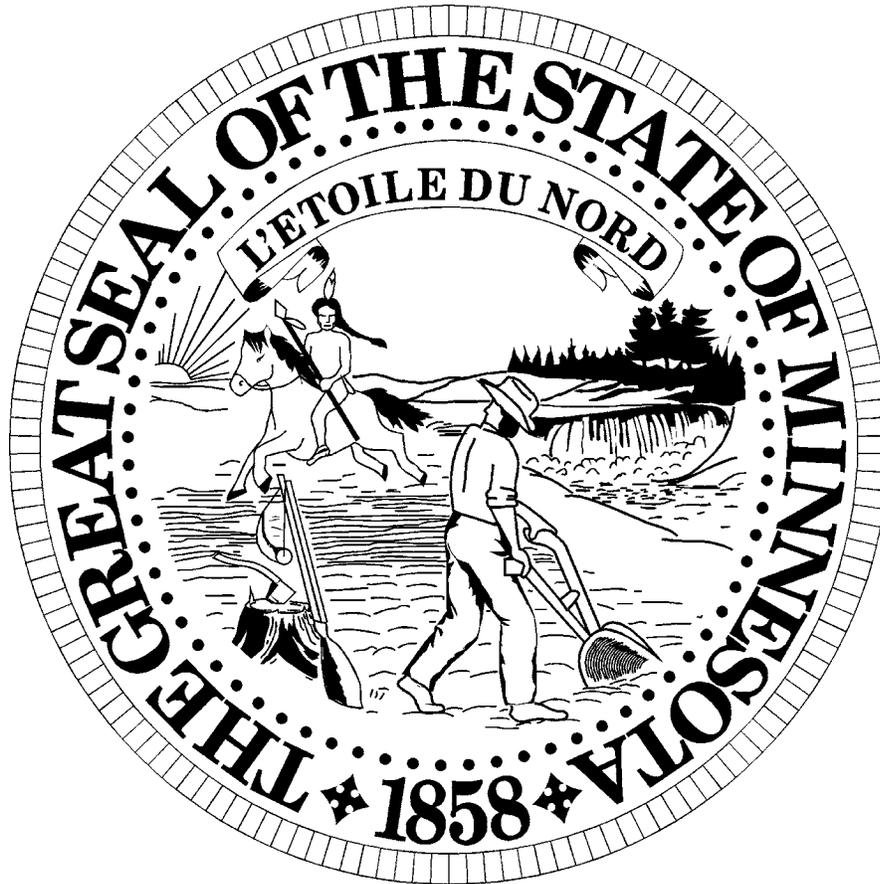


Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 23 April 2018
Volume 42, Number 43
Pages 1219 - 1272**

Minnesota State Register

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

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

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 42 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
# 44	Monday 30 April	Noon Tuesday 24 April	Noon Thursday 19 April
# 45	Monday 7 May	Noon Tuesday 1 May	Noon Thursday 26 April
# 46	Monday 14 May	Noon Tuesday 8 May	Noon Thursday 3 May
# 47	Monday 21 May	Noon Tuesday 15 May	Noon Thursday 10 May

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State Capitol, Room 231, St. Paul, MN 55155
<http://www.senate.mn>

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<http://www.mncourts.gov>

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Federal Register

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Minnesota Rules: Amendments and Additions1222	Minnesota Pollution Control Agency (MPCA)
	Extension of Public Notice Comment Period for the National Pollutant Discharge Elimination System/State Disposal System General Permit for Stormwater Associated with Construction Activity..... 1263
	Extension of Comment Period for the Draft Watershed Restoration and Protection Strategies (WRAPS) and Total Maximum Daily Load (TMDL) Reports (Reports) for the Duluth Urban Area Streams Subwatershed..... 1264
Proposed Rules	
Minnesota Pollution Control Agency (MPCA)	
Proposed Permanent Rules Relating to Exempt Sources and Conditionally Insignificant Activities; Notice of Intent to Adopt Rules without a Public Hearing 1223	
Expedited Emergency Rules	
Department of Natural Resources	
Adopted Expedited Emergency Game and Fish Rules: Mille Lacs Lake Fishing Regulations 1254	
Adopted Rules	
Department of Labor and Industry	
Adopted Permanent Rules Relating to Combative Sports and Mixed Martial Arts 1258	
Minnesota Racing Commission	
Adopted Permanent Rules Relating to Horse Racing: Licensure, Racing Days, Pari-Mutuel, Facilities and Equipment, Security Officers, Stewards, Races, Prohibited Acts 1258	
Adopted Permanent Rules Relating to Horse Racing: Stabling, Medication, and Veterinary Practices 1258	
Executive Orders	
Office of the Governor	
Emergency Executive Order 18-06: Declaring an Emergency in the State of Minnesota and Providing Assistance for Emergency Sheltering, Search and Rescue, and Sheltering of Stranded Motorists 1259	
Official Notices	
Department of Administration	
Request for Information (RFI) for Housing Lease Availability 1260	
Department of Employment and Economic Development (DEED)	
Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748 1261	
Department of Human Services	
Correction to Request for Information (RFI): Benefit Recovery Section..... 1261	
Notice of availability of the Minnesota Health Care Programs provider participation list [Minnesota Rules, Parts 9505.5200 to 9505.5240, also known as DHS Rule 101-provider compliance list]..... 1262	
Department of Labor & Industry (DLI)	
Notice of Commercial Prevailing Wage Correction 1262	
Minnesota Comprehensive Health Association (MCHA)	
Meeting Notices 1263	
	Minnesota State Colleges and Universities (Minnesota State)
	Lake Superior College
	Request for Proposal for Avionics Upgrades for Piper Seminole Aircraft 1267
	St. Cloud Technical & Community College
	Formal Request for Proposal for Carpentry House Built on Blocks 1267
	Minnesota Judicial Branch
	Request for Proposals: Information Technology Services 1268
	Department of Public Safety (DPS)
	Notice of Request for Submissions for 2018 Ignition Interlock Device Program Certification Process 1269
	Minnesota Department of Transportation (MnDOT)
	Notices Regarding Professional/Technical (P/T) Contracting 1269
	Non-State Public Bids, Contracts & Grants
	Metropolitan Airports Commission (MAC)
	Notice of Call for Bids for 2018 Runway 10L - 28R Modifications 1270
	Notice of Call for Bids for 2018 Runway 4-22 In-Pavement Guard Lights 1270
	Notice of Call for Bids for 2018 Alleyways Pavement Rehabilitation 1271
	Notice of Call for 2018 MSP Consolidated Loading Dock Facility 1272
	Ramsey County
	Public Notice 1272

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Minnesota Rules: Amendments and Additions

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

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

Volume 42 - Minnesota Rules (Rules Appearing in Vol. 42 Issues #1-26 are in Vol 42, #26 - Tuesday 26 December 2017) Volume 42, #43

