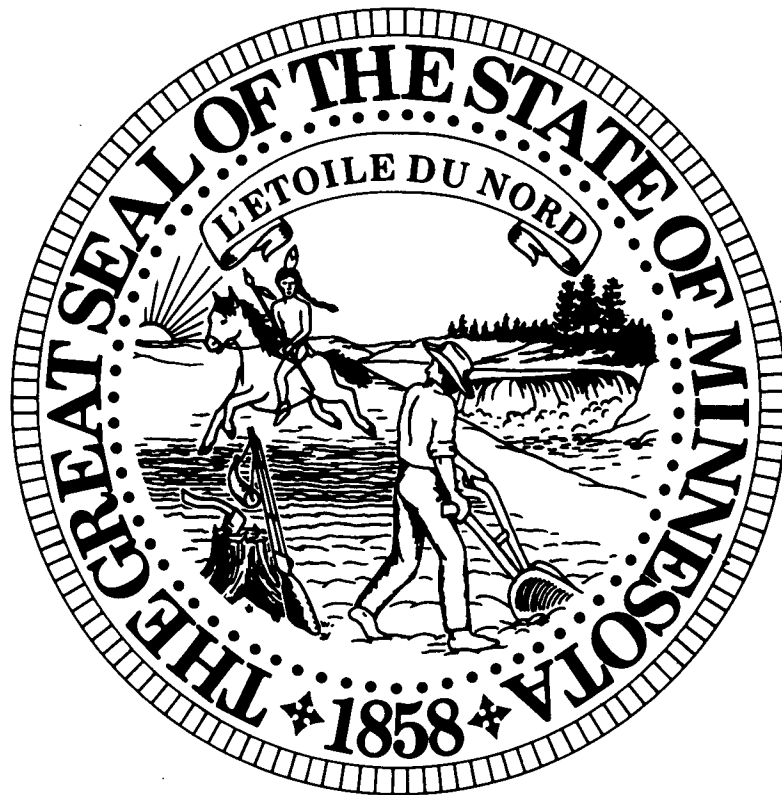


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Tuesday 12 November 1991
Volume 16, Number 20
Pages 1153-1200

State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
20	Monday 28 October	Monday 4 November	Tuesday 12 November
21	Monday 4 November	Friday 8 November	Monday 18 November
22	Friday 8 November	Monday 18 November	Monday 25 November
23	Monday 18 November	Monday 25 November	Monday 2 December

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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Department of Administration**

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Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

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Contents

Minnesota Rules: Amendments & Additions

Issues 14-20 inclusive (issues #1-13 appeared in #13) 1156

Proposed Rules

Housing Finance Agency

Mortgage revenue bonds for the purchase of new housing 1158

Pollution Control Agency

Aboveground storage of regulated and other liquid substances 1159

Secretary of State

Elections and redistricting 1175

Adopted Rules

Public Safety Department

Disposition of driver's license following non-alcohol-related vehicle offenses 1177

Medical Examiners Board

Fees 1178

Executive Orders

Executive Order No. 91-17: Providing for the implementation of pollution prevention by state government 1178

Executive Order No. 91-18: Creating a governor's policy for interstate cooperation on waste management 1180

Executive Order No. 91-21: Providing for emergency assistance to Minnesota farmers 1181

Commissioner's Orders

Natural Resources Department

Commissioner's Order No. 2434: Regulating the taking of deer, amending Commissioner's Order No. 2418 and regulating hunting in Camp Ripley during 1991, amending Commissioner's Order No. 2415 1181

Official Notices

Animal Health Board

Notice of board meeting 1182

Education Department

Proposals sought for program evaluation of co-location of services to targeted children and youth 1182

Health Department

Outside opinions sought regarding a request by Blue Plus for a waiver of HMO statutes and rules 1183

Housing Finance Agency

Public hearing on bond issue 1183

Metropolitan Council

Public hearing on draft plan Metropolitan Area Water Supply 1185

Public Employees Retirement Association

Meetings of Board of Trustees 1185

Teachers Retirement Association

Meeting notice 1186

Transportation Department

Notice of decision by DOT to pursue purchasing portions of abandoned Otter Tail rail line for rail bank program 1186

Water and Soil Resources Board

Wetland conservation act of 1991: the interim program .. 1186

State Grants

Minnesota Housing Finance Agency

Blighted residential property acquisition and rehabilitation program funds available 1188

Single family capital reserve program funds available ... 1189

Professional, Technical & Consulting Contracts

State Designer Selection Board

Proposals sought for a project at the University of Minnesota 1191

Trade & Economic Development Department

Proposals sought for regional international trade center pilot project 1192

State Contracts & Advertised Bids

Administration Department

Materials Management Division: Commodities and requisitions open for bid 1194

Print Communications Division: Typesetting, keylining, photo prep and seps, printing, binding, labeling and mailing contracts open for bid 1198

Announcements 1198

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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

Issues 14-20 inclusive (issues #1-13, Vol. 16 appeared in #13)

Abstracters' Board of Examiners

1005.0200; .0600; .0700; .0800 (adopted) 1086

Agriculture Department

1525.1521 (adopted) 1127

1525.1520 (repealed) 1127

Animal Health Board

1710.1300; .1310; .1320; .1330; .1340; .1350; .1360;

.1370; .1380; .1390; .1400; .1410; .1420; .1430; .1435;

.1440; .1445; .1450; .1455; .1460; .1470; .1480; .1490;

.1500; .1510; .1520; .1530 (withdrawn) 1025

1710.1300; .1310; .1320; .1330; .1340; .1350; .1360;

.1370; .1380; .1390; .1400; .1410; .1420; .1430; .1435;

.1440; .1445; .1450; .1455; .1460; .1470; .1480; .1490;

.1500; .1510; .1520; .1530 (proposed) 1025

Commerce Department

2890.0080 (adopted) 958

Dentistry Board

3100.0100; .1100; .1200; .3600; .6200; .6300; .8500;

.8700 (proposed) 1118

3100.2000 (adopted) 1127

Jobs and Training Department

3300.0500 (proposed) 1063

Technical Colleges Board

3515.6005; 3700.0381 (adopted) 1128

3515.5050; .6000; 3700.0320 (repealed) 1128

3700.0381 (is repealed June 30, 1993) 1128

Education Department

3530.6300; .6400 (repealed) 1086

Employee Relations Department

3920.0100; .0200; .0300; .0400; .0500; .0600; .0700;

.0800; .0900; .1000; .1100; .1200; .1300 (proposed) 893

Health Department

4667.0005; .0010; .0015; .0020; .0025; .0030 (adopted) 1032

4690.4600 (proposed) 1061

4690.4600 s.7,8 and 9 (proposed repealer) 1063

4740.2040 (proposed) 1026

4740.2040 (corrected Notice) 1124

4760.0010; .0020; .0030; .0040; .0050; .0060; .0065;

.0070; .0080; .0090; .0100; .0200; .0300 (adopted) 958

Higher Education Coordinating Board

4800.8100; .8300; .8400; .0400; .2300; .2400; .8550

(proposed) 831

4800.8100 s.2,9 and 14; .8500; .8600; .8700; .8800

(proposed repealer) 833

4830.0100 (proposed) 830

Minnesota Housing Finance Agency

4900.3310; .3320 (proposed) 1158

Labor & Industry Department

5220.0100; .0105; .0110; .0120; .0130; .0410; .0510;

.0710; .0750; .0850; .0950; .1010; .1100; .1200; .1250;

.1400; .1500; .1600; .1700; .1800; .1801; .1802; .1803;

.1805; .1806; .1900; .1910; .2650; .2780 (proposed) 805

5220.0100 s.6,7,8,10a,11,14 and 15; .0210; .0300; .0400;

.0500; .0600; .0700; .0800; .0900; .1000; .1300;

.1801 s.3 and 4; .1802 s.6,7,8 and 9; .1803 s.3 and 4;

.1900 s.3,4,5 and 6 (proposed repealer) 830

Marriage and Family Therapy Board

5300.0302; .0360 (adopted) 865

5300.0320; .0360 (correction 22 July 1991, Vol. 16, No. 4) 136

Medical Examiners Board

5600.2500 (adopted) 1178

Nursing Board

6340.0100; .0200; .0300; .0400; .0500; .0600; .0700;

.0800; .0900; .1000; .1100 (adopted) 960

Pharmacy Board

6800.1150; .1250; .1300 (proposed) 1030

Pollution Control Agency

7001.0520; .0650; 7045.0020; .0075; .0131; .0135;

.0139; .0214; .0292; .0458; .0478; .0532; .0534; .0536;

.0538; .0552; .0564; .0584; .0630; .0632; .0634; .0638;

.0665; .1300; .1305; .1308; .1309; .1310; .1315; .1320;

.1325; .1330; .1333; .1334; .1335; .1339; .1350; .1355;

.1358; .1360; .1380 (proposed) 834

Minnesota Rules: Amendments & Additions

7002.0400; .0410; .0420; .0430; .0440; .0450 (adopted)	1033	.0110; .0115; .0120; .0130; .0140; .0160; 7873.0110;	
7002.0410; .0420; .0430; .0440; .0450; .0460; .0470; .0480;		.0120; .0190; .0198; .0400; 7874.0100; 7875.0100;	
.0490 (proposed)	756	.0200; 7877.0100; .0110; .0155; 7878.0100; .0110;	
7005.0705; .0715; .0725; .0735; .0745; .0755; .0765; .0766;		.0160; 7879.0100; 7897.0100; .0130 (proposed)	1064
.0767; .0775; .0785; .0795; .0796; .0805; .0815 (adopted) . . .	865	7869.0100 s.19,33a and 65a; 7870.0500 s.6,7,8,9 and 10;	
7005.0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770;		7871.0010 s.2; .0020 s.1; 7871.0070; .0090; 7871.0150;	
.0780; .0790; .0800; .0810; .0820 (repealed)	865	7873.0120 s.2; .0300 (proposed repealer)	1084
7046.0010; .0020; .0031; .0040; .0045; .0050; .0070			
(proposed)	950		
7046.0010 s.17 and 17a; .0031 s.3 and 5; .0050 s.4			
(proposed repealer)	957		
7047.0001; .0002; .0003; .0004; .0005; .0006; .0007			
(proposed)	957		
7105.0060; .0090 (proposed)	1125		
7151.0010-.0240 (proposed)	1159		
Public Safety Department			
7409.0100-.4600 (adopted)	1177		
Gambling Control Board			
7860.0010; .0020; .0040; .0050; .0060; .0070; .0080;			
.0090; .0100; .0105; .0110; .0120; .0130; .0140; .0150;			
.0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230;			
.0240; .0250; .0260; .0270; .0280; .0290; .0300; .0310;			
.0320; .0400; .0500; .0600; .0700 (proposed repealer)	950		
7861.0010; .0020; .0030; .0040; .0050; .0060; .0070;			
.0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150;			
7862.0010; 7863.0010; .0020; 7864.0010; .0020;			
7865.0010; .0020; .0030; .0040 (proposed)	909		
Racing Commission			
7869.0100; 7870.0180; .0190; .0200; .0210; .0220;			
.0221; .0240; .0250; .0260; .0270; .0280; .0290; .0300;			
.0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380;			
.0390; .0400; .0410; .0420; .0430; .0450; .0470; .0500;			
.0510; 7871.0005; .0010; .0020; .0030; .0080; .0100;			
.0110; .0115; .0120; .0130; .0140; .0160; 7873.0110;			
.0120; .0190; .0198; .0400; 7874.0100; 7875.0100;			
.0200; 7877.0100; .0110; .0155; 7878.0100; .0110;			
.0160; 7879.0100; 7897.0100; .0130 (proposed)	1064		
7869.0100 s.19,33a and 65a; 7870.0500 s.6,7,8,9 and 10;			
7871.0010 s.2; .0020 s.1; 7871.0070; .0090; 7871.0150;			
7873.0120 s.2; .0300 (proposed repealer)	1084		
Secretary of State			
8255.0010; .0020; .0030; .0400; .0050 (proposed)	1084		
8255.0010-.0050 (proposed)	1175		
Veterans Home Board			
9050.0020; .0070; .0080; .0100; .0150; .0200; .0220;			
.0300; .0500; .0550; .0700 (corrected Notice)	1126		
Waste Management Office			
9210.0620; .0630; .0635; .0460 (proposed)	760		
Human Services Department			
9500.1450; .1451; .1452; .1453; .1455; .1457; .1459; .1460;			
.1462; .1463 (adopted)	1086		
9500.1451 s.2,3,5,11,12 and 18; .1459 s.2,3 and 4;			
1463 s.1 and 2 (repealed)	1086		
9505.0175; .0324 (emergency proposed)	988		
9505.0476; .0477; .0478; .0479; .0480; .0481; .0482;			
.0483; .0484; .0485; .0487; .0489; .0490; .0491			
(emergency proposed)	973		
9505.2165 (adopted)	960		
9510.2000; .2010; .2020; .2030; .2040; .2050; .2060;			
.2070 (emergency proposed)	1035		
9520.0900; .0902; .0904; .0906; .0908; .0910; .0912;			
.0914; .0916; .0918; .0922; .0924; .0926			
(emergency proposed)	961		
9535.1700; .1705; .1710; .1715; .1720; .1725; .1730;			
.1735; .1740; .1745; .1750; .1755; .1760; .1765			
(emergency proposed)	983		

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Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

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*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Minnesota Housing Finance Agency

Proposed Permanent Rule Relating to Mortgage Revenue Bonds for the Purchase of New Housing

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06, subd. 4 and 11.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20. Comments or written requests for a public hearing must be submitted to:

Susan K. Noren, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9794

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Susan K. Noren upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the adopted rule must submit the written request to Susan K. Noren.

Dated: 15 November 1991

James J. Solem
Commissioner

Rules as Proposed**4900.3310 DEFINITIONS.**

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

Subp. 5. **Metropolitan area.** "Metropolitan area" means the ~~Minneapolis-St. Paul Metropolitan Statistical Area as defined by the United States Department of Commerce, Bureau of the Census, or other area specified in~~ metropolitan area as defined in *Minnesota Statutes*, section ~~474A.048~~ 473.121, subdivision 2.

[For text of subps 6 to 12, see M.R.]

4900.3320 LIMITATIONS ON NEW CONSTRUCTION; METROPOLITAN AREA.

During the first ten months of an origination period, the agency may not make mortgage loans for the purchase of new housing in the metropolitan area unless one of the conditions in items A to ~~C~~ D is met.

A. The new housing is located in a redevelopment area ~~and is replacing a structurally substandard structure or structures.~~

B. The new housing is replacing a structurally substandard structure or structures.

C. The new housing is located on a parcel purchased by a city or conveyed to a city under *Minnesota Statutes*, section 282.01, subdivision 1.

~~C.~~ D. The new housing is part of a housing affordability initiative, other than those financed with the proceeds from the sale of mortgage revenue bonds, in which federal, state, or local assistance is used to substantially improve the terms of financing or to substantially write down the purchase price of the new housing. A housing affordability initiative must meet one or more of the criteria in subitems (1) to (5).

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

Pollution Control Agency

Proposed Permanent Rules Relating to Aboveground Storage of Regulated and Other Liquid Substances

Notice of Intent to Adopt Rules Without a Public Hearing, Notice of Intent to Adopt Rules With a Public Hearing If 25 or More Persons Request a Hearing, and Notice of Intent to Cancel Hearing on the Proposed Rules If Fewer than 25 Persons Request a Hearing

I. Explanation of Alternative Notices

The Minnesota Pollution Control Agency (Agency) hereby proposes to adopt rules without a public hearing under the noncontroversial rulemaking procedure of *Minnesota Statutes*, §§ 14.22 to 14.28. However, if 25 or more persons request a hearing on the proposed rules, one will be held according to *Minnesota Statutes*, § 14.25. To expedite the rulemaking process should that occur, the Agency is at the same time giving notice of hearing on the proposed rules according to *Minnesota Statutes*, §§ 14.131 to 14.20. The hearing on the proposed rules will be cancelled if 25 or more persons do not request that one be held. With the comment period closing on December 12, 1991, there will be twenty-five days before the scheduled hearing date. This twenty-five day period will give interested persons time to contact the MPCA to find out whether the hearing will be cancelled.

II. Notice of Intent to Adopt Proposed Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) proposes to adopt *Minnesota Rules*, parts 7151.0010 to 7151.0240 without a public hearing unless 25 or more persons submit written requests for a public hearing with respect to the proposed rules. The Agency has determined that the proposed rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, §§ 14.22 to 14.28.

