250 square feet of specialty end-grain flooring at the Mill City Museum (Museum) in Minneapolis. This project includes, but is not limited to, demolition of the existing flooring, preparation of the concrete slab, installation of a fluid-applied vapor barrier and new end-grain flooring, including cork expansion strips, and field finishing, as specified.

Work is slated to begin in March 2012 and will be phased in to allow the Museum to remain open to the public during regular Museum hours, as well as for special events.

There will be a **MANDATORY** pre-bid meeting for all interested parties at 2:00 pm Local Time on Wednesday January 4, 2012 at the Mill City Museum, which is located at 704 South Second Street, Minneapolis, Minnesota 55401.

The Request for Bids and other Front-End Documents are available by contacting Mary Green-Toussaint, Purchasing Coordinator, via e-mail at: mary.green-toussaint@mnhs.org.

Bids are due by 2:00 p.m. Local Time on Tuesday, January 17, 2012. Late responses will not be considered.

December 27, 2011

Minnesota Department of Transportation (Mn/DOT) Customer Relations Request for Proposals (RFP) for Multicultural Marketing

This work is intended to increase MnDOT's presence and relationships with Minnesota's multicultural communities through ensuring multicultural expertise in marketing, communication, engagement and sustained presence. This includes the intention to achieve a sustained and relevant presence within multicultural communities that augments the multiple MnDOT offices that have established connections and presence within these communities, including the Affirmative Action Office, Office of Civil Rights and Office of Human Resources. The purpose of this RFP is to solicit proposals from consultants with the demonstrated resources, expertise and abilities to provide a menu of optional strategic marketing and outreach services to help build relations, educate, inform and engage Minnesota's many cultures for MnDOT's Multicultural Marketing Program. The services MnDOT is seeking include consumer research, advertising, special events, alternative language messaging/media. All paid media will come from Contract funds, and Responder's should include those costs in their cost proposal. Paid media is anticipated to include print, radio, social and commercial (with the knowledge that some ethnic print media newspapers print at no cost). The goal of this project is to have a sustained presence in, improved relations with and engagement of Minnesota's multicultural communities.

The full RFP can be viewed on the Consultant Services Web Page at: <http://www.dot.state.mn.us/consult/files/notices/notices.html>.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator
E-mail: ashley.duran@state.mn.us
Telephone: (651) 366-4627

Note: RESPONSES WILL BE DUE ON **WEDNESDAY, JANUARY 18, 2012 AT 2:00 PM CENTRAL STANDARD TIME**

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) 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.

State Contracts

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

Contact: Melissa McGinnis, Contract Administrator

E-mail: *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 Kelly Arneson 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:

Kelly Arneson
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, MN 55155

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

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.

Minnesota Department of Veterans Affairs (MDVA)**Minnesota Veterans Homes****Notice of Availability of Contract for Clinical/Nursing Consultant for Long Term Care at Minnesota Veterans Homes**

The Department of Veterans Affairs requests proposals to provide the services of a Clinical/Nursing Consultant for long term care and dementia care to the Minnesota Veterans Homes (Homes). The Minnesota Department of Veterans Affairs operates five Veterans Homes throughout Minnesota. The selected contractor shall provide the Homes Administration, Nursing Staff, and residents with high level consultation regarding the provision of nursing and clinical services.

Work is proposed to start on **February 1, 2012**.

A Request for Proposals will be available without charge, by direct mail or e-mail from this office. **A written request (by direct mail, e-mail or fax) is required to receive the Request for Proposals.** The Request for Proposals can be obtained from:

Patty Ryan
Minnesota Veterans Homes
Minnesota Department of Veterans Affairs
Building 10
5101 Minnehaha Avenue South
Minneapolis, Minnesota 55417-1699
E-mail: *patty.ryan@state.mn.us*
Telephone: (612) 548-5959
Fax: (612) 548-5964

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **January 17, 2012, 2:30 PM Central Time.**

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.

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.

Other Funding

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).

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.

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**

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 **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Energy Conservation Project 2012 (P17/18/19)

MAC Contract No.: 106-2-631
Bids Close At: 2:00 p.m. January 17, 2012

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 of this project includes generator emissions upgrades at the T2 Parking Ramp, EMC boiler stack heat recovery system, high efficiency transformer replacement, motor efficiency controllers at escalators and moving walks, automatic lighting controls integrated with OABA, solar thermal panel heating system at the Trades Center, along with solar tubular skylights.

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 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. 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.

Non-State Bids, Contracts & Grants

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 19, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for MAC Air Handling Unit Replacement 2012 (P2)

MAC Contract No.: 106-2-648
Bids Close At: 2:00 p.m. January 17, 2012

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 of this project includes the replacement of the old dual duct air handling system in the main terminal with associated asbestos abatement, structural, and electrical work. Insulating existing ductwork, and exhaust fan replacement with penthouse roof addition.

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. 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 for this project will be available on December 19, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Project Name: 2012 Restroom Upgrade

MAC Contract No.: 106-2-570
Bids Close At: 2:00 p.m. January 17, 2012

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.

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 Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges, McGraw Hill Construction/Dodge and NAMC-UM Plan Room. Bidders desiring bidding

State Contracts

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 for this project will be available on December 19, 2011, at MAC's web address of <http://www.metroairports.org/business/solicitations> (construction bids).

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>

WE ARE "MAP CENTRAL"

--- WE HAVE ***THOUSANDS*** OF MAPS ---

NEW: Mn/DOT has reissued their County Maps -
in ***FULL COLOR*** - We have them at \$1.00 per map

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.

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

- **The Dakota War of 1862** - Minnesota's Other Civil War, by Kenneth Carley, \$14.95
- **Minnesota Treasures** - Stories Behind the State's Historical Places, by Richard Moe, \$39.95
- **No More Gallant a Deed** - A Civil War Memoir of the First Minnesota Volunteers, by James A. Wright, edited by Steven J. Keillor, \$34.95
- **Minnesota's Indian Mounds and Burial Sites:** A Synthesis of Prehistoric and Early Historic Archaeological Data, by Constance M. Arzigian and Katherine P. Stevenson, \$44.95
- **Mike Lynch's Minnesota Starwatch** - The Essential Guide to Our Night Sky, \$24.95
- **Minnesota's State Capitol** - The Arts and Politics of a Public Building, \$16.95
- **A Birders's Guide to Minnesota**, by Kim R. Eckert, \$20.00
- **Celebrate Saint Paul** - 150 Years of History, \$49.95
- **Minnesota Guidebook to State Agency Services** - Owners manual for Minnesotans, \$14.95

Also Available:

<i>Connected to our Roots</i>	Stock Number: 13924	\$10.95
<i>The Governor's Mouse</i>	Stock Number: 13926	\$20.00
<i>Education Directory</i>	Stock Number: 73	\$26.95
<i>Freshwater Mussels of MN</i>	Stock Number: 344	\$9.95
<i>Minnesota State Coloring Book</i>	Stock Number: 13810	\$1.95
<i>Reconnecting Rivers</i>	Stock Number: 13866	\$25.95
<i>National Electrical Code 2011</i>	Stock Number: 13928	\$85.00

Order Online at www.minnesotasbookstore.com



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip _____

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
<small>*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.</small>	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

If tax exempt, please provide ES number or completed exemption form.
ES# _____