Tuesday 2 January - Monday 23 April

Board of Accountancy

1105.0250; .1400; .1500; .2900; .3100; .4900; .5100 (adopted) 736

Environmental Quality Board

4410.2550 (proposed) 786

Department of Health

4654.0800 (adopted expedited)..... 865

4717. 7500; .7860 (proposed)..... 823

Board of High Pressure Piping Systems

5230 (proposed) 897

Department of Labor and Industry (DLI)

2202.0800; .1000 (adopted)840, 1258

5205.0040; .0050; .0060; .0065; .0080; 5207.0300; .0301; .0302; .0303;
.0304 (adopted)727, 1015

5205.0010 (exempt)..... 1147

Department of Natural Resources (DNR)

6230; 6236; 6240 (expedited emergency) 728

6232.0400; .1980 (expedited emergency) 733

6232.1990 (expedited emergency) 905

6236.1075; 6240.0600 (expedited emergency) 905

6264. 0300; .0400 (exempt) 1015

6264.0400 (emergency expedited) 1254

Board of Optometry

6500 (proposed) 1037

Minnesota Pollution Control Agency (MPCA)

7005; 7007; 7008; 7011; 7019 (proposed) 1223

Board of Physical Therapy

5601.1700; .2100; .2200; .2300; .2400; .2600; .3200 (adopted)... 1183

Professional Educator Licensing and Standards Board

8710.0310; .0311; .0312; .0313; .0314; .0320; .0321; .0325; .0326;
.0330; .4725; .4925; .7000; .7100; .7200 (proposed) 763

Minnesota Racing Commission

7876.0100; .0110; .0120; 7877.0175; 7890.0110; .0120; .0140;

7891.0100; 7892.0120 (adopted)929, 1258

7869; 7870; 7871; 7872; 7873; 7875; 7877; 7878; 7879; 7883; 7884;

7897 (adopted)..... 981, 1258

Proposed Rules

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

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

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

Minnesota Pollution Control Agency (MPCA)

Environmental Analysis and Outcomes Division

Proposed Permanent Rules Relating to Exempt Sources and Conditionally Insignificant Activities; Notice of Intent to Adopt Rules without a Public Hearing

Proposed Amendments to Rules Governing Air Quality, *Minnesota Rules*, Chapter 7005 Definitions and Abbreviations, Chapter 7007 Air Emissions Permits, Chapter 7008 Conditionally Exempt Stationary Sources and Conditionally Insignificant Activities, Chapter 7011 Standards for Stationary Sources, and Chapter 7019 Emission Inventory Requirements; and Repeal of *Minnesota Rules*, parts 7008.0100, subparts 2a and 5; and 7008.2250; Revisor’s ID Number RD4429

Plain English Summary. This notice is the Minnesota Pollution Control Agency’s (MPCA) legal notice of its intent to adopt amended air quality rules. The purpose of these rules, known as the “exempt source/conditionally insignificant activities rules” is to clarify permit requirements for small sources of air emissions and update rules governing the treatment of small air pollution emitting activities (“insignificant activities” and “conditionally insignificant activities”). The proposed rule amendments also create new categories of conditionally exempt sources, such as auto-body refinishing facilities and woodworking facilities. Facilities that meet the applicable technical standards in rule would be exempt from obtaining an air emissions permit. In addition, the proposed rule amendments align state rules with federal requirements for affected facilities to ensure the rules limiting air emissions are federally enforceable.

This notice provides an opportunity for public comment and input on the proposed rules. Anyone who would like to comment on the proposed rule language must submit written comment or a written request for a hearing on the proposed

Proposed Rules

rules by the deadline identified below. The Subject of Rules section provides further description of these proposed rules. If the proposed rules affect you in any way, the MPCA encourages you to participate in the rulemaking process.

Introduction. The MPCA intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comment on the proposed rules and may submit a written request that MPCA hold a hearing on the proposed rules until **4:30 p.m. on Tuesday, May 29, 2018**.

Public Information Meeting. The MPCA has scheduled a public information meeting on the proposed rules. The meeting will be held at the MPCA St. Paul office Board Room and via Skype on **Thursday, May 10, 2018, 1:00 - 3:30 p.m.** The purpose of the meeting is to provide an overview of the proposed rules so that interested persons are able to provide written comment on the proposed rules and this rulemaking. Information about the public information meeting is available on the rulemaking webpage at

<https://www.pca.state.mn.us/air/amendments-air-quality-rules-exempt-sourceconditionally-insignificant-activities>.

Availability of Rules. A copy of the proposed rules is published in the *State Register* after this notice, or they can be viewed on the rulemaking webpage identified above. A free copy of the proposed rules is also available upon request by contacting the MPCA contact person listed below. One copy per request will be sent.

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

Subject of Rules. The MPCA proposes to amend several chapters of Minnesota's air quality rules to clarify and update rules governing the treatment of small air pollution emitting activities. The proposed rules restructure the insignificant activities lists to provide greater clarity on how the rules are applied, create new categories of conditionally exempt sources such as auto-body refinishing facilities and woodworking facilities, and align state rules with federal requirements for affected facilities to ensure the rules limiting air emissions are federally enforceable.

Historically, the MPCA created a hierarchy of air emission permits to incentivize the small source facilities, such as auto-body refinishing facilities, to reduce their air emissions through more streamlined compliance requirements for low air emissions. The proposed rules will continue to streamline the administrative requirements for lower emitting small source facilities while complying with applicable state and federal requirements.

Described below are the main parts of the proposed rules. For more information about the proposed rules, please refer to the statement of need and reasonableness (SONAR) which is available as stated below.

- **Chapter 7007.** Changes to the lists of insignificant activities in *Minnesota Rules*, part 7007.1300. These are activities not required to be listed in a permit application (subpart 2), activities required to be listed in a permit application but do not need emissions calculations submitted unless requested by the MPCA (subpart 3), and activities required to be listed in a federal Part 70 permit application (subpart 4). Changes include adding and deleting activities, and moving certain activities from the subpart 3 list to the subpart 2 list.
- **Chapter 7008.** Changes to create four new categories of conditionally exempt stationary sources where emissions primarily come from one type of activity. Auto-body refinishing facilities, coating facilities, woodworking facilities, and insignificant facilities that meet applicable technical standards would be exempt from obtaining an air emissions permit. Changes to the existing categories of conditionally exempt sources, gasoline service stations and concrete manufacturing, to align with the rule structure for the new categories.
- **Chapter 7008.** Changes to conditionally insignificant activities materials usage and particulate matter-only emitting, in *Minnesota Rules*, parts 7008.4100 and 7008.4110. Permit applicants rely on the rules to claim that particulate matter emissions at the source have been sufficiently limited to make the source insignificant. The proposed rules align state rules with federal requirements for affected facilities to ensure the rules limiting air emissions are federally enforceable. Changes include adding new federally enforceable numeric emissions limits for conditionally insignificant activities covered under *Minnesota Rules*, part 7008.4110, activities considered insignificant for purposes of permitting, and requirements for calculating particulate matter emissions for these activities.