Interested persons shall have until 4:30 p.m. on December 12, 1991 to submit comments in support of or in opposition to the proposed rules. Comment is encouraged. Each comment should identify the portions of the proposed rules being addressed, the reason

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

Proposed Rules

for the comment, and any change proposed. Then proposed rules may be modified if the modifications are supported by the data and views submitted to the Agency and do not result in a substantial change in the proposed language.

Any person may make a written request for a public hearing on the proposed rules within the 30-day comment period. Any person requesting a public hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a person desires that a hearing be held on only a portion of the proposed rules, it is requested that the Agency be informed of the specific portion of the rules on which a hearing is being requested at the time the hearing request is made. This will enable the Agency to limit the hearing, if one is held, to the specific issues of concern. A public hearing will be held only if 25 or more persons submit in writing requests for a hearing on the proposed rules or a portion thereof by December 12, 1991, thus necessitating that one be held with respect to the proposed rules. If a hearing is required, the Agency will proceed pursuant to *Minnesota Statutes*, §§ 14.131 to 14.20 and the hearing notice provided in section III below.

Comments or written requests for a public hearing must be submitted to:

Joan deMeurisse
Aboveground Tank Program Coordinator
Minnesota Pollution Control Agency
Hazardous Waste Division
Tanks and Spills Section
520 Lafayette Road North
St. Paul, MN 55155-3898
(612) 297-8618

The statutory authority of the Agency to adopt the proposed rules is contained in *Minnesota Statutes*, §§ 116.07, subd. 4.

The proposed rules are published immediately following this notice and a free copy of the rules may be obtained from the Agency by writing or telephoning Joan deMeurisse at the address or telephone number listed above.

The proposed rules govern the technical and administrative requirements for storage of regulated and other liquid substances in aboveground storage tanks. The proposed rules include provisions relating to secondary containment, substance transfer, tanks and piping, spill response, release detection, inspections, permits, closure, inadequate safeguards, and variances.

A STATEMENT OF NEED AND REASONABLENESS (SONAR) that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and may be obtained from the Agency by writing or telephoning Joan deMeurisse at the address or telephone number listed above.

IF NO HEARING IS REQUIRED, the Agency will submit to the Attorney General the proposed rules and notice as published, the rules as proposed for adoption, any written comments received by the Agency, the **STATEMENT OF NEED AND REASONABLENESS**, and a statement explaining any modifications to the proposed rules. The Attorney General will approve or disapprove the rules as to legality and form, including the issue of substantial change and determine whether the Agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for a reasonableness of the proposed rules. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of submission of this material the Attorney General must submit the written request to Joan deMeurisse at the address listed above. If the proposed rules have been modified, the notice will also state that fact and will state that a free copy of the proposed rules, as modified, will be available upon request from the Agency.

Local Government Considerations

The Agency's evaluation of the impact of the proposed rules on the expenditure of public monies by local public bodies is addressed in the statement of need and reasonableness. There will be a direct cost to some local units of government. The Agency estimates that approximately 110 tanks of 385 tanks registered by local units of government may be affected by the proposed rules. Other tanks which are not registered may also be affected. The cost to upgrade each tank will vary. The total combined cost to all local public bodies is likely to exceed \$100,000.

Agricultural Land

The proposed rules will not have an impact on agricultural land; therefore, no further information need be provided under *Minnesota Statutes*, § 14.11.

Small Business Considerations

The Agency is subject to *Minnesota Statutes*, § 14.115 regarding small business considerations in rulemaking. The Agency's evaluation of the applicability of the methods contained in *Minnesota Statutes*, § 14.115, subdivision 2, for reducing the impact of the proposed rules on small business is addressed in the statement of need and reasonableness.

III. Notice of Intent to Adopt Rules With a Public Hearing If 25 or More Persons Request a Hearing on the Proposed Rules

PLEASE NOTE that If 25 or More Persons Submit Written Requests for a Public Hearing on the Proposed Rules Within the 30-day Comment Period Pursuant to the Notice Given in Part II Above, a Hearing Will Be Held on January 7-9, 1992 in Accordance With the Following Notice of Public Hearing.

NOTICE IS HEREBY GIVEN that a public hearing in the above-captioned matter will be held under *Minnesota Statutes*, § 14.14, subdivision 1, beginning on January 7, 1992, at 9:00 a.m. in the Board Room of the Minnesota Pollution Control Agency, at the above address. The hearing will continue at the following times and locations:

January 8, 1992, 7:00 p.m.
Mankato State University
Student Union Room 204
Mankato, Minnesota

January 9, 1992, 7:00 p.m.
Department of Natural Resources
1601 Minnesota Drive
Brainerd, Minnesota

If necessary, the hearing will continue on additional days at times and places determined during the hearing by the Administrative Law Judge.

All interested or affected persons will have an opportunity to participate in the hearing. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of hearing which is to be included in the hearing record may be mailed to Administrative Law Judge Allen E. Giles, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone (612) 349-2543.

Written material may be submitted and recorded in the hearing record for five working days after the public hearing ends, or for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Written material received during this period shall be available for review at the Office of Administrative Hearings. The Agency and interested persons may respond to any new information that is submitted. Response must be made in writing within three business days after the submission period ends. Written material or responses submitted must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day. No additional evidence may be submitted during this three-day comment period. This rule hearing procedure is governed by *Minnesota Statutes*, §§ 14.131 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about this procedure may be directed to the administrative law judge.

The statutory authority for the Agency to adopt the proposed rules is contained in *Minnesota Statutes*, § 116.07, subd. 4.

The proposed rules are published immediately following this notice and a free copy of the rules may be obtained from the Agency by writing or telephoning Joan deMeurisse at the address or telephone number listed above in Part II of this notice.

The proposed rules govern the technical and administrative requirements for storage of regulated and other liquid substances in aboveground storage tanks. The proposed rules include provisions relating to secondary containment, substance transfer, tanks and piping, spill response, release detection, inspections, permits, closure, inadequate safeguards, and variances.

The proposed rules may be modified as a result of the rule hearing process. Persons who are potentially affected in any manner by the substance of the proposed rules are therefore advised to participate in the process.

Please be advised that *Minnesota Statutes*, Chapter 10A (1990) requires each lobbyist to register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

NOTICE IS HEREBY GIVEN that a statement of need and reasonableness is now available for review at the Agency at the Office of Administrative Hearings. This **STATEMENT OF NEED AND REASONABLENESS** includes a summary of all the evidence which the Agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the Agency of the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

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

Proposed Rules

NOTICE: Any person may request notification of the date on which the administrative law judge's report will be available, after which date the Agency may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day that the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the Agency at any time prior to the filing of the rules with the secretary of state.

Small Business Considerations

The Agency is subject to *Minnesota Statutes*, § 14.115 regarding small business considerations in rulemaking. The Agency's evaluation of the applicability of the methods contained in *Minnesota Statutes*, § 14.115, subdivision 2, for reducing the impact of the proposed rules on small business is addressed in the statement of need and reasonableness.

IV. Notice of Intent to Cancel Hearing on the Proposed Rules If Fewer Than 25 Persons Request a Hearing on the Proposed Rules

PLEASE NOTE THAT the Hearing, Notice of Which Is Given in Part III Above, Will Be Canceled on the Proposed Rules If Fewer than 25 Persons Request a Hearing on the Proposed Rules in Response to the Notice Given in Part III Above.

To be informed whether a hearing noticed in Part III above will be held, please call or write Joan deMeurisse at the address or telephone number listed above before December 12, 1991, and leave your name, address, and telephone number. You will be notified after December 12, 1991, if the hearing has been canceled. You may also call Joan deMeurisse at (612) 297-8618 after December 12, 1991, for oral confirmation regarding the scheduled hearing.

Dated: 12 November 1991

Charles W. Williams
Commissioner

Rules as Proposed (all new material)

7151.0010 PURPOSE.

This chapter provides for the administration of and technical requirements for aboveground storage of liquid substances which may cause pollution of the waters of the state.

7151.0020 APPLICABILITY.

Subpart 1. **Scope.** The requirements of this chapter apply to owners of an aboveground storage tank system as defined in part 7151.0030, subpart 2, except as otherwise provided in subpart 2.

Subp. 2. **Exclusions.** The following aboveground storage tank systems are excluded from the requirements of this chapter:

- A. a wastewater treatment tank system that is part of a wastewater treatment facility regulated under United States Code, title 33, section 1317 or 1342;
- B. equipment or machinery that contains substances for operational purposes such as hydraulic lift tanks and electrical equipment;
- C. a flow-through process tank;
- D. an aboveground storage tank system holding hazardous wastes listed or identified and regulated under chapter 7045 or *Code of Federal Regulations*, title 40, part 261;
- E. an aboveground storage tank system that contains a de minimus concentration of regulated substances that the commissioner has determined to be of such a nature that pollution of the waters of the state is not a threat;
- F. an aboveground storage tank system for agricultural chemicals regulated by *Minnesota Statutes*, chapter 18B, 18C, or 18D that is in compliance with chapters 1505 and 1510;
- G. an aboveground storage tank system containing liquids which are gaseous at atmospheric temperature and pressure;
- H. mobile tanks transporting a substance from one location to another while in transit and which meet the requirements of the state and federal departments of transportation;
- I. pipelines regulated under United States Code, title 49, parts 190 to 195, and breakout tanks used to relieve surges in a hazardous liquid pipeline system or to receive and store hazardous liquid transported by a pipeline for reinjection and continued transportation by a pipeline;
- J. an aboveground storage tank system located at a facility actively pursuing assessment or remediation of existing contamination within existing secondary containment areas in compliance with an Agency Request for Response Action, order, or consent order is exempt from parts 7151.0080 to 7151.0100. The commissioner shall terminate this exclusion upon the completion of the part of

remediation activity which interferes with construction of secondary containment and substance transfer areas. The termination date, as determined by the agency, shall be considered the effective date of the rules for the purposes of establishing compliance dates for parts 7151.0080 to 7151.0100; and

K. a surface impoundment, pit, pond, or lagoon.

7151.0030 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given them. Terms that are not specifically defined have the meanings given them in *Minnesota Statutes*, sections 115.01, 115C.02, and 116.46.

Subp. 2. **Aboveground storage tank system.** "Aboveground storage tank system" means one or a combination of containers, vessels, and enclosures, including structures and appurtenances connected to them that is used to store or dispense substances, and that is not an underground storage tank under *Minnesota Statutes*, section 116.46, subdivision 8.

Subp. 3. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 4. **Cathodic protection.** "Cathodic protection" means the technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. A tank can be cathodically protected through the application of either galvanic anodes or impressed current.

Subp. 5. **Class 2 water.** "Class 2 water" means all waters of the state which are or may be used for fishing, fish culture, bathing, or any other recreational purposes, and for which quality control is or may be necessary to protect aquatic or terrestrial life, or the public health, safety, or welfare under part 7050.0200.

Subp. 6. **Clay.** "Clay" means a soil whose mineral fraction is comprised of a minimum of 40 percent clay, less than 45 percent sand, and less than 40 percent silt, consisting of particles less than 0.002 millimeters in equivalent diameter used to create a seal in a secondary containment area designed to prevent the escape or movement of a substance into the waters of the state.

Subp. 7. **Closure.** "Closure" means permanently taking a tank out of service.

Subp. 8. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

Subp. 9. **Compatible.** "Compatible" means the ability of two or more substances to maintain their respective physical and chemical properties upon contact with one another. For a secondary containment seal, this means that the impermeability of the seal must be maintained upon contact with a stored substance. For substances, this means that two or more substances, if mixed, must not create a new hazard.

Subp. 10. **Corrosion protection.** "Corrosion protection" means a method used to protect a metal tank, piping, or other components from corroding. Corrosion protection includes, but is not limited to, cathodic protection, keeping the metal of the tank from being in direct contact with other surfaces, and the application of coatings designed and maintained to prevent corrosion.

Subp. 11. **Declaration of compliance.** "Declaration of compliance" means the written assurance by an owner to the commissioner that an aboveground storage tank system meets the requirements established in this chapter.

Subp. 12. **Dike.** "Dike" means an embankment or ridge or wall capable of preventing the movement of stored substances out of a secondary containment area.

Subp. 13. **Electrical equipment.** "Electrical equipment" means equipment that contains dielectric fluid that is necessary for the operation of equipment such as transformers and buried electrical cable.

Subp. 14. **Flow-through process tank.** "Flow-through process tank" means a tank that forms an integral part of a production process through which there is a steady, variable, recurring or intermittent flow of materials during the operation of the process. Flow-through process tanks do not include tanks used for the storage of materials before their introduction into the production process or for the storage of finished products or by-products from the production process.

Subp. 15. **Freeboard.** "Freeboard" means the additional dike height required in a secondary containment area to allow for precipitation.

Subp. 16. **Hydraulic lift tank.** "Hydraulic lift tank" means a tank holding hydraulic fluid for a closed-loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators, and other similar devices.

Subp. 17. **Impermeable.** "Impermeable" means a substance is not allowed to pass through the depth of a sealed secondary containment area for a minimum of seven consecutive days.

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Proposed Rules

Subp. 18. **Maintenance.** "Maintenance" means the normal operational upkeep to prevent an aboveground storage tank system from releasing a regulated substance.

Subp. 19. **Owner.** "Owner" means a person who holds title to, controls, or owns an interest in an aboveground storage tank or an aboveground storage tank system. Owner does not include a person who holds an interest in a tank solely for financial security, unless through foreclosure or other related actions the holder of a security interest has taken possession of the tank.

Subp. 20. **Permit.** "Permit" means the authorization by the commissioner to construct and operate a liquid storage facility.

Subp. 21. **Permit-by-rule.** "Permit-by-rule" means that an owner is deemed to have a permit under subpart 22 to construct and operate a liquid storage tank or facility if the owner is in compliance with the applicable provisions of this chapter.

Subp. 22. **Person.** "Person" means an individual, partnership, association, public or private corporation, or other legal entity, including the United States government, an interstate commission or other body, the state, or any agency, board, bureau, office, department, or political subdivision of the state, but does not include the Minnesota Pollution Control Agency.

Subp. 23. **Regulated substance.** "Regulated substance" means:

A. a hazardous material listed in Code of Federal Regulations, title 49, section 172.101; or

B. petroleum, including crude oil or a fraction of crude oil that is liquid at a temperature of 60 degrees Fahrenheit and pressure of 14.7 pounds per square inch absolute.

Subp. 24. **Release.** "Release" means a spilling, leaking, emitting, discharging, escaping, leaching, or disposing from an aboveground storage tank system into the environment. Release does not include designed venting consistent with the agency's air quality rules or other permitted discharges.

Subp. 25. **Safeguard.** "Safeguard" means a device or a system or combination of devices or systems designed to detect or prevent the escape or movement of a substance from the place of storage under such conditions that pollution of the waters of the state might result.

Subp. 26. **Seal.** "Seal" means the method by which a secondary containment area or substance transfer area is made impermeable.

Subp. 27. **Secondary containment.** "Secondary containment" means a safeguard specifically designed to contain a release from an aboveground storage tank or its appurtenances in order to prevent a release from spreading vertically or horizontally and contaminating the land or water outside the immediate secondary containment area before cleanup occurs.

Subp. 28. **Site.** "Site" means a contiguous tract or parcel of land which includes an aboveground storage tank system, secondary containment, and substance transfer areas. A property with tanks storing substances in separate locations on the property is considered one site if the ownership and operational control of the property are by the same person.

Subp. 29. **Storage.** "Storage" means the act of keeping a substance in a tank for a period longer than seven consecutive days.

Subp. 30. **Substance.** "Substance" means a liquid material which might cause pollution of the waters of the state if released into the waters. The term substance includes regulated substances.

Subp. 31. **Substance transfer area.** "Substance transfer area" means the area in which connections are made for loading or unloading substances into or out of a tank. This includes the area where a truck or rail car makes its transfer connection to an aboveground storage tank system.

Subp. 32. **Tank.** "Tank" means a device designed to contain an accumulation of substances which is constructed of nonearthen materials, such as concrete, steel, or plastic, which provides structural support and is located aboveground. A tank includes drums, barrels, bladders, rail cars, trucks, and other containers in which a substance is stored.

7151.0040 SAFE AND SECURE STORAGE.

Substances in tanks must be stored in a manner and place which provides for safe and secure storage. Safe storage must be adequate to prevent and control the escape or movement of a substance into the waters of the state, including runoff into surface waters and storm or sanitary sewers, and soil or ground water contamination, in the event of a failure of a tank or a release of a substance from a tank. Owners of tanks with a storage capacity less than or equal to 1,100 gallons need not meet the requirements of part 7151.0080 in order to provide safe storage. Methods to provide secure storage must be adequate to discourage vandalism to the aboveground storage tank system and include but are not limited to location of the tank, lighting, barriers, or a guard.