Proposed Rules

- **Chapters 7005, 7007, 7011, and 7019.** Small housekeeping changes to clarify or align state rules with federal permitting requirements or state statute changes. Chapter 7005 changes relate to definitions. Chapter 7007 includes changes to clarify and update rules related to permit reissuance, electronic posting of public notices to accommodate technology, and filling gaps in general and capped permit rules. Chapter 7011 changes align state rules with state statutes. Chapter 7019 is a minor editing change.

Statutory Authority. *Minnesota Statutes*, section 116.07, subdivision 4 authorizes the MPCA to adopt rules for the prevention, abatement, and control of air pollution.

Public Comment. You have until **4:30 p.m. on Tuesday, May 29, 2018**, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Submit written comments to the Office of Administrative Hearings Rulemaking e-Comments website at <https://minnesotaoah.granicusideas.com>. Any questions about submitting comments via the Rulemaking e-Comments website should be directed to Katie Lin, Office of Administrative Hearings; telephone 651-361-7911 and katie.lin@state.mn.us. All comments received are public and will be available for review at the Office of Administrative Hearings.

The MPCA encourages comment. Your comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. You must make any comments that you have about the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the MPCA hold a public hearing on the proposed rules. You have until **4:30 p.m. on Tuesday, May 29, 2018**, to submit your written request for a hearing to the Office of Administrative Hearings Rulemaking e-Comments website at <https://minnesotaoah.granicusideas.com>. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the MPCA cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the MPCA will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the MPCA must give written notice of this to all persons who requested a hearing, explain the actions the MPCA took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The MPCA reserves the option to remove any section of the rule that may be controversial and to proceed without a hearing on the noncontroversial parts of the proposed rules.

MPCA Contact Person. The MPCA contact person is Mary H. Lynn at the MPCA, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194; telephone 651-757-2439; and mary.lynn@state.mn.us. You may also call the MPCA at 651-296-6300 or 800-657-3864 or use your preferred relay service info.pca@state.mn.us.

Modifications. The MPCA may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the MPCA, and the adopted rules may not be substantially different than these proposed rules, unless the MPCA follows the procedure under *Minnesota Rules*, part 1400.2110.

Statement of Need and Reasonableness. The SONAR summarizes the justification for the proposed rules, including a description of who the proposed rules affect and an estimate of the probable cost of the proposed rules. A print copy is available for the cost of reproduction by contacting the MPCA contact person listed above. The MPCA posted the SONAR on the exempt source/conditionally insignificant activities rule webpage at <https://www.pca.state.mn.us/air/amendments-air-quality-rules-exempt-sourceconditionally-insignificant-activities>.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Minnesota Campaign Finance and Public Disclosure Board. You should direct questions about this requirement to the Campaign Finance and Public Disclosure Board located at 190 Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155,

Proposed Rules

telephone 651-539-1180 or 1-800-657-3889.

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

Date: 4/9/2018

John Linc Stine, Commissioner
Minnesota Pollution Control Agency

7005.0100 DEFINITIONS.

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

Subp. 4f. **Conditionally exempt stationary source.** “Conditionally exempt stationary source” means a stationary source listed in parts 7008.2100 to ~~7008.2250~~ 7008.2600 that complies with chapter 7008 and all applicable requirements as defined in part 7007.0100, subpart 7, and is not part of another stationary source.

[For text of subs 4g to 11e, see M.R.]

Subp. 11f. **Gasoline service station.** “Gasoline service station” means any stationary source that dispenses gasoline to vehicles. Bulk plants, petroleum distribution terminals, and refineries are not gasoline service stations. [Renumbered from part 7008.0100, subpart 2.]

[For text of subs 12 to 45, see M.R.]

7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

Subpart 1. **No permit required.** The owners and operators of the following stationary sources are not required to obtain a permit under parts 7007.0100 to 7007.1850:

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

D. ~~any stationary source with only emissions units that:~~

- ~~(1) are listed as insignificant activities in part 7007.1300, subparts 2 and 3;~~
- ~~(2) are conditionally insignificant activities under chapter 7008; or~~
- ~~(3) qualify under both subitems (1) and (2).~~

~~The owner or operator of a stationary source that has conditionally insignificant activities must comply with parts 7008.4000 to 7008.4110 to qualify for the permit exemption under this part. The owner or operator must maintain records that demonstrate that a permit is not required. These records must contain a list of all emissions units and the Minnesota Rules citation that defines those emissions units as an insignificant activity or conditionally insignificant activity. The records must be permanently kept at the stationary source or a central office and be readily available for examination and copying by the commissioner or a representative of the commissioner;~~

~~E. D. a conditionally exempt stationary source under chapter 7008; and~~

~~F. E. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that would be covered by a permit solely because it is subject to one or more new source performance standards under Code of Federal Regulations, title 40, part 60, and that is subject only to the notification and record-keeping provisions of the applicable standards.~~

Subp. 2. [Repealed, 21 SR 165]

Proposed Rules

7007.0400 PERMIT REISSUANCE APPLICATIONS AFTER TRANSITION; NEW SOURCE AND PERMIT AMENDMENT APPLICATIONS; TOTAL FACILITY APPLICATIONS FOR SOURCES NEWLY SUBJECT TO A PART 70 OR STATE PERMIT TOTAL FACILITY REQUIREMENT.

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

Subp. 2. **Permit reissuance after transition period.** Stationary sources operating under permits issued by the agency under parts 7007.0100 to 7007.1850 ~~shall~~ must apply for permit reissuance at least 180 days before the expiration of the existing permit, unless the permit specifies that the application must be submitted sooner. The agency ~~shall~~ must require in a permit that a reissuance application be submitted sooner if the agency determines that an earlier application is needed to minimize the possibility of expiration ~~prior to~~ before reissuance. The agency may make this determination if it anticipates a relatively lengthy permit review process due to the complexity of the stationary source or anticipated involvement of the public. In no event shall the permit require application for reissuance sooner than ~~nine~~ 18 months ~~prior to the expiration of~~ before the permit expires.

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

7007.0850 PERMIT APPLICATION NOTICE AND COMMENT.

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

Subp. 2. **Public notice and comment.**

A. The agency ~~shall~~ must comply with the following procedures before issuing, reissuing, or making a major amendment to any part 70 permit.

(1) The agency ~~shall~~ must give notice:

(a) ~~by publication in a newspaper of general circulation in the area where the stationary source is located,~~ electronically posting the notice for the duration of the comment period on the agency's Web site for public notices;

[For text of units (b) and (c), see M.R.]