7151.0050 STORAGE INSIDE A BUILDING.

Tanks with a substance storage capacity greater than 1,100 gallons that are located inside a building must have safeguards to prevent the contents of the tank from escaping the building into the environment through doors, cracks, floorboards, sewer drains, pipes, or other means if there is a release. The floor of the building must be constructed with materials which are impermeable to and compatible with the substance being stored. A sealed drainage path which carries a discharge to a treatment system designed to treat the regulated substance being stored is an acceptable means of secondary containment. A tank inside a building must not sit directly on an earthen

floor unless the tank is designed and built with an outer shell as secondary containment. Owners of tanks inside a building designed to prevent the escape of the contents of those tanks from the building need not meet the requirements of parts 7151.0080 to 7151.0110 and 7151.0130 to 7151.0160, but shall prepare a spill response plan or prevention and response plan under part 7151.0120. Owners of tanks inside a building not designed to prevent the escape of the contents of those tanks from the building shall meet the requirements of parts 7151.0080 to 7151.0110.

7151.0060 TEMPORARY STORAGE.

Subpart 1. **Temporary storage design requirements.** Temporary storage is storage at one site for a period of more than seven days and less than one year of a regulated substance in a tank with a storage capacity greater than 1,100 gallons. The exterior of a temporary storage tank must be clearly labeled with the words "temporary storage," the name and telephone number of the owner, and the date storage began at a site. A temporary storage tank and its secondary containment area must be constructed and maintained so that a release from the tank will be contained in the secondary containment area. A temporary storage tank of any size storing a regulated substance within 500 feet of a Class 2 water under part 7050.0200 must have secondary containment under this part. The secondary containment area for a temporary storage tank must consist of, at a minimum, one of the following:

A. an area adequate to contain 100 percent of the volume of the largest tank with six inches of freeboard and sealed with a synthetic liner with a minimum thickness of six mils, which is compatible with the stored substance, covering the bottom and dike sides of the secondary containment area and covered by an earthen material;

B. a sealed pan or other container situated under the tank designed to contain 100 percent of the volume of the largest tank with six inches of freeboard; or

C. a tank designed and built with a sealed outer shell and an interstitial space between the tank wall and the outer shell that allows for monitoring and meets one of the industry standards identified under part 7151.0100, subpart 1.

Subp. 2. **Alternative designs for temporary storage.** An owner of a tank storing a regulated substance under this part may apply to the commissioner for approval of an alternative design for secondary containment which provides adequate safeguards to prevent a release to the waters of the state. The commissioner shall approve the use of an alternative design for temporary storage if the proposed alternative design is shown to be capable of protecting the waters of the state against pollution by the stored substance and the proposed alternative design is equivalent to the criteria in subpart 1.

Subp. 3. **Other requirements.** Owners of tanks storing a regulated substance on a temporary basis under subpart 1 need not meet the requirements of parts 7151.0080 to 7151.0110 and 7151.0130 to 7151.0160, but shall prepare a spill response plan or prevention and response plan under part 7151.0120.

7151.0070 REGULATED SUBSTANCES WHICH SOLIDIFY.

Owners of tanks with a storage capacity greater than 1,100 gallons storing regulated substances which solidify at 60 degrees Fahrenheit and pressure of 14.7 pounds per square inch absolute shall meet the secondary containment volume requirement under part 7151.0080, subpart 6, but need not meet the secondary containment materials requirement under part 7151.0080, subpart 7. Owners of tanks under this part need not meet the other requirements of parts 7151.0080, 7151.0090 to 7151.0110 and 7151.0130 to 7151.0160, but shall prepare a spill response plan or prevention and response plan under part 7151.0120.

7151.0080 SECONDARY CONTAINMENT.

Subpart 1. **Secondary containment required.** Secondary containment under this part must be provided for the storage of substances in tanks with a storage capacity greater than 1,100 gallons. If more than one type of regulated substance is stored within one secondary containment area, the regulated substances must be compatible with each other.

Subp. 2. **Storage within 500 feet of a Class 2 water.** Notwithstanding subpart 1, tanks of any size storing a regulated substance within 500 feet of a Class 2 water under part 7050.0200 must have secondary containment under this part.

Subp. 3. **Interim standards for existing sites.** For three years following the effective date of this chapter, secondary containment areas for tanks storing substances on the effective date of this chapter must be, at a minimum, constructed with materials which are reasonably impervious to the stored substance and must be able to contain at least 100 percent of the volume of the largest tank in the secondary containment area.

Subp. 4. **Design.** The design requirements of secondary containment must be met in one of the following ways:

A. a tank situated in a secondary containment area which has continuous sealed impermeable dike walls and a sealed impermeable bottom, including the area directly under the tank;

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Proposed Rules

B. a tank designed and built with an outer shell and an interstitial space between the tank wall and the outer shell that allows for monitoring and meets the industry standards established by one of the groups identified under part 7151.0110, subpart 1;

C. sealed drainage to an impoundment pit or treatment system designed to contain and treat the discharged substance; or

D. a tank situated in a sealed vault with vapor monitoring.

Subp. 5. **Alternative designs.** Owners of tanks may apply to the commissioner for approval of an alternative design for secondary containment which contains adequate safeguards to prevent a release to the waters of the state. The commissioner shall approve the use of an alternative secondary containment design if the proposed alternative secondary containment design is shown to be capable of protecting the waters of the state against pollution by the stored substance and the proposed alternative secondary containment design is equivalent to the criteria in subpart 4.

Subp. 6. **Volume.** A secondary containment area must be able to contain at least 100 percent of the volume of the largest tank in the secondary containment area with an additional six inches of freeboard. A tank designed and built with an outer shell for secondary containment must be able to contain 100 percent of the volume of the tank.

Subp. 7. **Materials.** A secondary containment area must be constructed with materials which are impermeable to and compatible with the substance being stored and which will prevent a release from entering underlying soil, surface waters, or the groundwater. The area of secondary containment which is directly under a tank must be designed and constructed to provide for the detection of a release of a substance before the release permeates the depth of the seal under the tank bottom. Secondary containment areas which are constructed of synthetic or manufactured materials must be installed and maintained according to the manufacturer's recommendations. A secondary containment area for storage of a regulated substance must not be constructed using natural earth or clay to provide a seal except when used as an integral part of a synthetic or manufactured material. Natural earth or clay may be used to provide the seal for a secondary containment area for tanks which store substances which are not regulated substances.

Subp. 8. **Maintenance.** A secondary containment area must be properly maintained and must be free of excessive vegetation, cracks, open seams, open drains, siphons, or other openings.

Subp. 9. **Safety for double-walled tanks.** A tank designed and built with an outer shell for secondary containment, and located outside a building, must be protected from damage by its location, a fence, posts, bumper guards, or other effective means.

Subp. 10. **Stormwater drainage.** Stormwater which collects within the secondary containment area must be removed often enough to maintain the available capacity of the secondary containment area at 100 percent of the largest tank in the secondary containment area. Stormwater which collects within the secondary containment area must be controlled by a manually operated pump or siphon, or a gravity drain pipe which has a manually controlled dike valve. Pumps, siphons, and valves must be properly maintained and kept in good condition. If gravity drains are used, dike valves must be fixed in a closed position. Storm water or other controlled discharge must be uncontaminated and free of sheen before discharge. If the discharge is governed by conditions established in a National Pollutant Discharge Elimination System Permit, the conditions of that permit supersede this subpart.

7151.0090 EXISTING SITES WITH A SECONDARY CONTAINMENT AREA USING EARTH OR CLAY.

Subpart 1. **Alternative designs.** A secondary containment area which was in operation before the effective date of this chapter may continue to be used if compliance with part 7151.0080 is demonstrated in one of the following alternative ways:

A. A site with a tank in a secondary containment area of adequate volume, with a full earth or clay seal, including the area under the tank, which is shown to be a minimum of six inches thick with a permeability to water equal to or less than 1×10^{-7} centimeters per second is considered to be in compliance with this chapter. The required thickness and permeability must be demonstrated through analysis by an experienced laboratory within two years of the effective date of this chapter. At least three random samples must be taken from each secondary containment area.

B. A site with a tank in a secondary containment area of adequate volume, with an impermeable seal around the tank, as shown by the tests described in item A, but with no seal directly under the bottom of the tank is in compliance with this part if one of the following conditions is met within three years of the effective date of this chapter:

(1) a second bottom is installed in the tank above the existing bottom creating an interstitial space by filling the interstitial space with a minimum of three inches of sand or similar material with a method of monitoring the interstitial space; or

(2) corrosion protection is provided and an internal coating in the tank is installed which is of sufficient thickness, density, and strength to form a hard impermeable shell which will not crack, soften, or separate from the interior surface of the tank and which extends up the side of the tank a minimum of 18 inches from the tank bottom.

Subp. 2. **Maintaining compliance.** Compliance with subpart 1 must be maintained by testing the earth or clay liner in each secondary containment area for an adequate thickness and permeability at least every five years. The owner of a site shall conduct the thickness and permeability tests as described in subpart 1, item A. As long as the tests show that the seal consists of at least six inches of earth or clay with a permeability rate to water equal to or less than 1×10^{-7} centimeters per second, the earth or clay seal will be

in compliance with this chapter. The owner of the site shall maintain written records of the test results for at least five year from the date the test results are received.

If the permeability to water of any test of a secondary containment area exceeds 1×10^{-7} centimeters per second, or the thickness of the seal is shown to be less than six inches in any test, the materials in the secondary containment area may be reworked and retested one time in order to meet the requirements of this part. The owner shall retest the materials in the secondary containment area within 90 days of receipt of the test results.

If a permeability test fails to meet a permeability to water equal to or less than 1×10^{-7} centimeters per second following the rework of the secondary containment materials, the secondary containment area must be upgraded to meet the requirements of part 7151.0080 within one year of the receipt of the test results.

Subp. 3. **Alternative safeguards.** An owner of a tank or site may apply, in writing, to the commissioner for approval of an alternative safeguard for providing a seal under the tank where a site contains a tank in a secondary containment area of adequate volume, with an impermeable seal around the tank, but with no seal directly under the bottom of the tank, provided that such alternative safeguard is adequate to prevent a release to the waters of the state. The commissioner shall approve the use of an alternative safeguard for providing a seal under the tank if the proposed alternative safeguard is shown to be capable of protecting the waters of the state against pollution by the stored substance and the proposed alternative safeguard is equivalent to the criteria in subpart 2.

7151.0100 SUBSTANCE TRANSFER AREA.

Subpart 1. **Substance transfer area required.** Tanks with a storage capacity of 10,000 gallons or more of a regulated substance must have a substance transfer area which will effectively contain a release during loading and unloading the regulated substance to and from the tank. A tank into which a regulated substance is loaded or unloaded less often than one time per month is not required to have a substance transfer area under this part provided that the owner maintains records of transfers at the site and conducts substance transfers in a safe manner. A substance transfer area is not required where the transfer of the regulated substance is through a pipeline between tanks at one site.

Subp. 2. **Location.** The substance transfer area must be located in a position to contain a release from all substance transfer connection points. Containment devices for the substance transfer area may be portable.

Subp. 3. **Volume.** The substance transfer area must be designed so that it will contain a minimum of 50 gallons of the regulated substance being unloaded and loaded, the contents of the transfer hose and pipe, or the volume of regulated substance which could be pumped during one minute of transfer operation, whichever volume is greatest.

Subp. 4. **Materials.** The substance transfer area must be constructed with materials which are impermeable to and compatible with the regulated substance being stored and transferred.

Subp. 5. **Maintenance.** The substance transfer area must be maintained so that it is free of excessive vegetation, cracks, open seams, open drains, siphons, or other openings.

Subp. 6. **Monitoring during transfer.** At least one person shall be in a position to monitor and terminate the transfer during loading or unloading of a substance to and from a tank. The person monitoring the substance transfer shall take immediate action to stop the flow of the substance being transferred when the capacity of the tank has been reached or in the event of an equipment failure or emergency.

Subp. 7. **Stormwater drainage.** Stormwater which collects within the substance transfer area must be controlled by a manually activated pump or siphon, or a gravity drain pipe. Pumps, siphons, and valves must be properly maintained and kept in good condition. If gravity drains are used, valves must be fixed in a closed position. Stormwater or other controlled discharge must be uncontaminated and free of sheen before discharge. If the discharge is governed by conditions established in a National Pollutant Discharge Elimination System Permit, the conditions of that permit will supersede this subpart.

Subp. 8. **Timing of compliance.** Owners of tanks in operation before the effective date of this chapter shall comply with this part according to the schedule under part 7151.0190, subpart 3.

7151.0110 TANK AND PIPING STANDARDS.

Subpart 1. **Tank and piping design standards.** New tanks and the related piping must be properly designed and constructed in accordance with one of the following standards:

- A. American Petroleum Institute 650, Welded Steel Tanks for Oil Storage;

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Proposed Rules

- B. American Petroleum Institute 653, Tank Inspection, Repair, Alteration, and Reconstruction;
- C. American Petroleum Institute 1632, Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems;
- D. American Society for Testing and Materials D1785-86, Specifications for Poly (Vinyl Chloride) (PVC) Plastic Pipe, Schedules 40, 80, and 120;
- E. National Association of Corrosion Engineers RP-01-69, Control of External Corrosion on Underground or Submerged Metallic Piping Systems;
- F. National Fire Protection Association 30, Flammable and Combustible Liquids Code;
- G. Underwriters Laboratories UL 142, Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids;
- H. Underwriters Laboratories UL 567, Pipe Connectors for Flammable and Combustible Liquids and LP-Gas;
- I. Underwriters Laboratories UL 971, UL Listed Non-Metal Pipe; and
- J. Western Fire Chiefs Association, Uniform Fire Code.

Owners of tanks storing a substance for which industry tank and piping standards do not exist in the codes of practice in this subpart shall submit a request, in writing, to the commissioner for approval of an alternative industry code of practice or tank design. The commissioner shall approve the use of an alternative industry code of practice or tank design for the design and construction of new tanks and piping if the proposed code of practice is equivalent to one of the codes of practice or tank designs in items A to J and provides for the protection of the waters of the state against pollution by the stored substance.

Subp. 2. Gauging and overfill protection. Tanks with a capacity greater than 1,100 gallons of a regulated substance must be equipped with an overfill alarm or a gauge which accurately shows the level of regulated substance in the tank. When overfill alarms are used, the alarm must be visible or audible to the person controlling the substance transfer. When gauging is used, the gauge must be visible to the person controlling the substance transfer. When the gauge does not read in volumetric measurements and conversion is required, clearly labeled calibration charts must be visible to the person controlling the substance transfer.

Subp. 3. Overfill prevention for double-walled tanks. Tanks with a capacity greater than 1,100 gallons of a regulated substance which are designed and built with an outer shell as the safeguard for secondary containment must be equipped with a high level alarm system or an automatic shutoff capability or must be constructed to contain tank overfills.

Subp. 4. Piping. Piping connected to tanks with a capacity greater than 1,100 gallons of a regulated substance must be located aboveground or, if located underground, must be designed with double walls or corrosion protection.

Subp. 5. Underground tanks used for aboveground storage. Tanks designed and constructed for service as underground storage tanks must not be used for aboveground storage without written approval from the commissioner. Owners of underground storage tanks shall apply, in writing, for the commissioner's approval. The application must include a signed statement from an aboveground tank manufacturer that, in its current condition, the underground tank proposed for aboveground service is adequate for the proposed use. The commissioner shall approve the use of tanks designed and constructed for service as underground storage tanks for aboveground storage if the aboveground use is shown to be capable of protecting the waters of the state against pollution by the stored substance and the aboveground use is consistent with sound engineering principles.

Subp. 6. Labeling. Tanks at a site with a capacity to store greater than 1,100 gallons of a regulated substance must be clearly labeled with substance and capacity. Transfer lines must be labeled so that the person controlling the substance transfer knows which line is connected to which tank. A site which does not have a person at the site 24 hours a day must have a sign with the name, address, and telephone number of the facility owner and the sign must be clearly visible from outside the secondary containment area.

Subp. 7. Tank maintenance. Rust on the tank exterior must be minimized through adequate maintenance of the tank exterior. Water which is drawn from the bottom of a tank must be disposed of in accordance with applicable state and federal laws.

Subp. 8. Timing of compliance. Owners of existing tanks subject to this part shall comply with this part according to the schedule under part 7151.0190, subpart 4.