(d) by other means if necessary to ~~assure~~ ensure adequate notice to the affected public.

(2) The notice ~~shall identify~~ must include, at a minimum:

(a) the name and location of the facility to be permitted;

(b) the name and address of the permittee;

(c) the name and address of the agency;

(d) the activity or activities involved in the permit action;

(e) the emissions change involved in any permit amendment;

(f) a copy of the draft permit;

(g) a statement of whether the facility has filed a pollution prevention progress report to the commissioner as required by Minnesota Statutes, section 115D.08;

(h) the name, address, and telephone number of a person; e-mail address of a person; or Web site address from whom which interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials, and all other materials available to the agency that are relevant to the permit decision;

(i) a brief description of the comment procedures required by this part; and

Proposed Rules

(j) the time and place of any meeting or hearing that may be held, including a statement of procedures to request a meeting or hearing under subpart 3, unless a meeting or hearing has already been scheduled.

(3) The agency ~~shall~~ must provide at least 30 days for public comment and ~~shall~~ must give notice of any public informational meeting or contested case hearing at least 30 days in advance of the meeting or hearing. ~~The provisions of Part 7001.0110 applies to public comments received under this part.~~

(4) The agency ~~shall~~ must keep a record of the commenters and also of the issues raised during the public participation process, so that the administrator can determine whether a citizen petition may be granted. The records ~~shall~~ must be available to the public.

B. Before issuing or reissuing a state permit, the agency ~~shall~~ must comply with the procedures in item A, subitems (1) to (3). ~~However, instead of providing notice in a newspaper of general circulation as required by item A, subitem (1), unit (a), the agency may provide the notice in the State Register or other EPA approved general circulation notice procedure. The requirements of This item also apply applies to any major amendment to a state permit described in part 7007.1500, subpart 1, items C and D, if authorized or required by the administrator.~~

C. If the agency determines that a proposed major amendment to a state permit not described in item B involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency ~~shall~~ must comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. ~~However, the agency may provide the notice required by this item in either a newspaper of general circulation or the State Register.~~

D. (1) If the agency determines that a proposed minor or moderate amendment to a permit involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency ~~shall~~ must comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. ~~However, the agency may provide the notice required by this item in either a newspaper of general circulation or the State Register.~~

(2) A proposed minor permit amendment may be made subject to the public notice and comment procedures only if the agency notifies the permittee of ~~its~~ the agency's determination within 15 working days of receiving the minor amendment application. If the permittee ~~has~~ properly proceeded with a modification under part 7007.1450, subpart 7, before receiving the agency's determination, the permittee ~~will~~ is not be subject to enforcement action for proceeding, ~~but will be required to~~ must cease construction and operation of the modification within a reasonable period. The agency ~~will~~ must consult with the permittee on when it is reasonable to cease construction and operation. A proposed moderate permit amendment may be made subject to the public notice and comment procedures any time ~~prior to~~ before the ~~agency's issuance of agency issues~~ a letter of approval authorizing construction under part 7007.1450, subpart 7.

E. The agency ~~shall~~ must upon request provide a list ~~which~~ that summarizes current activities involving permit applications, minor, moderate, and major amendment applications, and requests for administrative amendments. The agency may use an electronic bulletin board in lieu of a written list.

Subp. 3. Petitions for meetings and hearings.

A. During the public comment period, a person may, in regard to any draft permit or amendment subject to public notice under subpart 2, items A to D, petition for:

A:

(1) a public informational meeting pursuant to parts 7000.0650, subpart 4, and 7001.0110, subpart 3; or

B:

Proposed Rules

(2) a contested case hearing pursuant to part 7000.1800; ~~or~~

C. placement of the permit on the agenda of an agency board meeting pursuant to part 7000.0650, subpart 3.

B. The decision to grant or deny the petition for a public informational meeting shall must be based on the criteria in part 7001.0120, and any meeting held shall must be in accordance with ~~that subpart 2 and part 7001.0120~~. The decision to grant or deny the petition for a contested case hearing shall must be based on the criteria in part 7000.1900, and any hearing held shall must be in accordance with parts ~~7000.1700~~ 7000.1750 to 7000.2200; and 7001.0130.

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

7007.1144 CAPPED PERMIT; PUBLIC PARTICIPATION.

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

Subp. 5. Petition for contested case hearing; exemptions.

A. During the 30-day comment period, the person may also submit a petition for a contested case hearing on the application pursuant to part 7000.1800 ~~or for placement of the permit on the agenda of an agency board meeting pursuant to part 7000.0650, subpart 3~~. The decision to grant or deny the petition for a contested case hearing shall must be based on the criteria in part 7000.1900, and any hearing shall must be held according to parts 7000.1750 to 7000.2200.

B. The public participation process requirements in this part ~~Item A and subparts 3 and 4~~ do not apply to applications under part 7007.1142, subparts 2 and 5, in which a stationary source is transferring from one capped permit option to another or there is a change in name, mailing address, ownership, or control of the stationary source.

7007.1145 CAPPED PERMIT APPLICATION.

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

Subp. 2. **Information included.** This subpart describes the standard information that ~~will be~~ is required in a capped permit application. ~~It~~ This subpart does not limit the agency's statutory authority for requiring information in addition to that which is specifically listed. Applicants shall must submit the following information as required by the standard application form:

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

D. The following emissions-related information:

(1) A permit application shall provide the information required by this part for every emissions unit within the stationary source, except as provided otherwise in subitems (2) to (9) and information about fugitive emissions in the same manner as stack emissions, except that fugitive dust emissions from activities in part 7007.1300, subpart 3, item ~~F~~ G, must be included in the calculations under this subpart only if the stationary source is in a category in part 7007.0200, subpart 2, item B, subitems (1) to (27).

[For text of subitems (2) to (9), see M.R.]

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

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

7007.1147 CAPPED PERMIT CALCULATION OF ACTUAL EMISSIONS.

Subpart 1. **Methods used.** The owner or operator of a stationary source may use a calculation worksheet provided by the commissioner for calculating actual emissions under this part that is based on the calculation methods in subparts 2 to 6 or may use the calculation methods under subparts 2 to 6. The owner or operator must calculate actual emissions for each material or fuel used in each emissions unit, except that similar emissions units may be aggregated for emission calculation purposes. The owner or operator of a stationary source must use the calculation method in subpart 2 if the data described in subpart 2 are available for an emissions unit. The owner or operator must use the calculation method in subpart 3 if the data described in subpart 3 are available, unless data described in subpart 2 are available. The alternative methods described in subparts 4, 5, and 6 may be used by the owner or operator without advance notification to the com-

Proposed Rules

missioner. The commissioner shall must reject data submitted using the methods described in subparts 2 to 6 if the conditions set forth for the method are not fully met. To prevent double counting of emissions, the owner or operator must select one calculation method under this subpart for each emissions unit at the stationary source. Fugitive dust emissions from activities listed in part 7007.1300, subpart 3, item F G, must be included in the calculations under this subpart only if the stationary source is in a category listed in part 7007.0200, subpart 2, item B, subitems (1) to (27).