7151.0120 SPILL RESPONSE PLAN.

Subpart 1. General preparedness. Owners and employees of all sites storing substances shall be prepared to prevent and correct pollution which could result from a release from an aboveground storage tank system.

Subp. 2. Spill response plan required. Notwithstanding subpart 3, owners of a site with a substance site storage capacity greater than 1,100 gallons shall prepare and maintain a current written spill response plan which establishes a response procedure for potential releases from the tank or tanks. Owners shall verify the information included in the spill response plan or conduct a practice spill response exercise when requested by the commissioner. A copy of the spill response plan shall be submitted to the commissioner upon request. The commissioner may review the spill response plan and require modifications of the spill response plan if such modifications are necessary to ensure that the owner is prepared to prevent and correct pollution which could result from a release from the tank or tanks. The spill response plan must include the following information:

- A. the name and telephone number of the contact person responsible for the site;
- B. a description of the site, including the size of the storage tanks, the substance stored, the terrain, and the location of storm or sanitary sewers within 1,000 feet of the storage tanks;
- C. the safety and environmental threats posed by the stored substance;
- D. the telephone numbers of emergency response personnel, including the local fire department and the agency spill report telephone number, which is (612) 296-8100;
- E. a description of the procedures which are necessary to stop a release and contain the spilled substance, including the person or persons assigned to complete the procedures;
- F. a list of the equipment to be used to stop the release and contain the spilled substance;
- G. the location of the equipment identified in item F;
- H. procedures to clean up a release and dispose of materials used; and
- I. the name, telephone number, and qualifications of a person or persons capable of cleaning up a spill.

Subp. 3. **Prevention and response plan required.** Owners of a site with a regulated substance site storage capacity greater than 100,000 gallons shall prepare a prevention and response plan under *Minnesota Statutes*, section 115E.04.

Subp. 4. **Posting and training.** The plans required in subparts 2 and 3 must be kept on the site in an accessible area. Owners of tanks shall train employees annually in the implementation of the required plan.

Subp. 5. **Updating information.** The owner shall review and update the plans required in subparts 2 and 3 every three years or when a change is made to the information contained in the plans, whichever date comes first.

Subp. 6. **Other contingency plans.** If the information required under this part is included in a contingency plan prepared for another purpose, a separate plan is not required provided that the contingency plan meets the requirements in subpart 2 or 3.

Subp. 7. **Timing of compliance.** Owners of existing sites subject to this part shall comply with this part according to the schedule under part 7151.0190, subpart 5.

7151.0130 DECLARATION OF COMPLIANCE.

Subpart 1. **Declaration of compliance required.** Owners of a site with a regulated substance site storage capacity of greater than 10,000 gallons or a substance site storage capacity of greater than 100,000 gallons shall declare the following to the commissioner on a form provided by the commissioner:

- A. for existing tanks or sites, the schedule for upgrading the secondary containment area under part 7151.0190, subpart 2, has been or will be met;
- B. safeguards have been or will be installed under parts 7151.0080 to 7151.0100, including:
 - (1) calculations showing the capacity of the secondary containment and substance transfer area or areas;
 - (2) a description of materials used to construct and seal the secondary containment and substance transfer area or areas, and the results of permeability tests required in part 7151.0090, subpart 1, if applicable;
 - (3) a drawing of the site and the safeguards; and
 - (4) for existing tanks or sites, a schedule to complete the required work if the requirements of parts 7151.0080 to 7151.0100 have not been met;
- C. a spill response plan or prevention and response plan was prepared with the information required in part 7151.0120, subpart 2 or 3, and is accessible under part 7151.0120, subpart 4;
- D. a description of a release detection plan under part 7151.0160 and inspection schedule under part 7151.0170; and
- E. for facilities in a 100-year floodplain, a flood plan was developed which describes the methods to be used to prevent a release in a flood event.

Subp. 2. **Submittal for owners of new tanks or sites.** Owners of new tanks or sites shall submit the declaration of compliance required under this part prior to storing a substance in a tank. The owner shall perform any work necessary to comply with the requirements of this part if the declaration of compliance shows that such requirements have not been satisfied.

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Proposed Rules

Subp. 3. **Timing of compliance.** Owners of existing sites shall submit the declaration of compliance required under this part according to the schedule under part 7151.0190, subpart 6.

Subp. 4. **Renewal.** Owners of tanks shall submit a renewed declaration of compliance to update information submitted in the original declaration when requested by the commissioner or every ten years, whichever comes first.

7151.0140 NOTIFICATION OF CONSTRUCTION ACTIVITY.

Subpart 1. **Notification required.** An owner of a site with a regulated substance site storage capacity of 10,000 gallons or more shall notify the commissioner prior to construction activity taking place. Notification must be in writing or by telephone at least 30 days prior to the construction activity. The notification must include the following information:

- A. name, address, and telephone number of the site owner;
- B. location of site, if different than item A;
- C. estimated date of construction activity;
- D. description of construction activity; and
- E. name of the company who will do the construction work.

Subp. 2. **Construction activity.** Construction activity includes the following:

- A. installation of a new aboveground tank;
- B. installation of a new secondary containment seal;
- C. replacement of tank bottoms on existing tanks;
- D. replacement of a secondary containment seal for an existing site;
- E. rework of a clay or earth secondary containment seal;
- F. installation of an internal tank coating or liner, or a second bottom on an existing tank;
- G. relocation of an existing tank or tank site; and
- H. installation or replacement of a substance transfer area.

7151.0150 PERMITS.

Subpart 1. **Scope.** Parts 7001.0010 to 7001.0210 and this part govern the application procedures, issuance, and conditions of a liquid storage permit. Parts 7000.0100 to 7000.1100, 7001.0010 to 7001.0210, and this part complement each other.

Subp. 2. **Permit required.** A permit is required to store substances in an aboveground storage tank. The owner of a site with an aboveground storage tank is deemed to have obtained a liquid storage permit without making application for it if the tank or site is in compliance with the applicable listed item:

A. tanks with a capacity to store 1,100 gallons or less of a substance in compliance with parts 7151.0040, Safe And Secure Storage; 7151.0120, Spill Response Plan; 7151.0200, Inadequate Safeguards; and 7151.0210, Notice Concerning Loss;

B. tanks and sites with a capacity to store greater than 1,100 gallons and less than 10,000 gallons of a substance in compliance with parts 7151.0040, Safe And Secure Storage; 7151.0080 to 7151.0120, Secondary Containment, Existing Sites With A Secondary Containment Area Using Earth Or Clay, Substance Transfer Area, Tank and Piping Standards, Spill Response Plan; and 7151.0150 to 7151.0210, Permits, Release Detection, Inspections, Closure, Compliance, Inadequate Safeguards, Notice Concerning Loss;

C. tanks and sites with a capacity to store 10,000 gallons or more of a substance in compliance with parts 7151.0040, Safe And Secure Storage; and 7151.0080 to 7151.0210, Secondary Containment, Existing Sites With A Secondary Containment Area Using Earth Or Clay, Substance Transfer Area, Tank and Piping Standards, Spill Response Plan, Declaration Of Compliance, Permits, Notification Of Construction Activity, Release Detection, Inspections, Closure, Compliance, Inadequate Safeguards, Notice Concerning Loss;

D. tanks storing substances inside a building in compliance with parts 7151.0040, Safe And Secure Storage; 7151.0050, Storage Inside A Building; 7151.0120, Spill Response Plan; and 7151.0200 and 7151.0210, Inadequate Safeguards, Notice Concerning Loss;

E. tanks storing substances on a temporary basis in compliance with parts 7151.0040, Safe And Secure Storage; 7151.0060, Temporary Storage; 7151.0120, Spill Response Plan; and 7151.0200 and 7151.0210, Inadequate Safeguards, Notice Concerning Loss; and

F. tanks storing greater than 1,100 gallons of a regulated substance which will solidify at 60 degrees Fahrenheit and pressure of 14.7 pounds per square inch absolute in compliance with parts 7151.0040, Safe And Secure Storage; 7151.0070, Regulated Substances Which Solidify; 7151.0120, Spill Response Plan; and 7151.0200 and 7151.0210, Inadequate Safeguards, Notice Concerning Loss.

Subp. 3. **Termination of eligibility for permit-by-rule.** The eligibility of an owner of a liquid storage site permitted under this part is subject to termination by the agency after notice and opportunity for a contested case hearing or a public informational meeting if the agency makes any of the findings listed in items A and B. An owner, whose eligibility to be permitted under subpart 2 has been terminated, shall apply for an individual liquid storage permit under this part within 90 days of termination of eligibility or close the facility in compliance with part 7151.0180. The following findings constitute justification for the commissioner to commence proceedings to terminate eligibility:

A. the owner has failed to comply with subpart 2; or

B. circumstances require the site to be permitted and subject to the requirements of this part and any other rule in order to protect human health or welfare or the environment.

Subp. 4. **Application requirements.** An owner whose eligibility for a permit-by-rule has been terminated under subpart 3 shall submit a written permit application to the commissioner for approval on a form provided by the commissioner. The application must include, at a minimum, the following information:

A. the name, address, and telephone number of the owner of the storage site;

B. a description of the storage site;

C. the capacity of the storage site, including individual tank capacity;

D. a description of the tanks and related piping to be used for storage, including the code of practice used to design and construct the tank and piping;

E. a description of the substance or substances to be stored;

F. plans or drawings of the storage site;

G. calculations showing the capacity of the secondary containment and substance transfer area or areas;

H. a description of the materials to be used to construct the secondary containment and substance transfer area or areas, including the results of permeability tests required under part 7151.0090, subpart 1, if applicable;

I. a spill response plan or prevention and response plan, whichever is applicable, prepared under part 7151.0120, subpart 2 or 3;

J. a description of the release detection plan under part 7151.0160 and inspection schedule under part 7151.0170;

K. a proposed schedule to meet the requirements under parts 7151.0080 to 7151.0100; and

L. a flood plan for sites that are in a 100-year floodplain which describes the methods to be used to prevent a release in a flood event.

Subp. 5. **Issuance.** The commissioner shall issue a permit to owners who submit a complete application under subpart 4 and who meet the requirements of this chapter.

Subp. 6. **Permit fees.** The commissioner shall collect from the tank site owner permit fees in amounts necessary to cover the actual costs incurred by the agency for time and materials necessary to review and act upon applications for a permit required under subpart 3. Time shall be billed at an hourly rate, including direct and indirect costs, of the staff review person or persons for each hour required to review the application, inspect the site, and determine that the owner of the site has met the applicable requirements of this chapter. Upon completion of the permit review and prior to the permit issuance, the commissioner shall send a written invoice to the owner for the payment due. The invoice must itemize the number of staff hours spent in the permit review, the staff activity performed for the billable hours, and cost of materials necessary to perform the required review. Payment is due prior to issuance of the permit.

Subp. 7. **Permit modification.** The owner of a site which has been issued a permit under subpart 5 shall notify the commissioner, in writing, of significant modifications proposed to the tank or tanks, safeguards, or stored substance or substances. The commissioner shall review the proposed modifications for compliance with the requirements of this chapter. The commissioner may request additional information before the proposed modification is approved. The commissioner shall approve modifications that meet the requirements of this chapter.

Subp. 8. **Commissioner ordered permits.** Owners of a site ordered by the commissioner to get a permit under part 7151.0200, subpart 2, must get a permit under this part from the commissioner prior to resumption of storage of a substance on the site.

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Proposed Rules

Subp. 9. **Disputes.** An owner adversely affected by an action of agency staff under this part may request a review of the action. A request for review of the action must be submitted in writing to the commissioner by the owner within 45 days of the date of notification of a final decision made by agency staff.

7151.0160 RELEASE DETECTION.

Subpart 1. **Monitoring.** Tanks with a storage capacity greater than 1,100 gallons of regulated substance must be monitored monthly by the owner.

Subp. 2. **Methods.** One or a combination of the following monitoring methods must be used to detect a release of a stored substance:

- A. reconciliation of daily substance inventory control measurements or daily manual tank gauging measurements;
- B. acoustic emissions testing;
- C. interstitial monitoring between the storage tank and an outer shell around or under the tank;
- D. monitoring for vapors in the soil directly under the tank bottom or perimeter; or
- E. review of weekly visual inspection of a tank on supports or a tank sitting on a concrete floor designed with grooves to gather and channel a substance released from the bottom of the tank.

Subp. 3. **Alternative methods.** Owners of tanks may apply to the commissioner for approval of an alternative method for release detection. The commissioner shall approve an alternative method if the alternative method is shown to be capable of protecting the waters of the state against pollution by the stored substance and the alternative method is shown to be as effective as the methods in subpart 2 in detecting releases. In determining the effectiveness of the alternative method, the commissioner shall consider the frequency and reliability of the alternative method.

Subp. 4. **Records.** Owners of tanks shall maintain records on site of the monthly monitoring activity for at least three years from the date of the monitoring activity. The records must include the following information:

- A. the name and qualifications of the person doing the monitoring;
- B. the monitoring method or methods used;
- C. the date of the monitoring; and
- D. the results of the monitoring.

Owners of tanks shall submit monitoring records to the commissioner upon request.

Subp. 5. **Releases.** If the monthly monitoring indicates the possibility of a release, the owner shall immediately report the potential release under *Minnesota Statutes*, section 115.061, take steps to stop the release, identify the source of the release, and remedy the problem.

Subp. 6. **Timing of compliance.** Owners of tanks subject to this part shall begin the monitoring activity required under this part according to the schedule under part 7151.0190, subpart 7.

7151.0170 INSPECTIONS.

Subpart 1. **Weekly site inspections.** The owner of a site with a substance site storage capacity greater than 1,100 gallons shall provide for a visual inspection of the site at least weekly which must include:

- A. walking through the site to identify cracks or other defects in the secondary containment area or areas and substance transfer area or areas;
- B. a visual examination of the exterior surfaces of tanks, valves, pumps, and other equipment for obvious cracks, corrosion, releases, and maintenance deficiencies; and
- C. identification of situations where poor maintenance, operating practices, or malfunctioning equipment may increase the likelihood of a release.

Subp. 2. **Monthly site inspections.** The owner of a site with a substance site storage capacity greater than 1,100 gallons shall provide for a visual inspection of the site at least monthly which must include:

- A. inspecting and monitoring release detection systems or other monitoring or warning systems which are in place at the site;
- B. testing cathodic protection systems to assure that adequate levels of protection are maintained; and
- C. inspecting for evidence of uneven settling of a tank.

Subp. 3. **Internal tank inspections.** The owner of a tank with a capacity of greater than 5,000 gallons of a regulated substance shall conduct an internal inspection of the tank according to one of the following:

- A. A tank situated in a secondary containment area which meets the secondary containment requirements under part 7151.0080 or 7151.0090 must be taken out of service for an internal inspection at least every five years.

B. A tank situated in a secondary containment area which meets the secondary containment requirements under part 7151.0080 or 7151.0090, with cathodic protection and an internal coating on the tank bottom must be taken out of service for an internal inspection at least every ten years.

C. A tank situated in a secondary containment area which meets the secondary containment requirements under part 7151.0080 or 7151.0090 and which is situated so that it is possible to detect a release from the surfaces of the tank, including the bottom, or tanks designed with an outer shell as secondary containment need not be taken out of service for an internal inspection.

Subp. 4. **Internal tank inspection requirements.** An internal tank inspection must be performed by a person with tank inspection experience and must include the following procedures:

- A. the stored substance, the bottom sediment, sludge, and water must be removed and disposed of properly;
- B. the interior of the tank must be cleaned;
- C. the tank bottom must be visually inspected for corrosion, pitting, or other defects or deterioration;
- D. internal coatings must be inspected for sign of failure of the coating system such as cracks, bubbles, blisters, peeling, curling, or separation; and
- E. the tank must be repaired or replaced if excessive corrosion, pitting, and other defects or deterioration are found.

Subp. 5. **Alternative methods.** Owners of tanks may apply to the commissioner for approval of an alternative method for internal inspections. The commissioner shall approve an alternative method if the alternative method is shown to be capable of protecting the waters of the state against pollution by the stored substance and the alternative method is shown to be as effective as the methods in subpart 4 in performing an internal tank inspection. In determining the effectiveness of the alternative method, the commissioner shall consider the frequency and reliability of the alternative method.

Subp. 6. **Inspection reports.** Weekly and monthly inspections must be documented by the inspector and the written inspection records must be kept by the owner of the site for a minimum of three years. Internal tank inspections must be documented and a summary of the results must be submitted in writing to the commissioner at the end of the calendar year in which the inspection took place on a form which may be obtained from the commissioner. Owners of tanks shall submit the weekly, monthly, or internal inspections reports to the commissioner when requested by the commissioner.

7151.0180 CLOSURE.

Subpart 1. **Permanent closure notice.** Tanks for storage of a regulated substance must be removed from a site within one year of cessation of use for storage unless the release detection requirements under part 7151.0160 and the inspection requirements under part 7151.0170 are maintained. Owners of tanks shall notify the commissioner, in writing, of the permanent closure of the site or a tank at the site at least 30 days prior to the closure. The closure notice must contain, at a minimum, the following information:

- A. the site and tank identifying information as originally reported to the agency under *Minnesota Statutes*, section 116.48;
- B. the date of closure;
- C. how the tank will be dismantled and disposed of;
- D. how bottom sediment, sludge, and water will be disposed of; and
- E. how the presence or absence of soil or secondary containment seal contamination will be determined.

Subp. 2. **Contamination determination.** Owners of tanks which are permanently removed from service shall visually inspect the site of the closed tank for evidence that a stored regulated substance was released from the tank. Owners of closed tanks must test the soil or seal for contamination at the site of the closed tank when evidence of a release exists or at the commissioner's request. Owners of tanks shall report evidence of a release to the commissioner when the release is detected or discovered.

Subp. 3. **Putting a tank back in service.** Tanks which are out of service for more than one year and which are not removed must be inspected under part 7151.0160, subpart 4, before being placed back in service.

7151.0190 COMPLIANCE.

Subpart 1. **New aboveground storage tank systems.** Owners of aboveground storage tank systems which were not in operation on or before the effective date of this chapter shall comply with this chapter on the effective date of this chapter.

Subp. 2. **Timing of compliance for existing sites without a sealed secondary containment area.** Tanks which were in operation

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Proposed Rules

before the effective date of this chapter, including tanks at facilities previously granted a permit by the agency, which meet the requirements of part 7151.0080, subpart 2, but do not meet the requirements of part 7151.0080, subpart 3, must be in compliance with part 7151.0080, subpart 3, within three years of the effective date of this chapter. An additional two years is allowed to attain compliance with part 7151.0080, subpart 3, if one of the following conditions exists:

- A. a site has a liquid storage facility permit issued by the commissioner before the effective date of this chapter;
- B. tanks are elevated off the ground on supports; or
- C. it is documented that new tank bottoms were installed within the ten-year period before the effective date of this chapter.

The commissioner shall approve up to an additional three years to attain compliance with part 7151.0080, subpart 3, for sites with a substance storage capacity of 10,000,000 gallons or more upon written application to the commissioner and if the tank owner can demonstrate that it would be physically impossible to complete the upgrade in three to five years. The commissioner shall consider the number of tanks at the site, availability of contractors to complete the work, availability of materials, total site storage capacity, and the amount of time tanks will be out of service as reasons to require more time. The commissioner shall not consider economic hardship as a factor to allow more time.

Subp. 3. **Substance transfer area for existing tanks and sites.** Owners of tanks in operation before the effective date of this chapter and subject to part 7151.0100 shall comply with part 7151.0100 within three years of the effective date of this chapter.

Subp. 4. **Tanks and piping standards for existing tanks and sites.** Owners of tanks in operation before the effective date of this chapter and subject to part 7151.0110 shall comply with part 7151.0110, subparts 2 to 4, within one year of the effective date of this chapter. Owners of tanks in operation before the effective date of this chapter and subject to part 7151.0110 shall comply with part 7151.0110, subparts 5 to 7 on the effective date of this chapter.

Subp. 5. **Spill response plan for existing sites.** Owners of sites in operation before the effective date of this chapter and subject to part 7151.0120, subpart 2, shall comply with part 7151.0120 within one year of the effective date of this chapter.

Subp. 6. **Prevention and response plan for existing sites.** Owners of sites in operation before the effective date of this chapter and subject to part 7151.0120, subpart 3, shall comply with *Minnesota Statutes*, section 115E.04, subdivision 2.

Subp. 7. **Declaration of compliance for existing sites.** The owner of a site in operation before the effective date of this chapter shall submit a declaration of compliance required under part 7151.0130 to the commissioner within three years of the effective date of this chapter.

Subp. 8. **Release detection for existing sites.** Owners of sites in operation before the effective date of this chapter and subject to the requirements of part 7151.0150 shall begin the monitoring activity required under this part within one year of the effective date of this chapter.

7151.0200 INADEQUATE SAFEGUARDS.

Finding a substance which is stored on a site without safeguards or an existing safeguard which does not meet the requirements of this chapter constitutes justification for the commissioner to:

- A. require the owner or other responsible person to immediately remove the substance from the site and to refrain from further storage of any substance until adequate safeguards are provided under this chapter; and
- B. require the owner to obtain a written permit under part 7151.0150, subpart 3.

7151.0210 NOTICE CONCERNING LOSS AND RECOVERY.

Except as provided below, the owner shall immediately notify the commissioner of a release of stored substances under *Minnesota Statutes*, section 115.061. Notice must be by telephone or other comparable means and must be made immediately upon discovery of the loss. The notification must include the location and nature of the loss and other pertinent information available at the time. If a release is less than 25 gallons and is contained within the secondary containment area, the notification requirement may be met with a letter to the commissioner within two weeks of the release event.

The owner shall immediately act to recover the released substance under *Minnesota Statutes*, section 115.061. After a release, the secondary containment area must be assessed for damage to the seal and, if damaged, the seal must be repaired to meet the requirements under part 7151.0080 before the tank may be used for substance storage. The methods used to assess and repair the seal must be documented in writing by the owner and must be submitted to the commissioner upon request.

7151.0220 PROCEDURAL RULES AND APPEALS.

A request for a hearing, an appeal, or other procedural matter not specifically provided for in this chapter is governed by the agency rules of procedure, the rules of the Office of Administrative Hearings, and other applicable laws.

7151.0230 VARIANCES.

A person may apply for a variance from any requirement of parts in this chapter. The variance shall be applied for and acted on by

the agency according to *Minnesota Statutes*, section 116.07, subdivision 5, and other applicable statutes and rules.

7151.0240 INCORPORATION BY REFERENCE.

Subpart 1. **Scope.** For purposes of this chapter, the documents in subpart 2, are incorporated by reference. They can be found at the Minnesota State Law Library, Ford Building, 117 University Avenue, Saint Paul, Minnesota 55155, or at the addresses shown. The documents are not subject to frequent change.

Subp. 2. **Referenced standards.** The documents incorporated by reference in this chapter are listed in items items A to F:

A. American Petroleum Institute, 1220 L Street Northwest, Washington, D.C. 20005:

(1) 650, Welded Steel Tanks for Oil Storage, Eighth Edition (1988); and

(2) 653, Tank Inspection, Repair, Alteration, and Reconstruction, First Edition (1991).

B. American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103: D1785-86, Specifications for Poly (Vinyl Chloride) (PVC) Plastic Pipe, Schedules 40, 80, and 120.

C. National Association of Corrosion Engineers, Publication Department, P.O. Box 218340, Houston, Texas 77218: RP-01-69, Control of External Corrosion on Underground or Submerged Metallic Piping Systems (1983).

D. National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269: 30, Flammable and Combustible Liquids Code (1987).

E. Underwriters Laboratories Inc., 333 Pfingsten Road, Northbrook, Illinois 60062:

(1) UL 142, Steel Aboveground Tanks for Flammable and Combustible Liquids;

(2) UL 567, Pipe Connectors for Flammable and Combustible Liquids and LP-Gas (1989); and

(3) UL 971, Nonmetallic Underground Pipe for Flammable and Combustible Liquids.

F. Western Fire Chiefs Association, 5360 S. Workman Mill Road, Whittier, California 90601: Uniform Fire Code.

REPEALER. *Minnesota Rules*, parts 7100.0010, 7100.0020, 7100.0030, 7100.0040, 7100.0050, 7100.0060, 7100.0070, 7100.0080, 7100.0090 are repealed.

Secretary of State

Proposed Permanent Rules Relating to Elections; Redistricting

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Secretary of State intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes* 204B.14, subdivisions 4 and 6.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Secretary of State will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Joseph Mansky
Director, Election Division
180 State Office Building
St. Paul, MN 55155
(612) 296-2805

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

Proposed Rules

The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rules as noticed.

A copy of the proposed rules are attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Secretary of State upon request.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to the legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this matter to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to the Secretary of State.

Dated: 31 October 1991

Joseph Mansky
Director, Election Division

Rules as Proposed (all new material)

8255.0010 ALTERNATE DATES FOR COMPLETION OF LOCAL REDISTRICTING.

If the adoption of the legislative redistricting plan or the resolution of any court challenge to the legislative redistricting plan occurs less than 19 weeks before the state primary, in a year ending in two, the following schedule for reestablishment of precinct boundaries and election districts must be followed:

- A. Precincts must be reestablished no later than four weeks after the adoption of the legislative plan.
- B. Wards must be redistricted no later than four weeks after the adoption of the legislative plan.
- C. Local government election districts must be redistricted no later than six weeks after adoption of the legislative plan.

When a municipality completes the reestablishment of precinct boundaries, the municipal clerk shall immediately provide the secretary of state, county auditor, and all school districts with territory in the municipality a copy of a map illustrating the precinct boundaries.

8255.0020 ESTABLISHMENT OF PRECINCT BOUNDARIES LACKING RECOGNIZABLE PHYSICAL FEATURES.

If recognizable physical features are unavailable for use as precinct boundaries, or if establishment of a precinct boundary along a school district boundary which does not follow a recognizable physical feature is desired, the county or municipal governing body may establish precinct boundaries lacking a recognizable physical feature. A precinct boundary lacking a recognizable physical feature must be established as provided in this part.

Two precincts may be formed which share a boundary that is not located on a recognizable physical feature. However, the boundary of the two precincts combined must be entirely located on recognizable physical features.

If two precincts are divided by a boundary not located on a recognizable physical feature as provided in this part, the two precincts must be named to reflect a relationship for the purpose of reporting election results, for example: "precinct 1A and precinct 1B."

8255.0030 POSTING NOTICE OF BOUNDARY CHANGES.

When a precinct boundary is reestablished or a local government election district boundary is redistricted under part 8255.0010, a notice and a detailed map showing the new precincts or districts must be posted at the locations and in the manner in items A to C.

A. For precincts and wards established by a municipality, the notice prepared by the municipal clerk must be posted in the clerk's office. The notice may be posted in other conspicuous locations in the municipality, at the discretion of the clerk. The information posted must also be made available for public inspection at the office of the county auditor.

B. For districts established by a county, the notice must be prepared by the county auditor and posted in the auditor's office. The county auditor shall provide a copy of the notice to each municipal clerk in the county. Each municipal clerk shall post the notice of county precincts and election districts.

C. For precincts and districts established by school districts, the notice must be prepared by the school district clerk and posted in the clerk's office. The notice may be posted in other conspicuous locations in the school district, at the discretion of the clerk. The information posted must also be available for public inspection at the office of the county auditor.

The notices required by this part must be posted within 72 hours after the adoption of precinct or election district boundaries. The notices must remain posted until the day following the state general election in a year ending in two.

8255.0040 PUBLISHED NOTIFICATION BY COUNTY AUDITOR.

When precincts are reestablished or local government election districts are redistricted under part 8255.0010, the county auditor

shall publish a notice illustrating or describing the congressional, legislative, and county commissioner districts in the county in one or more qualified newspapers in the county. The publication must occur no later than 14 days after the redistricting of local government election districts is completed.

8255.0050 NOTICE TO AFFECTED VOTERS.

When precinct boundaries are changed under part 8255.0010, the county auditor or municipal clerk shall notify each affected registered voter of the change at least one week prior to the state primary held after the change takes place.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *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.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Public Safety

Driver and Vehicle Services Division

Adopted Permanent Rules Relating to Disposition of Driver's License Following Non-Alcohol-Related Vehicle Offenses

The rules proposed and published at *State Register*, Volume 15, Number 47, pages 2474-2484, May 20, 1991 (15 SR 2474), are adopted with the following modifications:

Rules as Adopted

7409.2100 VIOLATION RESULTING IN FATALITY OR PERSONAL INJURY.

The commissioner shall suspend the driver's license of a person upon receiving a record of conviction under *Minnesota Statutes*, chapter 169 or an ordinance regulating traffic, except traffic laws specifically excluded from the driving record by statute, ~~when it appears from the~~ and department records show that the violation ~~for which the person was convicted~~ contributed in causing an accident resulting in the death or ~~class A~~ personal injury of another. The driver's license must be suspended for a period of:

7409.3600 LIMITED LICENSE.

The commissioner shall issue a limited license following a revocation under *Minnesota Statutes*, section 65B.67, 169.792, or 171.17, or suspension under *Minnesota Statutes*, section ~~169.792, 171.17, or~~ 171.18, when the person has met the following conditions:

D. the person has passed the driver's license examination, has applied for a new license, and has paid the application fee for the class of license involved, as required for issuing an original license, if the person's driver's license was revoked ~~other than under *Minnesota Statutes*, section 169.792;~~

7409.4000 REINSTATEMENT AFTER INSURANCE-RELATED REVOCATION; 169.792.

The commissioner shall reinstate the driver's license of a person whose license has been revoked under *Minnesota Statutes*, section 169.792, when the driver has met the reinstatement requirements under part 7409.4100, items A to D, and the driver or owner files with the commissioner:

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Adopted Rules

C. if the driver is not the owner of the vehicle involved in the incident and the driver does not own a vehicle, proof of insurance for a nonowner operator policy or proof of insurance verifying that the person is a named insured.

Board of Medical Examiners

Adopted Permanent Rules Relating to Fees

The rules proposed and published at *State Register*, Volume 15, Number 51, pages 2626-2627, June 17, 1991 (15 SR 2626), are adopted as proposed.

Executive Orders

Executive Department

Executive Order 91-17: Providing for the Implementation of Pollution Prevention by State Government

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, Minnesota state agencies release pollution into the environment through their operations, regulate activities in the state that release pollution, and purchase items and set specifications that may lead to the release of pollution; and

WHEREAS, pollution prevention reduces pollution at its source rather than treating or controlling pollution after it has been created; and

WHEREAS, pollution prevention often results in cost savings and increased efficiencies as well as enhanced environmental protection; and

WHEREAS, the Minnesota Toxic Pollution Prevention Act, *Minnesota Statutes*, Chapter 115D, specifies that it is the policy of the state to encourage pollution prevention; and

WHEREAS, there is considerable potential for pollution prevention in state government;

NOW, THEREFORE, I hereby order state departments and agencies to take additional steps to prevent pollution:

1. All departments and agencies of the State of Minnesota shall give priority to preventing pollution at its source of generation.

2. An Interagency Pollution Prevention Advisory Team shall be established to:

- (a) promote regular communication and cooperation between state agencies in preventing pollution;
- (b) provide guidelines for state agencies in meeting the requirements of (4) through (6) below;
- (c) review state agency progress reports;
- (d) serve as a clearinghouse of information on progress made by state agencies in preventing pollution;
- (e) encourage the implementation of pilot projects in which state government can serve as a model;
- (f) promote efficiency in governmental efforts by reducing overlap of activities and by encouraging the sharing of innovative ideas; and
- (g) make recommendations for enhancing pollution prevention in state government.

3. The Interagency Pollution Prevention Advisory Team shall be chaired by a representative of the Office of Waste Management. All state agencies shall cooperate with the team in the execution of this order. The team shall include but not be limited to representatives of the departments of Administration, Agriculture, Corrections, Health, Human Services, Military Affairs, Natural Resources, Public Safety, Public Service, Transportation, Pollution Control Agency, Office of Strategic and Long-Range Planning, Community College System, State University System, Technical College System, University of Minnesota, Metropolitan Airports Commission, Metropolitan Council, Metropolitan Mosquito Control Commission, Metropolitan Transit Commission, and Metropolitan Waste Control Commission. The team shall meet regularly.

4. Heads of state agencies that generate significant quantities of hazardous waste or use significant quantities of toxic chemicals shall develop policy statements indicating that pollution prevention is a priority. These agencies shall also undertake activities to reduce their generation of hazardous waste and use of toxic chemicals.

5. Heads of state agencies that regulate activities in the state which generate significant quantities of hazardous waste or use significant quantities of toxic chemicals, or whose policies have important effects upon such activities, shall develop policy statements indicating that pollution prevention is a priority. These agencies shall also undertake efforts to integrate pollution prevention into their regulatory and policy activities.

6. State agencies, subject to (4) and (5) above, shall prepare summary reports annually on their progress in preventing pollution with the first reports to be completed by July 1, 1992. At a minimum, these reports shall include a description of steps taken to integrate pollution prevention into agency activities, a summary of plans for future activities to prevent pollution, and an estimate of environmental and economic benefits, when applicable, which have resulted from preventing pollution.