[For text of subps 2 to 6, see M.R.]

7007.1250 INSIGNIFICANT MODIFICATIONS.

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

Subp. 3. **Record-keeping requirements.** Except as described in subpart 4, modifications authorized under this part may be made without providing notice to the agency. However, the permittee shall must keep a record of the modification for all changes authorized under subpart 1, items A and B, except for those activities described in part 7007.1300, subpart 2. For changes authorized under subpart 1, item B, and part 7007.1300, subpart 3, item F E, the permittee shall must also keep calculations of the emissions increase as required by part 7007.1200, subpart 4, and a statement of the purpose for making the modification.

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

7007.1300 INSIGNIFICANT ACTIVITIES LIST.

Subpart 1. **Insignificant activities.**

A. The actions listed in this part, and operation of the emissions units listed in this part, are insignificant activities for purposes of parts 7007.0100 to 7007.1850. Listing in this part has no effect on any other law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to which the activity may be subject.

B. Calculation of emissions from the emissions units listed in this part must be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2).

C. Calculation of emissions from the emissions units listed in this part must be provided in a permit application if:

(1) the emissions units are described in subpart 3, item F; or

(2) the emissions units are described in subpart 4.

D. The emissions units listed in this part must be listed in a permit application, and calculation of emissions from these emissions units must be provided in the permit application if the emissions units:

(1) are subject to additional requirements under section 114(a)(3) (Monitoring Requirements) of the act or section 112 (Hazardous Air Pollutants) of the act;

(2) are part of a Title I modification; or

(3) if accounted for, make a stationary source subject to a part 70 permit.

Subp. 2. **Insignificant activities not required to be listed.** The activities emissions units described in this subpart are not required to be listed in a permit application under part 7007.0500, subpart 2, item C, subitem (2), except as required under subpart 1, item D. Calculation of emissions from these activities must be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed in this subpart (a) are subject to additional requirements under section 114(a)(3) (Monitoring Requirements) or 112 (Hazardous Air Pollutants) of the act; (b) are part of a Title I modification; or (c) if accounted for, make a stationary source subject to a part 70 permit, then emissions from the emissions units must be provided in the permit application.

Proposed Rules

A. Fuel use:

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

(3) ~~fuel-burning~~ ~~fuel-burning~~ equipment with a heat input capacity less than 19,000 Btu per hour, but only if the combined total heat input capacity of all ~~fuel-burning~~ ~~fuel-burning~~ equipment at the stationary source with a heat input capacity less than 19,000 Btu per hour is less than or equal to a total heat input capacity of 420,000 Btu per hour. For example: Facility A has ten ~~fuel-burning~~ ~~emission~~ ~~fuel-burning~~ emissions units, each with a heat input capacity of 18,000 Btu per hour. The ten units are all an insignificant activity under this subitem, because their combined heat input capacity is less than a total heat input capacity of 420,000 Btu per hour (i.e., $10 \times 18,000 \text{ Btu/hr} = 180,000 \text{ Btu/hr} \leq 420,000 \text{ Btu/hr}$). Facility B has 31 ~~fuel-burning~~ ~~emission~~ ~~fuel-burning~~ emissions units, each with a heat input capacity of 18,000 Btu/hr. None of the 31 units are an insignificant activity under this subitem, because their total combined heat input capacity is greater than 420,000 Btu per hour (i.e., $31 \times 18,000 \text{ Btu/hr} = 558,000 \text{ Btu/hr} > 420,000 \text{ Btu/hr}$).

B. Plant upkeep:

(1) routine housekeeping or ~~plant-upkeep~~ ~~plant-upkeep~~ activities not associated with primary production processes at the stationary source, such as painting buildings, retarring roofs, or paving parking lots, ~~but excluding use of spray paint equipment (refer to subpart 3, item K, for use of spray paint equipment that may be considered a listed insignificant activity);~~

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

(5) janitorial activities; ~~and~~

(6) sampling connections used exclusively to withdraw materials for laboratory analysis and testing; ~~and~~

(7) use of handheld aerosol spray cans for routine building and equipment maintenance.

C. Fabrication operations:

(1) equipment used for the inspection of metal products;

(2) equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot or cold metals;

[For text of subitems (3) and (4), see M.R.]

D. Processing operations:

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

(2) equipment for washing or drying fabricated glass or metal products, if no VOCs are used in the process, and no gas, oil, or solid fuel is burned; ~~and~~

(3) ~~blast-cleaning~~ ~~blast-cleaning~~ operations using suspension of abrasive in water; ~~or sponge media;~~

(4) open tumblers with a batch capacity of 1,000 pounds or less used for cleaning or deburring metal products;

(5) handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning; and

(6) ultraviolet-light curing or disinfection processes.

E. Storage tanks:

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

(3) ~~above and below ground fuel oil~~ ~~above- and belowground fuel-oil~~ storage tanks with a combined total tank-age capacity less than 100,000 gallons; ~~and~~

Proposed Rules

- (4) gasoline storage tanks with a combined total tankage capacity of less than 2,000 gallons; and
- (5) storage tanks holding inorganic liquids, including water, except for acids that volatilize HAPs and VOCs.
[For text of item F, see M.R.]

G. Residential activities: typical emissions from residential structures, not including:

- (1) ~~fuel-burning~~ fuel-burning equipment with a total heat input capacity of 420,000 Btu/hour or greater; and
- (2) emergency backup generators.
[For text of items H and I, see M.R.]

J. Miscellaneous:

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

- (4) purging of natural gas and liquid petroleum gas lines;
[For text of subitem (5), see M.R.]
- (6) funeral home embalming processes and associated ventilation systems; ~~and~~
- (7) use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act, where the product is used at academic and health care institutions in the same manner as normal consumer use;
- (8) equipment used exclusively for packaging:
 - (a) lubricants or greases; or
 - (b) waterborne adhesives, coatings, or binders;
- (9) equipment used exclusively for mixing and blending materials at ambient temperature to make waterborne adhesives, coatings, or binders;
- (10) equipment used for hydraulic or hydrostatic testing;
- (11) plasma- or laser-cutting operations using a water table;
- (12) blueprint copiers and photographic processes;
- (13) equipment used exclusively for melting or applying wax;
- (14) nonasbestos equipment used exclusively for bonding lining to brake shoes;
- (15) solvent distillation equipment with a batch capacity of 55 gallons or less; and
- (16) electric steam sterilizers.
[For text of item K, see M.R.]