7. State agencies whose purchasing policies or specifications result in the generation of significant quantities of hazardous waste or the use of significant quantities of toxic chemicals shall, in cooperation with the Department of Administration, investigate opportunities to encourage pollution prevention through their purchasing policies and specifications.

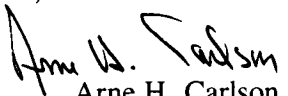
8. Information on progress of state agencies in preventing pollution shall be included in the Pollution Prevention Evaluation Report to the Legislature required by Section 115D.10 of the Minnesota Toxic Pollution Prevention Act.

9. State agencies are encouraged to apply for the annual Governor's Award for Excellence in Pollution Prevention, as authorized by Section 115D.06 of the Minnesota Toxic Pollution Prevention Act. A special award category for excellence in pollution prevention shall be established for state agencies.

10. The Office of Waste Management shall provide technical assistance to state agencies in the implementation of this order.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1990, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this sixteenth day of September, 1991.


Arne H. Carlson
Governor

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

Executive Orders

Filed According to Law:

Joan Anderson Growe
Secretary of State

Executive Department

Executive Order 91-18: Creating a Governor's Policy for Interstate Cooperation on Waste Management

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, interstate cooperation on waste management is essential to protecting the environment of Minnesota and the entire country; and

WHEREAS, the policies and procedures for waste management in neighboring states may affect Minnesota and vice-versa; and

WHEREAS, it is advantageous for the State to receive early notification and the opportunity to comment on neighboring states' decisions regarding waste management that may affect Minnesota; and

WHEREAS, it is also incumbent upon the State of Minnesota to provide neighboring states who may be affected by our decisions regarding waste management with the opportunity to provide us with their comments on impending state decisions; and

WHEREAS, the sharing of information will serve to protect the environment of Minnesota and the entire country;

NOW, THEREFORE, I hereby order that agencies in the state that are responsible for waste management shall cooperate with the Western Governors' Association, its member states, and other states on interstate waste management issues. Minnesota's cooperation shall be achieved by the following actions:

1. Dottie Rietow is named as Minnesota's contact for the Western Governors' Association's Waste Impact Network. Ms. Rietow's name will be forwarded to the Western Governors' Association along with a copy of this Executive Order.

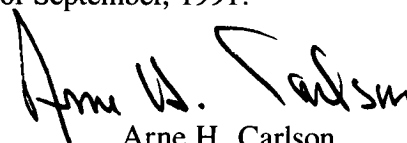
2. The attached Regional Waste Protocol, which has been signed by my hand, will be distributed to staff of the state's agencies handling waste management issues.

3. State agencies and personnel will regularly review pending state decisions regarding waste management for their potential affect on other states as outlined in Principle 2 of the Regional Waste Protocol. When potential affects on other states are identified, agency staff will notify the state's contact named above. It is then the contact's responsibility to inform the Western Governors' Association of the potential affect.

4. Minnesota's contact person must ensure that all relevant state agencies are notified when she is informed of other states' waste actions which might affect the state.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1990, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this sixteenth day of September, 1991.


Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Executive Department

Emergency Executive Order 91-21: Providing for Emergency Assistance to Minnesota Farmers

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, extremely heavy and continuous rain fall has produced unfavorable farmland conditions in the state this year; and

WHEREAS, Minnesota's farmers require emergency assistance to harvest crops and haul them to market;

NOW, THEREFORE, I hereby order that:

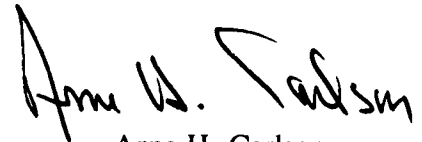
1. The provisions of *Minnesota Statutes* 1990, Sections 169.80 to 169.88 (as amended), governing size, weight, and load, shall not apply to implements of husbandry temporarily moved upon a highway, if drawn by a truck, pick-up truck, or farm tractor owned by a farmer.

2. Farm trailers used exclusively for transporting agricultural products from farm to farm and to and from the usual market place of the owner, shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the provisions of *Minnesota Statutes* 1990, Chapter 168 (as amended).

3. Farm tractors may exceed 12 feet in outside width when temporarily moved upon a highway.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective October 11, 1991, and shall remain in effect until December 15, 1991 or until rescinded by proper authority.

IN TESTIMONY WHEREOF, I have set my hand this 11th day of October, 1991.



Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Commissioners' Orders

Department of Natural Resources

Commissioner's Order No. 2434: Regulating the Taking of Deer; Amending Commissioner's Order No. 2418 and Regulating Hunting in Camp Ripley During 1991; Amending Commissioner's Order No. 2415

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.401, 97B.301-97B.325, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby amend Commissioner's Order No. 2418, regulating the taking of deer, and Commissioner's Order No. 2415, regulating hunting in Camp Ripley during 1991.

Section 1. Section 3(b) of Commissioner's Order No. 2418 is amended as follows:

(b) Zone 2 (as described in Sec. 8(b)). Legal bucks may be taken beginning the Saturday nearest November 6 and lasting 9 days, from one-half hour before sunrise to sunset each day, except that legal bucks may be taken beginning the Saturday nearest November

Commissioners' Orders

6 and lasting 16 days in that portion of Zone 2 east of U.S. Highway 169, from one-half hour before sunrise to sunset each day. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit.

Sec. 2. Section 13(c) of Commissioner's Order No. 2418 is amended as follows:

(c) **ATV Use.** No person who has a valid license to take deer shall operate a snowmobile, three-wheel motorcycle or any other all-terrain vehicle in any open area for the taking of deer by firearms during legal shooting hours on any day when the person is licensed to take deer within that area, except for the period from 11 a.m. to 2 p.m. each day, and except for hunters licensed to take deer during the Zone 1 and Zone 2 seasons. All-terrain vehicles include trail bikes, Cushman 6-wheelers, Cushman Tracksters, Bombadier J-5's and all other similarly manufactured and homemade vehicles. Not included are trail bikes licensed and being legally operated on a public road or highway, four wheel drive road vehicles, farm tractors, motorcycles and similar vehicles. This regulation applies on all lands and waters regardless of ownership except that anyone using an all-terrain vehicle while pursuing his or her occupation on his or her own land and not in possession of a firearm is exempt. A permit to operate these restricted vehicles during the restricted hours may be issued by a conservation officer in the event of an emergency or other unusual conditions.

Sec. 3. Section 2 of Commissioner's Order No. 2415 is amended as follows:

Sec. 2. **DEER SEASON AND HUNTER QUOTA.**

Camp Ripley shall be open for the taking of any deer by bow and arrow on October 19 and 20, and November 30 and December 1, 1991, from one-half hour before sunrise to sunset each day according to the following provisions. Hunters previously chosen for the second weekend may return their permit prior to November 30 and have their preference re-established if they choose not to participate in the hunt.

Secs. 2(a) and 2(b) of Commissioner's Order No. 2415 are unchanged.

Sec. 4. Section 5(a)(1) of Commissioner's Order No. 2415 is amended as follows:

(1) Archers with permits shall enter and leave Camp Ripley only by way of the southeast railroad gate and only from 1 p.m. October 18, 1991, to 8 p.m. October 20, 1991, or 1 p.m. November 29, 1991, to 8 p.m. December 1, 1991, as per their permit.

Sec. 5. Except as provided by this order, all provisions of Commissioner's Orders Nos. 2418 and 2415 shall remain in full force and effect.

Dated at St. Paul, Minnesota, this 6th day of November, 1991.

Rodney W. Sando, Commissioner
Department of Natural Resources

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Board of Animal Health

Notice of Board Meeting

A meeting of the Board of Animal Health has been scheduled for Friday, December 13, 1991 at the Board offices at 9:30 a.m. The Board offices are located at 90 W. Plato Boulevard, Saint Paul, Minnesota 55107.

Information about this meeting may be obtained by calling the Board office at 612-296-5000.

Department of Education

Notice of Request for Proposals for Program Evaluation of Co-location of Services to Targeted Children and Youth

Proposals are being solicited to conduct an evaluation of the Co-location of Services to Targeted Children Youth Programs. The Department of Education is anticipating awarding 10-15 co-location planning grants and approximately 11 co-location service grants.

This Request for Proposals is to conduct an evaluation which will identify and describe characteristics, components, arrangements and agreements used in effective collaborative education prevention programs.

The anticipated time frame for this evaluation is January 1, 1992 through June 30, 1993. Up to \$20,000 is available for this evaluation.

Copies of the RFP may be obtained by contacting Nancy Montemurro at (612) 296-4081 or writing the Minnesota Department of Education, Risk Reduction and Prevention Unit, 906 Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101.

Proposals must be postmarked no later than December 6, 1991 and should be mailed to the above address.

Department of Health

Health Care Delivery Systems Division

Notice of Intent to Solicit Outside Opinions

NOTICE IS HEREBY GIVEN that the Department of Health is seeking opinions and comments pertaining to a request by Blue Plus for a waiver of HMO statutes and rules regarding compliance with minimum benefits and open enrollment in a Blue Plus product offered to small businesses in Anoka County. Such waivers are authorized for demonstration projects by *Minnesota Statutes* 62D.30.

The request submitted by Blue Plus is available for inspection during normal business hours at the following location:

Alternative Delivery Systems
 Room 458
 Minnesota Department of Health
 717 S.E. Delaware Street
 Minneapolis, Minnesota 55414

Comments on the request must be received by November 25, 1991.

Minnesota Housing Finance Agency

Notice of Public Hearing on Bond Issue

The Minnesota Housing Finance Agency will hold a public hearing pursuant to Section 1313(a)(3)(A) of the Tax Reform Act of 1986 and Section 147(f) of the Internal Revenue Code of 1986, as amended, on November 22, 1991, at 1:00 p.m. at the Minnesota Housing Finance Agency Board Room, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101, on a proposed issue of housing development bonds in an aggregate principal amount not to exceed \$50,000,000 for the purpose of refunding bonds financing the facilities described below as residential rental projects. The general functional description of the type and use of each facility, the developer which currently owns the facility, and its location are as follows:

Development Description	Outstanding Mortgage Bal.	Owner/General Partner(s)	Development Location
Rosemount Plaza 39 unit elderly building	\$ 1,631,778	Rosemount Plaza Limited Partnership, Craig Minea, Girard Minea, general partners	2900 145th Street Rosemount
Morgan Park Townhouses 24 family townhouses	\$ 1,041,137	Morgan Park Townhouses Limited Partnership, Manley Goldfine, general partner	8905-8925 Edward St. Duluth
Lanesboro Heights 30 family townhouses	\$ 1,100,903	Elk River Townhouses Limited Partnership, Brutger Equities, general partner	191st Ln. NW & Highland Rd. Elk River
Elliot Park Apartments 30 units family housing in three rehabilitated buildings and new construction townhouses	\$ 820,668	Elliot Park Housing Associates, a Limited Partnership, Brighton Development Corp., general partner	727 E. 14th Street 1516 & 1601 Elliot Av. 709-715 E. 14th St. Minneapolis
Maple Grove Estates 36 unit elderly building 12 family townhouses	\$ 1,847,037	Maple Grove Estates Limited Partnership, Kent Oliver, general partner	4075-4099 Haines Road Hermantown

Official Notices

Development Description	Outstanding Mortgage Bal.	Owner/General Partner(s)	Development Location
Cedar Hills Townhomes 30 family townhouses	\$ 1,165,374	Cedar Hills Townhomes of Minnetonka, Limited Partnership, Norman Chazin, general partner	10800 Cedar Bend Minnetonka
Whittier Townhomes 12 family townhouses	\$ 418,537	Whittier Townhomes Limited Partnership, Norman Chazin, general partner	2732-2738 Stevens Av. Minneapolis
Pine Avenue Townhouses 20 family townhouses	\$ 712,900	Pine Avenue Townhouses Limited Partnership, Clyde Johnson, Steven Johnson, general partners	3rd & Pine Staples
Kingsway Estates 24 family townhouses	\$ 855,929	Le Sueur Apartments Limited Partnership, Brutger Equities, general partner	Todd & Kingsway Drive Le Sueur
Rock Manor 24 family townhouses	\$ 783,239	R. J. Lloyd Luverne Partnership, Robert J. Lloyd, general partner	Hatting Street Luverne
Endion School Rehab 26 units family housing in rehabilitated building	\$ 897,485	Duluth Rehab Limited Partnership, Robert Maki, general partner	1802 E. 3rd Street Duluth
Wimbledon Green 45 unit elderly building	\$ 1,716,253	Wimbledon Green Limited Partnership, Arthur J. Petrie, general partner	401 33rd Avenue N. St. Cloud
Hickory Ridge 32 family townhouses	\$ 1,272,885	Hickory Ridge Townhomes Limited Partnership, Douglas M. Head, general partner	63rd & N. Quinwood Lane Maple Grove
Innsbruck 40 family townhouses	\$ 1,559,050	Innsbruck Limited Partnership, Gary Frana, general partner	1510-1570 50th St. NW Rochester
Medley Park 30 family townhouses	\$ 1,142,430	BRI Associates, Bor-Son Investment Properties, general partner	2352-2385 Mendelssohn Ln. Golden Valley
Mission Oaks 26 family townhouses	\$ 995,397	Mission Oaks Limited Partnership, Richard Zejdlik, general partner	11841 Rockford Road Plymouth
Oak Haven 6 single family houses and 4 duplexes	\$ 404,390	Oakhaven Associates Limited Partnership of Minneapolis, Gary Petrucci, general partner	3724 Portland Avenue 4105 27th Avenue 3533 43rd Avenue 4114 E. 55th Street 3801-3807 E. 54th Street 2421 10th Avenue 4504 3rd Avenue Minneapolis
Fontaine Towers 151 unit elderly building	\$ 6,221,931	Fontaine Towers Limited Partnership, Gus Chafoulias, general partner	102 2nd Street SE Rochester
Heritage House 58 unit rehabilitated elderly building	\$ 2,372,074	Heritage House Apartments Limited Partnership, Stuart A. Nolan, general partner	224 E. 7th Street St. Paul
Wilkins Townhomes 23 family townhouses	\$ 825,302	Summit University Associates Limited Partnership, estate of Morris Kloster, general partner	795-799 Marshall 589-611 Ashland 610-618 Holly, St. Paul

Development Description	Outstanding Mortgage Bal.	Owner/General Partner(s)	Development Location
College Drive Townhouses 24 family townhouses	\$ 871,101	Lucas Donaldson Limited Partnership, Margaret Lucas, Linda Donaldson, general partners	701-757 Brian Lane Brainerd
Rush Riverview 24 family townhouses	\$ 870,110	O. D. Limited Partnership, Jack Ovick, Patrick Dowd, general partners	Co. Rd. 54 and Highway 61 Rush City
Madison Apartments 51 unit family housing in rehabilitated school and new construction townhouses	\$ 1,609,497	Madison Apartments Limited Partnership, Richard C. Bienapfl, general partner	501 E. 15th Street Minneapolis
Camber Hill Townhouses 44 family townhouses	\$ 1,670,728	Camber Hill Limited Partnership, Douglas M. Head, general partner	404-558 Camber South St. Paul
Holmes Greenway 50 unit building for handicapped	\$ 2,479,250	Central Housing Associates, a Minnesota Limited Partnership, Jon E. Dickerson, general partner	114 5th Street SE Minneapolis
Bossen Terrace 66 family townhouses	\$ 2,606,899	BTA Limited Partnership, Gus Chafoulias, Peter Boosalis, Thomas W. LaSalle, general partners	5701 Sander Drive Minneapolis
Grove Apartments 25 unit elderly building	\$ 697,001	Walnut Grove Apartments Limited Partnership, Atwood Associates, general partner	361 8th Street Walnut Grove
Abbey Field 42 family townhouses	\$ 1,374,947	Abbey Field Limited Partnership, Ryan Development, general partner	233rd Avenue NW and Ambassador Blvd., St. Francis
TOTAL	\$39,964,232		

The maximum aggregate face amount of bonds to be issued with regard to each of the above developments will be the proportionate share each outstanding mortgage balance represents of the total outstanding mortgage balance (total of mortgages approximately \$39,964,232) as a percentage of the new bonds to be issued.

Metropolitan Council

Public Hearing on Draft Plan, *Metropolitan Area Water Supply: A Plan for Action*

The Metropolitan Council will hold a public hearing to receive comments on its draft long-term water supply plan, *Metropolitan Area Water Supply: A Plan for Action*. The plan seeks to provide a coordinated region-wide effort to protect and conserve the seven-county area's limited and vulnerable water supply. The plan is to be completed and delivered to the Minnesota legislature by Feb. 1, 1992. A public hearing will be held on Thursday, Dec. 12, 1991, 4 p.m., Metropolitan Council Chambers, Mears Park Centre, 230 E. Fifth St., St. Paul. All interested persons are encouraged to attend and offer comments. People may register in advance to speak by calling Deborah Schreiner at 291-6401. Written comments should be sent to Gary Oberts, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101. The hearing record will close at 4:30 p.m., Friday, Dec. 27, 1991. Copies of the draft plan may be obtained from the Council's Data Center by calling 291-8140.

Public Employees Retirement Association

Notice of Meetings of Board of Trustees

The next regular monthly meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be combined with a meeting of the Legislative Committee on Thursday, November 14, 1991, at 9:30 a.m. in the Association offices,

Official Notices

514 St. Peter Street, Suite 200—Skyway Level, St. Paul, Minnesota.

An Information Forum/Public Safety Officers' meeting will be held Wednesday, November 20, 1991, at 1:00 p.m. in the Association offices.

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, December 6, 1991, at 9:30 a.m., in Suite 500, Gallery Building, 17 W. Exchange St., St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation

Notice of Minnesota Department of Transportation Decision to Pursue Purchasing Portions of Abandoned Otter Tail Rail Line for Rail Bank Program

The Commissioner of the Department of Transportation hereby gives notice that based on the Transportation Department's analysis of the abandoned Otter Tail Valley Railroad corridor from Fergus Falls to four miles east of Avon, Minnesota, the rail line is appropriate for the State Rail Bank Program and the Department of Transportation will pursue acquisition of portions of the rail line.

The Department's decision is based on the following:

- The rail corridor meets the criteria established for the State Rail Bank program.
- Mn/DOT received considerable public comment in support of banking the corridor for recreational trail use and/or shared uses such as highway and local street improvements and recreational trail use.
- The corridor offers potential for future uses such as transmission and utility lines, recreational trail use, and to a lesser degree, rail freight and/or passenger rail service.
- The linear corridor is a valuable commodity that may provide a viable transportation option in the future, and
- Cities on the corridor have an opportunity to acquire the portion of the rail line within their cities that is necessary for economic development or other appropriate use.

PUBLIC HEARING

In accordance with Minnesota Department of Transportation Agency Rules 8830.5800-8830.5860 a formal public hearing may be held should one be requested by person or persons formally objecting to the Minnesota Department of Transportation's decision to acquire the corridor as set forth in this notice. Requests for a formal public hearing should be addressed to:

Minnesota Department of Transportation
Office of Railroads & Waterways
Suite 925, Kelly Annex
395 John Ireland Boulevard
Transportation Building
St. Paul, MN 55155

Board of Water and Soil Resources

Notice of the Wetland Conservation Act of 1991: the Interim Program

The Minnesota Board of Water and Soil Resources (BWSR) is the state administrative agency for the Wetland Conservation Act of 1991. Because we have received so many questions regarding the act, and the interim program beginning Jan. 1, 1992, the BWSR has prepared this document to inform the organizations and people affected by the act. Any further questions can be directed to the BWSR, 612-296-3767, or 1-800-652-9747.

The regulatory provisions of the Wetland Conservation Act take place in two phases. The first phase is an interim program prohibiting wetland alteration that begins Jan. 1, 1992, and lasts through July 1, 1993. After July 1, 1993, a permanent program begins. The programs provide exemptions and also allow landowners to "replace" wetlands through an approved replacement plan.

So what exactly does the Wetland Conservation Act mean for local governments and landowners? And when do their responsibilities begin?

Between now and Jan. 1, 1992...

- Local government units (LGUs) must decide which LGU will administer the interim provisions of the act. (BWSR is available to facilitate this discussion between LGUs.) Although soil and water conservation districts (SWCDs) or any LGU with permitting authority can administer the interim provisions, the permanent program is more restrictive: only counties and cities can administer the permanent program in Greater Minnesota, and only cities, townships and water management organizations can administer the permanent program in the Metro Area. It seems logical to consider giving responsibility for the interim program to the LGU that will ultimately administer the permanent program.

- The designated LGU should notify the BWSR that they have accepted responsibility for administering the act. If no LGU takes responsibility for the program, landowners with nonexempt wetlands will be prohibited from altering them. Moreover, since the BWSR will not assume local administration of the program, landowners will have no one to determine exemptions or approve replacement plans.

- The BWSR will develop administrative guidelines for the interim program. After Nov. 11, 1991, a copy of the guidelines may be obtained from the BWSR (612-296-3767). The guidelines will be open to written comment until Dec. 6, 1991. The comments and adoption of the guidelines will be considered at the Dec. 18, 1991, meeting of the BWSR.

After Jan. 1, 1992...

- After consultation with the Wetland Heritage Advisory Committee (a nine-member committee consisting of the commissioners of agriculture and natural resources, and seven others appointed by the governor), rule making for the permanent program will begin.

- The BWSR will provide training to LGUs concerning the interim program.

- The BWSR and LGUs will work together to let landowners know that they must get approval from the LGU before altering a wetland.

- The LGU must decide if a wetland activity is exempt; if it is, the LGU might want to consider issuing a "certificate of exemption." Although this certificate is not required, it will help the landowner quickly explain the wetland's status to enforcement officials.

- The commissioner of the Department of Natural Resources (DNR) is responsible for enforcement of the act. Although conservation officers are primarily responsible for this enforcement, other peace officers will assist the DNR.

- Exemptions include:

- the proposed activity is in a wetland subject to federal farm program Swampbuster requirements;

- the wetland has a cropping history or was in "set aside" six of 10 years prior to Jan. 1, 1991;

- the activity is in a wetland that was enrolled in the federal Conservation Reserve Program, was cropped six out of 10 years prior to enrollment, and has not been restored with public or private assistance;

- the activity is in a wetland that has received a commenced determination by the Agricultural Stabilization and Conservation Service (ASCS);

- the activity is in a type 1 wetland on agricultural land, except for bottomland hardwood type 1 wetlands;

- the activity is in a type 2 wetland that is two acres or less located on agricultural land;

- the activity is in a wetland created solely as a result of beaver dam construction, or blockage of culverts through public or private roads;

- the activity is necessary to repair and maintain public or private drainage systems, as long as wetlands that have been in existence for more than 20 years are not drained;

- the activity is related to development projects and ditch improvement projects that have received at least preliminary approval within five years before Aug. 1, 1991;

- certain activities related to Corp. of Engineer permits, forest management, aquaculture, wild rice production, and routine maintenance of highways, streets and utilities.

- Landowners proposing nonexempt activities have these options:

- The landowner and the LGU can agree that the landowner will replace the wetland within one year of the effective date of the rules governing the permanent program and that the replacement will abide by those rules. (The rules will be effective about July 1, 1993.)

- The landowner can replace the wetland acre for acre (at a 2:1 ratio for non-agricultural wetlands and at a 1:1 ratio for agricultural wetlands) and type for type before or during the wetland activity.

- If the replacement is required by a permitting authority other than the LGU, the LGU may defer to that replacement plan, providing that the replacement requirements are at least 1:1 (ag) and 2:1 (non-ag).

Official Notices

• The LGU must establish a technical evaluation panel. The panel is responsible for making wetland delineations, resolving questions concerning exemptions and providing guidance on replacement plans. The LGU approves the replacement plans. By statute, this panel consists of a professional employee of the SWCD, a BWSR employee and an engineer from the LGU. (The panelists may add other members from the public or private sectors to provide additional expertise.)

• The legislature appropriated funds to SWCDs to serve as an information clearinghouse about the act and to provide training to local officials.

State Grants

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

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

Minnesota Housing Finance Agency

Blighted Residential Property Acquisition and Rehabilitation Program Funds Available

The Minnesota Housing Finance Agency (MHFA) announces the availability of \$1,750,000 in grants to Cities for the improvement of blighted properties in neighborhoods designated by applying Cities for neighborhood preservation (designated neighborhoods).

FORM OF AWARDS

Funds will be awarded to Cities in the form of a grant for designated neighborhoods. The full amount of the Grant will be advanced to the City after approval of Grant Applications.

ELIGIBLE USES OF GRANT FUNDS

Blighted Residential Property Acquisition and Rehabilitation Program grants may be used to make loans or grants to eligible recipients (eligible mortgagors) for one or more of the four activities described below.

1. Financing acquisition of Blighted Properties.
2. Financing demolition of Blighted Properties.
3. Providing Gap Financing for rehabilitation of Blighted Properties. (This activity is the financing of the difference between the sum of the cost of acquiring and/or rehabilitating a property, and the market value of the property upon sale.)
4. Providing Gap Financing for construction of new housing on Blighted Properties. (This activity is the financing of the difference between the sum of the cost of acquiring and/or demolishing and constructing new housing on the site, and the market value of the property upon sale.)

NOTE: Financing rehabilitation or new construction is ineligible, unless as "gap financing" as described above. Given the gap financing requirement to sell the property upon completion, owners who intend to continue their ownership of the property after completion will not be eligible.

Grant funds may not be used for administrative costs.

SIZE OF GRANTS

The minimum State Grant is \$30,000. The maximum State Grant is \$350,000.

One third ($\frac{1}{3}$) of available funds will be allocated to Designated Neighborhoods with requests for State Grants in amounts from \$30,000 to \$100,000 (small grant pool). Two-thirds ($\frac{2}{3}$) of available funds will be allocated to Designated Neighborhoods with requests for State Grants in amounts greater than \$100,000, but no greater than \$350,000 (large grant pool).

In the event Grant Applications and Agreements received and selected for funding by MHFA are inadequate to exhaust the funds allocated for either small or large grant pools, the unused portion will be reallocated to the other pool.

Except as provided in the Blighted Residential Property Acquisition and Rehabilitation Procedural Manual, a copy of which is included in the application packet, no more than two neighborhoods per city will receive grants.

PARTICIPATION TERM

Funds are to be expended by Cities in the form of loans or grants to eligible mortgagors not later than December 31, 1993.

DESIGNATED NEIGHBORHOOD

A neighborhood, constituting a portion of the City which is less than the whole, designated by the City for neighborhood preservation. Any changes in a target area's boundaries must also be designated by city council resolution and approved by the MHFA.

It is the desire of the MHFA to encourage and support innovative approaches to improving a neighborhood's housing, while providing affordable housing with a strong local support. These State Grant funds may be used in conjunction with other Local, State, and/or Federal programs as appropriate. Potential applicants should note the Request for Proposals for the Single Family Capital Reserve Program appearing elsewhere in this *State Register*. While submissions of proposals for both programs are not required to ensure selection, the programs may be used to complement one another and MHFA encourages participants to consider submitting applications for both programs to address a locally identified housing preservation need. MHFA has an interest in selecting at least one proposal which combines the two programs to further neighborhood preservation.

ELIGIBLE MORTGAGORS

Cities may make loans and grants to a wide variety of individuals and organizations involved with housing, a complete description of which is contained in the Blighted Residential Property Acquisition and Rehabilitation Program Procedural Manual.

Properties improved with assistance from the Blighted Residential Property Acquisition and Rehabilitation Program must be occupied upon completion by households with income less than or equal to the county or area median income as determined by the United States Department of Housing and Urban Development.

APPLICATION PROCESS

Only one application per neighborhood is permitted, but more than one application per city may be submitted.

Cities, or their designees, should request application packets from the following MHFA staff person:

Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101
Attention: Reed Erickson (612) 296-8843
or toll free 1-800-652-9747, extension 6-8843

Application packets will contain a copy of this Request for Proposals, a Blighted Property Acquisition and Rehabilitation Program Procedural Manual, and a Grant Application.

GRANT APPLICATIONS ARE DUE BY 4:30 P.M. ON January 31, 1992. The MHFA will review the applications and final selections should be made by the MHFA board no later than February 27, 1992. Applicants will be notified of whether they have been selected by March 6, 1992.

If you have any questions concerning the Blighted Residential Property Acquisition and Rehabilitation Program or the application process, please contact the MHFA staff person named above.

This Request for Proposal (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation of submittal of applications.

Minnesota Housing Finance Agency

Single Family Capital Reserve Program Funds Available

The Minnesota Housing Finance Agency (MHFA) is seeking proposals from eligible organizations interested in participating in the Single Family Capital Reserve Program.

The Single Family Capital Reserve Program was established by the 1991 Legislature which appropriated \$1,650,000 for the program. The purpose of the program is to effectively use the appropriated funds to meet locally identified neighborhood revitalization goals pertaining to preservation and rehabilitation of the existing single family housing stock and to provide single family homeownership opportunities. Local governments and/or nonprofit housing organizations and local mortgage lenders must jointly participate in the program. Under any accepted proposals, local lenders must originate "purchase/rehabilitation" mortgage loans with market rate capital from "traditional" sources, including FNMA, GNMA, their own portfolio, etc. Appropriated program funds will be leveraged with the market rate capital in accordance with program requirements to provide greater affordability, flexibility and risk protection in the origination of mortgage loans. Materials which contain all of the program requirements and information on borrower and property eligibility will be included with each application packet. Further information regarding the program may be obtained by calling MHFA at the number listed below.

State Grants

Eligible Organizations:

An eligible organization is a real estate mortgage lender, political subdivision, housing and redevelopment authority, nonprofit or cooperative housing organization (which may include such groups as housing providers, neighborhood groups, housing trusts, etc.), or other organizations which must have as a primary purpose the providing or development of affordable housing to low and moderate income homebuyers. Applications for program participation that involve all above program participants are encouraged. However, a local sponsoring entity must apply jointly with a local participating real estate mortgage lender under any circumstances.

Eligible Uses of Appropriated Funds:

Appropriated program funds must be leveraged with market rate capital in one of the following ways:

- A. First mortgage participation.
- B. Interest-free second mortgage participation.

Appropriated funds may not provide greater than 20% of the financing needed for the purchase of a specific property. Additional local financial participation in transactions funded under the program is to be encouraged to the degree that it does not serve as an impediment to the origination of a market rate loan by a local lender. Gap financing (the difference between the actual cost to purchase and rehabilitate a dwelling and its market value after rehabilitation) is particularly encouraged. It is estimated that the combination of market rate capital and appropriated funds will result in total mortgage originations of approximately \$5 million to \$6 million.

Participating lenders will be eligible to collect a 1% origination fee for each mortgage loan originated, any supplemental origination fees that may be specifically allowed by a mortgage insuring entity (such as under the FHA 203(k) program), plus an additional \$1,000 from appropriated funds for each mortgage loan originated. In addition, a servicing fee not to exceed $\frac{3}{8}$ of 1% for a whole loan sale or $\frac{1}{2}$ of 1% for a Mortgage Backed Security (MBS) placement may be collected by participating lenders/servicers. Maximum program activity may not exceed the greater of \$1 million in mortgage loans or 15 total transactions per participating community.

Application Process:

Application packets should be requested from MHFA. **Completed applications are required to be submitted to MHFA no later than 4:30 p.m. on January 31, 1992.** Joint applications for the Single Family Capital Reserve Program will be required to provide information which will document each applicant's ability to implement the program.

Selections:

The applications received by MHFA will be reviewed by a committee comprised of MHFA staff and representatives outside MHFA. This committee will forward recommendations to the MHFA Board of Directors for approval. The criteria for selection is detailed in each application packet. Selection as a program participant does not guarantee that the program participant will receive a specified number or dollar amount of mortgage loans or appropriated funds under the program. Rather, an allocation plan for the program will be established to assure availability of program funds on a state-wide basis.

Potential applicants should note the Request for Proposals for the Blighted Residential Property Acquisition and Rehabilitation Program appearing elsewhere in this *State Register*. While submissions of proposals for both programs are not required to ensure selection, the programs may be used to compliment one another and MHFA encourages participants to consider submitting applications for both programs to address a locally identified housing preservation need. MHFA has an interest in selecting at least one proposal which combines the two programs to further neighborhood preservation.