L. Commercial self-service laundries, not including dry cleaners or industrial laundries.

Subp. 3. **Insignificant activities required to be listed.** The activities emissions units described in this subpart must be listed in a permit application, ~~and calculation of emissions from these activities shall be provided if required by the agency, under part 7007.0500, subpart 2, item C, subitem (2).~~ If emissions units listed in this subpart are subject to

Proposed Rules

additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or, if accounted for, make a stationary source subject to a part 70 permit, emissions from the emissions units must be calculated in the permit application.

A. Fuel use: space heaters fueled by kerosene, natural gas, or propane, but only if the combined total heat input capacity of all space heaters at the stationary source is less than or equal to 420,000 Btu per hour. A space heater is a heating unit that is not connected to piping or ducting to distribute the heat.

B. Infrared electric ovens and indirect heating equipment:

(1) infrared electric ovens; and

(2) indirect heating equipment as defined in part 7011.0600, ~~subpart 6~~ 7011.0500, subpart 9, with a heat input capacity less than 420,000 Btu per hour, but only if the total combined heat input capacity of all indirect heating equipment at the stationary source with a heat input capacity less than 420,000 Btu per hour is less than or equal to a total heat input capacity of 1,400,000 Btu per hour. For example: Facility A has three furnaces, each with a heat input capacity of 400,000 Btu per hour. The three units are all an insignificant activity to be listed under this subitem; because their combined heat input capacity is less than 1,400,000 Btu per hour. Facility B has six furnaces, each with a total heat input capacity of 400,000 Btu per hour. None of the six units is an insignificant activity under this subitem, because their total combined heat input capacity is greater than 1,400,000 Btu per hour. For purposes of this subitem, “indirect heating equipment” has the meaning given under part 7011.0500, subpart 9.

C. Fabrication operations: equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot metals.

~~D. Processing operations:~~

~~(1) open tumblers with a batch capacity of 1,000 pounds or less; and~~

~~(2) equipment that vents particulate matter (PM), PM-10, or PM-2.5 inside a building, such as buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment, provided that emissions from the equipment are:~~

~~(a) vented inside of the building 100 percent of the time; and~~

~~(b) not vented through air filtering systems.~~

~~E. C. Storage tanks:~~

~~(1) gasoline storage tanks with a combined total tankage capacity of not more than 10,000 gallons; and~~

~~(2) nonhazardous air pollutant VOC storage tanks with a combined total tankage capacity of not more than 10,000 gallons of nonhazardous air pollutant VOCs and with a vapor pressure of not more than 1.0 psia at 60 degrees Fahrenheit.~~

~~F. Cleaning operations: commercial laundries, not including dry cleaners and industrial launderers.~~

~~G. D. Emissions from a laboratory, as defined in this item. For this item, “laboratory” means a place or activity devoted to experimental study or teaching in any science, or to the testing and analysis of drugs, chemicals, chemical compounds or other substances, or similar activities, provided that the activities described in this sentence are conducted on a laboratory scale. Activities are conducted on a laboratory scale if the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by one person. If an emission facility manufactures or produces products for profit in any quantity, it may not be considered to be a laboratory under this item. Support activities necessary to the operation of the laboratory are considered to be part of the laboratory. Support activities do not~~

Proposed Rules

include the provision of power to the laboratory from sources that provide power to multiple projects or from sources which that would otherwise require permitting, such as boilers that provide power to an entire facility.

H. E. Miscellaneous: brazing, soldering, or welding equipment.

- (1) equipment used exclusively for packaging lubricants or greases;
- (2) equipment used for hydraulic or hydrostatic testing;
- (3) brazing, soldering, or welding equipment;
- (4) blueprint copiers and photographic processes;
- (5) equipment used exclusively for melting or application of wax;
- (6) nonasbestos equipment used exclusively for bonding lining to brake shoes; and
- (7) cleaning operations: alkaline/phosphate cleaners and associated cleaners.

I. F. Individual emission emissions units at a stationary source, each of which have a potential to emit the following pollutants in amounts less than:

- (1) 4,000 pounds per year of carbon monoxide;
- (2) 2,000 pounds per year each of nitrogen oxide, sulfur dioxide, particulate matter, particulate matter less than ten microns, VOCs (including hazardous air pollutant-containing VOCs), and ozone; and
- (3) 1,000 tons per year of CO₂e.

J. G. Fugitive dust emissions from unpaved entrance roads and parking lots, except that a stationary source applying for an Option D registration permit under part 7007.1130 must include fugitive dust emissions in calculations when required under part 7007.1130, subpart 4.

K. Infrequent use of spray paint equipment for routine housekeeping or plant upkeep activities not associated with primary production processes at the stationary source, such as spray painting of buildings, machinery, vehicles, and other supporting equipment.

Subp. 4. **Insignificant activities required to be listed in a part 70 application.** If the owners and operators are applying for the initial part 70 permit for a stationary source, emissions units with emissions less than all the following limits but not included in subpart 2 must be listed in the part 70 permit application:

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

D. potential emissions up to 10,000 tons per year or actual emissions up to 1,000 tons per year CO₂e.

Calculation of emissions from the emissions units listed in this subpart shall be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed under this subpart are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or are part of a title I modification, or if accounted for, make a stationary source subject to a part 70 permit emissions from the emissions units must be calculated in the permit application. If the applicant is applying for a state permit or an amendment to a state permit, this subpart does not apply.

Subp. 5. **Hazardous air pollutant Threshold table; hazardous air pollutants.** The thresholds for hazardous air pollutants listed in the following table are for determining if an emissions unit qualifies as an insignificant activity under subpart 4, item C, subitem (1):

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
57147	1,1-Dimethyl hydrazine	0.008
79005	1,1,2- Trichloroethane	1
79345	1,1,2,2-Tetrachloroethane	0.3
96128	1,2-Dibromo-3-chloropropane	0.01
122667	1,2-Diphenylhydrazine	0.09
106887	1,2-Epoxybutane	1
75558	1,2-Propylenimine (2-Methyl aziridine)	0.003
120821	1,2,4-Trichlorobenzene	10
106990	1,3-Butadiene	0.07
542756	1,3-Dichloropropene	1
1120714	1,3-Propane sultone	0.03
106467	1,4-Dichlorobenzene(p)	3
123911	1,4-Dioxane (1,4-Diethyleneoxide)	6
53963	2-Acetylaminofluorine	0.005
532274	2-Chloroacetophenone	0.06
79469	2-Nitropropane	1
540841	2,2,4-Trimethylpentane	5
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin	6E-07
584849	2,4-Toluene diisocyanate	0.1
51285	2,4-Dinitrophenol	1
121142	2,4-Dinitrotoluene	0.02
94757	2,4-D, salts, esters (2,4-Dichlorophenoxy acetic acid)	10
95807	2,4-Toluene diamine	0.02
95954	2,4,5-Trichlorophenol	1
88062	2,4,6-Trichlorophenol	6
91941	3,3-Dichlorobenzidene	0.2
119904	3,3'-Dimethoxybenzidine	0.1
119937	3,3'-Dimethyl benzidine	0.008
92671	4-Aminobiphenyl	1
92933	4-Nitrobiphenyl	1
100027	4-Nitrophenol	5
101144	4,4-Methylene bis(2-chloroaniline)	0.2
101779	4,4'-Methylenedianiline	1
534521	4,6-Dinitro-o-cresol, and salts	0.1
75070	Acetaldehyde	9
60355	Acetamide	1
75058	Acetonitrile	4
98862	Acetophenone	1
107028	Acrolein	0.04
79061	Acrylamide	0.02
79107	Acrylic acid	0.6
107131	Acrylonitrile	0.3