Further Information:

MHFA reserves the right to individually solicit real estate mortgage lenders, local governments, nonprofit housing organizations and other potentially eligible organizations to participate in this program. Acceptance of proposals under this program will be at MHFA's sole discretion. Furthermore, MHFA reserves the right to modify or withdraw this Request for Proposal at any time and is not able to reimburse any applicant for costs incurred in the preparation or submission of proposals. Requests for more detailed information, application packets and inquiries should be directed to:

Bruce Strong
Housing Development Officer, Senior
Minnesota Housing Finance Agency
400 Sibley Street, Suite 300
St. Paul, MN 55101-1998
(612) 297-3131
or toll-free
1-800-652-9747, and ask for "Home"

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

State Designer Selection Board

Request for Proposal for a Project at the University of Minnesota

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select a designer for a project at the University of Minnesota. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., December 3, 1991, to:

George Iwan
Executive Secretary, State Designer Selection Board
Room G-10, Administration Building
St. Paul, Minnesota 55155-3000

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4) Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. If desired, identify roles that such persons played in projects which are relevant to the project at hand.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past commissions under contract or awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects listed pursuant to the above. NOTE: Please call for a copy of the acceptable format for providing this information.
- e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights;

or

Professional, Technical & Consulting Contracts

c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or

d) A statement certifying that the firm has an application pending for a certificate of compliance.

6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or

b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

7) PROJECT 09-91

Washington Avenue

Parking Ramp Replacement

University of Minnesota—East Bank

Total Project Cost: \$6,000,000.00 (estimated)

The University of Minnesota is planning to replace the existing Washington Avenue Parking Ramp located on the Minneapolis campus.

The Washington Avenue Ramp will contain approximately 700 parking spaces for contract parking on the site of the existing ramp. The construction budget is approximately \$4,850,000.00. Due to the proximity of the existing 700 space Harvard Street Ramp, the feasibility of consolidating the ramps, including ingress and egress, by structurally tying the two facilities together shall be investigated. If combined, flexibility must be maintained to achieve maximum occupancy for a wide variety of users including contract holders, daily/hourly visitor parkers, hotel patrons, and special event users.

The architect is to provide conceptual level design and cost estimates for enclosed pedestrian linkages to adjacent buildings, in each direction. Below grade and elevated connections are to be evaluated. Actual implementation of the linkages is not a part of the project scope.

The architect is also to study the feasibility of options to include 10,000 gsf of general office space and 9,000 gsf of administrative and operational space for the University Police Department in the project. The capacity of the ramp would need to be reduced, as appropriate, to accommodate this amount of space within the previously stated budget. The architect's studies and cost estimate will help the University determine if there are options it will pursue.

It is important that the parking ramp have a positive aesthetic image and that the architect has excellent design ability. Extensive experience in the design of parking ramps is required.

Questions concerning this project may be referred to Sue Markham at (612) 625-6599.

James Tillitt, Chairman
State Designer Selection Board

Trade & Economic Development Department

Regional International Trade Center Pilot Project Proposals Sought

During the 1991 Legislative Session the Minnesota Legislature approved an appropriation of \$50,000 for a regional international trade service pilot project which is to be established to provide assistance in the area of international trade to businesses in the State of Minnesota.

The Legislature has directed the Commissioner of the Department of Trade and Economic Development to ensure that no service provided by this pilot project duplicates a service provided under other law. The Department of Trade and Economic Development has been further directed to solicit proposals from vendors, and after thoroughly examining proposals, select and contract with a qualified vendor. (See *Laws of Minnesota 1991*, Chapter 348, Sec. 1 et. seq.)

The Minnesota Trade Office (MTO), a division of the Department of Trade and Economic Development, invites applications from international trade service vendors. The contract will have the following basic parameters:

a) The maximum amount of the contract will be \$50,000 for the period ending June 30, 1993.

b) The applicant must show evidence of seeking matching money from federal, state and local public and private sources.

Professional, Technical & Consulting Contracts

c) The application shall outline how the service it plans to offer under this pilot project are nonduplicative of those offered under other state law.

APPLICATION PROCESS:

Minnesota vendors may request the prescribed application form from the Minnesota Trade Office by writing:

Minnesota Trade Office
Attn: Regional Trade Center
1000 Minnesota World Trade Center
30 East Seventh Street
St. Paul, MN 55101

or by calling 612/297-4222, 800-657-3858, or by fax at 612/296-3555.

Completed applications must be received by the Minnesota Trade Office at the above address by 4:30 p.m. on December 31, 1991, for consideration.

EVALUATION OF APPLICATIONS:

The Commissioner of the Department of Trade and Economic Development shall screen initial proposals to ensure they are nonduplicative of those offered under other state law. Nonduplicative proposals will be further reviewed and a contract awarded to the most qualified applicant in accordance with the following criteria:

a) Background information on applicant, including:

- mission statement;
- past experience in providing development assistance;
- current service demographics;
- current service offerings; and
- proposed service territory and demographics.

25 points

b) Completeness and adequacy of proposed pilot project to deliver the following legislatively identified services in a nonduplicative manner:

- timely, personalized assistance to businesses;
- access to an international library and resource center;
- proposed contractual relationships with other international trade, education and development organizations;
- provision of a regularly scheduled events calendar;
- completion of an annual regional survey of trade service requirements;
- development of a computer-based service menu;
- six regional trade workshops;
- recruitment for trade missions, shows and fairs;
- direct communications links for businesses with Department of Commerce overseas posts;
- business screening;
- educational partnerships; and
- client follow-up.

50 points

c) Amount and diversity of matching funds

15 points

d) Clarity, conciseness and completeness of the application.

10 points

TOTAL POINTS: 100

NOTIFICATION:

Applications will be reviewed, and the approved applicant notified by January 24, 1992. Applicants will be required to enter into

Professional, Technical & Consulting Contracts

a contract with the Department of Trade and Economic Development before any disbursement of funds.

For more information, please contact James Jarvis at the Minnesota Trade Office at 612/297-4222 or 800-657-3858.

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid	F = \$1,500-\$5,000 Estimated Dollar Value	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required
B = Write for Price	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
C = Request for Proposal	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
D = Request for Information		L = No Substitute
E = \$0-\$1,500 Estimated Dollar Value		M = Installation Needed

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Virginia location
Requisition #: 179 150-WS

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation Department
Deliver to: Virginia Ely location
Requisition #: 79 150-WS

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Hibbing location
Requisition #: 79 150-A

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Hibbing location
Requisition #: 79 150-WS

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Cook location
Requisition #: 79 150-WS

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Virginia location
Requisition #: 79 150-A

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Grand Rapids location
Requisition #: 79 150-WS

Commodity: Bituminous
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia
Requisition #: 79 150-B

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Ely location
Requisition #: 79 150-A

State Contracts and Advertised Bids

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Grand Rapids location
Requisition #: 79 150-A

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Cook location
Requisition #: 79 150-A

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Littlefork & International Falls location
Requisition #: 79 150-A

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 21
Agency: Transportation
Deliver to: Virginia Littlefork & International Falls location
Requisition #: 19 150-WS

Commodity: A I-furnish & install CPU
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: November 27
Agency: Community College Board
Deliver to: St. Paul
Requisition #: B 27138-53085

Commodity: E-sine system remote transmitter control
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 14
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-17015

Commodity: A H-video/data/graph ICS projector
Contact: Pam Anderson 296-1053
Bid due date at 2pm: November 18
Agency: Board of Vocational-Technical Education/Air Traffic
Deliver to: Eden Prairie
Requisition #: B 36100-50651-1

Commodity: B G-code synthesizer
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 14
Agency: Minnesota Department of Transportation
Deliver to: North St. Paul
Requisition #: B 79000-22284

Commodity: B G-scientific equipment
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 18
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23218

Commodity: B F-toilet tissue
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10834

Commodity: B F-fans for computer room
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 14
Agency: Minnesota Department of Transportation
Deliver to: Detroit Lakes
Requisition #: B 79400-03264

Commodity: B F-Seagate disk drive
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 14
Agency: Minnesota Department of Transportation
Deliver to: Rochester
Requisition #: B 79000-21917

Commodity: B E-speed indicator
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 18
Agency: Department of Natural Resources—Division of Forestry
Deliver to: St. Paul
Requisition #: B 29000-57418

Commodity: A H-surveillance system
Contact: Pam Anderson 296-1053
Bid due date at 2pm: November 18
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11062

Commodity: B G-millivoltmeter
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 14
Agency: Minnesota Department of Transportation
Deliver to: North St. Paul
Requisition #: B 79000-22285

Commodity: B F-portable choral risers
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14589

Commodity: B G-band saw
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Willow River Camp
Deliver to: Willow River
Requisition #: B 78890-42018

Commodity: B G M-fencing
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: November 18
Agency: Minnesota Department of Jobs & Training
Deliver to: Minneapolis
Requisition #: B 21200-41853

Commodity: B E-fire arm parts
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: November 14
Agency: Minnesota Department of Jobs & Training
Deliver to: Various places
Requisition #: B 21603-14510

Commodity: B F-fluorometric analysis equipment
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Agriculture
Deliver to: Minneapolis
Requisition #: B 04131-21520

Commodity: B F-386/16 computer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Department of Gaming
Deliver to: Bloomington
Requisition #: B 09300-36010

State Contracts and Advertised Bids

Commodity: B F-SCSI disk for sun
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12500-83235

Commodity: B F-monitor
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12500-83397

Commodity: B G-tape backup system
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Department of Employee Relations
Deliver to: St. Paul
Requisition #: B 24500-20585

Commodity: B E-express 386/20 computer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14594

Commodity: B F L-Opus terminals
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-26115

Commodity: B E-Ohaus balance
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Agriculture
Deliver to: St. Paul
Requisition #: B 04661-21507

Commodity: B E-Sensaphone monitoring system
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 15
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12300-83320

Commodity: B F-Ethernet cards for Macintosh
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12500-83319

Commodity: B F-burster
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Commerce Department
Deliver to: St. Paul
Requisition #: B 13525-05470

Commodity: B E-Quantum ext. drive
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14562

Commodity: B F-cables, connectors
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-02138

Commodity: B F-cable
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-53042

Commodity: B G-486/33 computer—rebid
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-71009-1

Commodity: B F-multiport repeater
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Moorhead State University
Deliver to: Moorhead
Requisition #: B 26072-03499

Commodity: B F L-Gateway 2000 computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23217

Commodity: A H-IBM 4381 mainframe
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: November 15
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-22132

Commodity: B E-acid storage cabinet
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 13
Agency: Fond du Lac Community
Deliver to: Cloquet
Requisition #: B 27163-63163

Commodity: B E-electric cells/prefilters
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 13
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11063

Commodity: B E L-baseball equipment & supplies
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14186

Commodity: B F-Panasonic printers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Moorhead State University
Deliver to: Moorhead
Requisition #: B 26072-03478

Commodity: B E-H.P. printer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Moorhead State University
Deliver to: Moorhead
Requisition #: B 26072-03503

State Contracts and Advertised Bids

Commodity: B G L-IBM PS2/30
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: November 13
Agency: Cambridge Center
Deliver to: Cambridge
Requisition #: B 27141-48936

Commodity: A H-used 6250 multiplexer
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: November 15
Agency: Minnesota State Lottery
Deliver to: Roseville
Requisition #: B 99997-20020

Commodity: B F-spray painting equipment
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 15
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20372

Commodity: B F-musical instruments
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Moorhead State University
Deliver to: Moorhead
Requisition #: B 26072-03502

Commodity: B E-gymnastic mats
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Anoka-Metro Regional Treatment Center
Deliver to: Anoka
Requisition #: B 55100-04899

Commodity: B F M-air cleaners & installation
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 13
Agency: Ah Gwah Ching Nursing Home
Deliver to: Ah Gwah Ching
Requisition #: B 55510-03865

Commodity: B G-shelving
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: November 13
Agency: Minnesota Department of Transportation
Deliver to: Various places
Requisition #: B 79050-27605

Commodity: State patrol automobiles
Contact: Dale Meyer 296-3773
Bid due date at 2pm: November 26
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: Price contract

Commodity: B F-degrease/pressure washing
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 15
Agency: Department of Administration
Deliver to: St. Paul
Requisition #: B 02307-24248

Commodity: B F-used snack machine
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 19
Agency: Minnesota Department of Jobs & Training
Deliver to: St. Paul
Requisition #: B 21200-41875

Commodity: B F-baseball equipment and supplies
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: November 15
Agency: Vermilion Community College
Deliver to: Ely
Requisition #: B 27147-47417

Commodity: B F-VCT/TV 27
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: November 15
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14598

Commodity: B F-regulated power supply—mobile radios
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: November 19
Agency: Minnesota Department of Transportation
Deliver to: North St. Paul
Requisition #: B 79000-22283

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: WS-79/300

Commodity: Ready mix
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: RM-79/300

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: A-79/300

Commodity: Bituminous
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: N-79/300

Commodity: Portland cement
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: PC-79/300

Commodity: Silica sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 26
Agency: Department of Transportation
Deliver to: Brainerd
Requisition #: SS-79/300

Commodity: Winter sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 25
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: WS-79/800

Commodity: Portland cement
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 25
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: PC-79/800

Commodity: Silica sand
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 25
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: SS-79/800

State Contracts and Advertised Bids

Commodity: Aggregates
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 25
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: A-79/800

Commodity: Bituminous
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 25
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: B-79/800

Commodity: Ready mix
Contact: Joan Breisler 296-9071
Bid due date at 2pm: November 15
Agency: Department of Transportation
Deliver to: Willmar
Requisition #: RM-79/800

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.

Commodity: Envelopes with clasp,
camera ready copy, 15,000, gum flap
with clasp
Contact: Printing Buyer's Office
Bids are due: November 13
Agency: Education Department
Deliver to: St. Paul
Requisition #: 19692

Announcements

PRIM Maps Could be Key to Finding Good Deer Hunting Sites: Hunting for a good deer hunting site? That search can be made easier with the new Public Recreation Information Maps (PRIM) published by the Minnesota Department of Natural Resources Bureau of Engineering. The maps are like several maps combined into one, bringing together federal, state and county lands and their recreational facilities. That makes it easier to find public lands where hunting is permitted. The PRIM maps system divides the state into 51 areas, with each map showing campgrounds, wildlife management areas, parks, state trails, waterfowl areas, boat and canoe accesses, forest and nature areas, trout streams, and more. Twenty-seven of the maps are now available, with more due out next spring. The maps are being sold in many sporting goods stores and quick stop station-stores in Minnesota. They are also available at DNR regional offices, the Minnesota Bookstore at 117 University Ave. in St. Paul, and at the DNR Gift Shop at 500 Lafayette Road in St. Paul. PRIM maps, which cost \$3.95 plus tax, can also be ordered by phone and charged to VISA, MasterCard, American Express or Discover. Call (612) 297-3000 in the Twin Cities metro area, or call toll free 1-800-657-3757. The DNR proceeds from PRIM map sales go back into the program to keep the maps current and available to the public.

Minnesota's Bookstore

Publications, Services, Subscriptions

Order Form on Back—For Information, Call 297-3000

1991 Minnesota Rules. Eleven volume set includes 1992 Supplement as a subscription service. Stock #18-100, \$200 + tax (Minnesota residents only). Individual volumes can be purchased at \$20.00 + tax.

1991 Minnesota Session Laws. Two volume set includes laws passed during the 1991 session. Stock #18-1, \$32.00 + tax.

101 Ways to Promote Academic Excellence. A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

1989 Pollution Control Laws. Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

1991 Hazardous Waste Rules. Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7045 and 7046. Code #3-71, \$17.95.

Real Estate Rules 1991. Chapters 2800, 2805 and 2810 from the *Minnesota Rules*. Essential for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

Police Report Writing Style Manual 1989. A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms and introduces the Data Practices Law. Code #14-13, \$15.00.

OTHER PUBLICATIONS

Voices of the Loon. Includes introduction, loon call identification, distant chorus, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during thunderstorm and coyotes calling with loons. Cassette tape. Code #19-73, \$12.00.

Secrets of the Congdon Mansion. A complex, intriguing murder case set in one of Minnesota's most spectacular mansions. Now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball. Code #19-56, \$5.95.

A Paddler's Guide to the Boundary Waters Canoe Area. Advice on what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Includes detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Stock #19-17, \$4.95.

Minnesota Geographic Names. Names of places by the thousand plus interesting historical tidbits included in this 800+ page book. Minnesota history buffs—this is for you! Stock #17-13, \$12.95.

Room at the Inn Minnesota. The only guide to more than 60 historic Bed & Breakfast homes, hotels and country inns. Stock #19-72, \$9.95.

Minnesota Manufacturer's Directory, 1991. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchase managers, and four manufactured products. Stock #40-2. \$85.00 + tax.

SUBSCRIPTIONS:

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$140; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00.

Workers Compensation Decisions. Volume 45. Selected landmark decisions of the Worker's Compensation Court of Appeals during the period July '91 through Dec. '91. The subscription rate for this volume is \$160.00.

SERVICES:

Mailing Lists. Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

American Flag. Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00 + tax.

1991 Lake Map Index. Listing over 4,000 lake maps. Free.

State Register Binder. Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$6.50 + tax.