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
107051	Allyl chloride	1
62533	Aniline	1
71432	Benzene	2
92875	Benzidine	0.0003
98077	Benzotrichloride	0.006
100447	Benzyl chloride	0.1
57578	beta-Propiolactone	0.1
92524	Biphenyl	10
117817	Bis(2-ethylhexyl)phthalate(DEHP)	5
542881	Bis(chloromethyl)ether	0.0003
75252	Bromoform	10
156627	Calcium cyanamide	10
133062	Captan	10
63252	Carbaryl	10
75150	Carbon disulfide	1
56235	Carbon tetrachloride	1
463581	Carbonyl sulfide	5
120809	Catechol	5
133904	Chloramben	1
57749	Chlordane	0.01
7782505	Chlorine	0.1
79118	Chloroacetic acid	0.1
108907	Chlorobenzene	10
510156	Chlorobenzilate	0.4
67663	Chloroform	0.9
107302	Chloromethyl methyl ether	0.1
126998	Chloroprene	1
1319773	Cresols/Cresylic acid (isomers and mixture)	1
95487	o-Cresol	1
108394	m-Cresol	1
106445	p-Cresol	1
98828	Cumene	10
334883	Diazomethane	1
132649	Dibenzofuran	5
72559	DDE (p,p'-Dichlorodiphenyldichloroethylene)	0.01
84742	Dibutylphthalate	10
111444	Dichloroethyl ether (Bis(2-chloroethyl)ether)	0.06
62737	Dichlorvos	0.2
11422	Diethanolamine	5
64675	Diethyl sulfate	1
60117	Dimethyl aminoazobenzene	1
79447	Dimethyl carbamoyl chloride	0.02

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
68122	Dimethyl formamide	1
131113	Dimethyl phthalate	10
77781	Dimethyl sulfate	0.1
106898	Epichlorohydrin	2
140885	Ethyl acrylate	1
100414	Ethyl benzene	10
51796	Ethyl carbamate (Urethane)	0.8
75003	Ethyl chloride	10
106934	Ethylene dibromide (Dibromoethane)	0.1
107062	Ethylene dichloride (1,2-Dichloroethane)	0.8
107211	Ethylene glycol	10
151564	Ethylene imine (Aziridine)	0.003
75218	Ethylene oxide	0.1
96457	Ethylene thiourea	0.6
75343	Ethylidene dichloride (1,1-Dichloroethane)	1
50000	Formaldehyde	2
76448	Heptachlor	0.02
118741	Hexachlorobenzene	0.01
87683	Hexachlorobutadiene	0.9
77474	Hexachlorocyclopentadiene	0.1
67721	Hexachloroethane	5
822060	Hexamethylene,-1,6-diisocyanate	0.02
680319	Hexamethylphosphoramide	0.01
110543	Hexane	10
302012	Hydrazine	0.004
7647010	Hydrochloric acid	10
7664393	Hydrogen fluoride	0.1
123319	Hydroquinone	1
78591	Isophorone	10
58899	Lindane (hexachlorocyclohexane, gamma)	0.01
108316	Maleic anhydride	1
67561	Methanol	10
72435	Methoxychlor	10
74839	Methyl bromide (Bromomethane)	10
74873	Methyl chloride (Chloromethane)	10
71556	Methyl chloroform (1,1,1-Trichloroethane)	10
60344	Methyl hydrazine	0.06
74884	Methyl iodide (Iodomethane)	1
108101	Methyl isobutyl ketone	10
624839	Methyl isocyanate	0.1
80626	Methyl methacrylate	10
1634044	Methyl tert-butyl ether	10

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
12108133	Methylcyclopentadienyl manganese	0.1
75092	Methylene chloride (Dichloromethane)	10
101688	Methylene diphenyl diisocyanate	0.1
91203	Naphthalene	10
98953	Nitrobenzene	1
62759	N-Nitrosodimethylamine	0.001
69892	N-Nitrosomorpholine	1
684935	N-Nitroso-N-methylurea	0.0002
121697	N,N-Dimethylaniline	1
90040	o-Anisidine	1
95534	o-Toluidine	4
56382	Parathion	0.1
82688	Pentachloronitrobenzene (Quintobenzene)	0.3
87865	Pentachlorophenol	0.7
108952	Phenol	0.1
75445	Phosgene	0.1
7803512	Phosphine	5
7723140	Phosphorous	0.1
85449	Phthalic anhydride	5
1336363	Polychlorinated biphenyls (Aroclors)	0.009
106503	p-Phenylenediamine	10
123386	Propionaldehyde	5
114261	Propoxur (Baygone)	10
78875	Propylene dichloride (1,2-Dichloropropane)	1
75569	Propylene oxide	5
91225	Quinoline	0.006
106514	Quinone	5
100425	Styrene	1
96093	Styrene oxide	1
127184	Tetrachloroethylene (Perchloroethylene)	10
7550450	Titanium tetrachloride	0.1
108883	Toluene	10
8001352	Toxaphene (chlorinated camphene)	0.01
79016	Trichloroethylene	10
121448	Triethylamine	10
1582098	Trifluralin	9
108054	Vinyl acetate	1
593602	Vinyl bromide (bromoethene)	0.6
75014	Vinyl chloride	0.2
75354	Vinylidene chloride (1,1-Dichloroethylene)	0.4
1330207	Xylenes (isomers and mixture)	10
108383	m-Xylenes	10

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
95476	o-Xylenes	10
106423	p-Xylenes	10
-	Arsenic and inorganic arsenic compounds	0.005
7784421	Arsine	0.1
-	Antimony compounds (except those specifically listed)*	5
1309644	Antimony trioxide	1
1345046	Antimony trisulfide	0.1
7783702	Antimony pentafluoride	0.1
28300745	Antimony potassium tartrate	1
-	Beryllium compounds (except Beryllium salts)	0.008
-	Beryllium salts	0.00002
-	Cadmium compounds	0.01
130618	Cadmium oxide	0.01
-	Chromium compounds (except Hexavalent and Trivalent)	5
-	Hexavalent Chromium compounds	0.002
-	Trivalent Chromium compounds	5
10025737	Chromic chloride	0.1
744084	Cobalt metal (and compounds, except those specifically listed)*	0.1
10210681	Cobalt carbonyl	0.1
62207765	Fluomine	0.1
-	Coke oven emissions	0.03
-	Cyanide compounds (except those specifically listed)*	5
143339	Sodium cyanide	0.1
151508	Potassium cyanide	0.1
-	Glycol ethers (except those specifically listed)*	5
110805	2-Ethoxy ethanol	10
111762	Ethylene glycol monobutyl ether	10
108864	2-Methoxy ethanol	10
-	Lead and compounds (except those specifically listed)*	0.01
75741	Tetramethyl lead	0.01
78002	Tetraethyl lead	0.01
7439965	Manganese and compounds (except those specifically listed)*	0.8
12108133	Methylcyclopentadienyl manganese	0.1
-	Mercury compounds (except those specifically listed)*	0.01
10045940	Mercuric nitrate	0.01
748794	Mercuric chloride	0.01
62384	Phenyl mercuric acetate	0.01
-	Elemental Mercury	0.01
-	Mineral fiber compounds (except those specifically listed)*	a
1332214	Asbestos	a
-	Erionite	a
-	Silica (crystalline)	a

Proposed Rules

CAS#	Chemical Name	De Minimis Level (tons/year)
-	Talc (containing asbestos from fibers)	a
-	Glass wool	a
-	Rock wool	a
-	Slag wool	a
-	Ceramic fibers	a
-	Nickel compounds (except those specifically listed)*	1
13463393	Nickel Carbonyl	0.1
12035722	Nickel refinery dust	0.08
-	Nickel subsulfide	0.04
-	Polycyclic organic matter-POM (except those specifically listed)*	0.01
56553	Benz(a)anthracene	0.01
50328	Benzo(a)pyrene	0.01
205992	Benzo(b)fluoranthene	0.01
57976	7,12-Dimethylbenz(a)anthracene	0.01
225514	Benz(c)acridine	0.01
218019	Chrysene	0.01
53703	Dibenz(ah)anthracene	0.01
189559	1,2:7,8-Dibenzopyrene	0.01
193395	Indeno(1,2,3-cd)pyrene	0.01
-	Dioxins & Furans (TCDD equivalent)**	-
7782492	Selenium and compounds (except those specifically listed)*	0.1
7488564	Selenium sulfide (mono and di)	0.1
7783075	Hydrogen selenide	0.1
10102188	Sodium selenite	0.1
13410010	Sodium selenate	0.1
9999918	Radionuclides (including radon)	b

* - For this chemical group, specific compounds or subgroups are named specifically in this table. For the remainder of the chemicals of the chemical group, a single de minimis value is listed, which applies to compounds which that are not named specifically.

** - The “toxic equivalent factor” method in EPA/625/3-89-016 (U.S. EPA (1989) Interim procedures for estimating risk associated with exposure to mixtures) ~~should~~ must be used for PCDD/PCDF mixtures. A different de minimis level will be determined for each mixture depending on the equivalency factors used, which are compound specific. For purposes of this part, the document EPA/625/3-89-016, Interim Procedures for Estimating Risk Associated with Exposure to Mixtures, U.S. EPA (1989), is incorporated by reference. The Environmental Protection Agency is the author and publisher. This document is available at the University of Minnesota through the Minitex interlibrary loan system. This document is subject to frequent change.

a - De minimis values are zero. Currently available data do not support assignment of a “trivial” emission rate; therefore, the value assigned will be policy based.

b - The EPA relies on Code of Federal Regulations, title 40, part 61, subparts B and I, and appendix E, and assigns a de minimis level based on an effective dose equivalent of 0.3 ~~milliem~~ millirem per year for a seven-year exposure period that would result in a cancer risk of one per million. The individual radionuclides subject to de minimis levels are contained in Code of Federal Regulations, title 40, part 61.

7008.0100 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to the terms used in this chapter. The definitions in parts 7000.0100, 7005.0100, and 7007.0100 apply to the terms used in this chapter unless the terms are otherwise defined in this part.

Subp. 2. [Renumbered as part 7005.0100, subpart 11f.]

Subp. 2a. [See repealer.]

Subp. 2b. [Renumbered as subpart 13.]

Subp. 2c. [Renumbered as subpart 15.]

Subp. 3. [Renumbered as subpart 14.]

Subp. 4. [Renumbered as subpart 16.]

Subp. 5. [See repealer.]

Subp. 6. **Auto-body refinishing facility.** “Auto-body refinishing facility” means a stationary source engaged primarily in repairing collision damage and refinishing automobiles and light-duty trucks. Auto-body refinishing facility includes a stationary source that does not repair collision damage but only paints automobiles and light-duty trucks or customizes repainting for used automobiles and light-duty trucks.

Subp. 7. **Cleaning material.** “Cleaning material” means a solvent that contains either a VOC or hazardous air pollutant and is used to remove contaminants and other materials including dirt, grease, oil, and dried or wet coatings from:

A. a surface before or after applying coating; or

B. equipment associated with coating application, including spray booths, spray guns, racks, tanks, and hangers.

Subp. 8. **Coating.** “Coating” means a material including paint, stain, sealant, varnish, liquid-plastic coating, caulk, ink, adhesive, primer, deadener, and maskant that contains either a VOC or hazardous air pollutant and is applied to a surface for decorative, protective, or functional purposes. “Liquid-plastic coating” means a coating made from fine-particle-size polyvinyl chloride in a solution referred to as a plastisol. Coating does not include:

A. decorative, protective, or functional materials that consist only of protective oils for metals, acids, or bases or any combination of these substances; or

B. paper film or plastic film that is precoated with an adhesive by the film manufacturer.

Subp. 9. **Coating facility.** “Coating facility” means a stationary source that applies coating to the surface of parts and products.

Subp. 10. **Finishing operations.** “Finishing operations” means buffing, abrasive blasting, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment, but does not include abrasive blasting for removing lead-containing paint.

Subp. 11. **Insignificant facility.** “Insignificant facility” means a stationary source that has only emissions units that are listed as insignificant activities in part 7007.1300, subpart 2 or 3, or conditionally insignificant activities, or both, that comply with part 7008.2600.

Subp. 12. **Material usage.** “Material usage” means an activity at a stationary source, such as applying or using a

Proposed Rules

coating, cleaning material, or solvent, that emits only a VOC, a hazardous air pollutant, or particulate matter or a combination thereof when emissions of these pollutants can be calculated as described in part 7008.4100. Material usage does not include material processes such as sanding, milling, materials reacting to form new materials, fuel usage, or grain or other material handling.

Subp. 13. **Recycling.** “Recycling” means the reclamation or reuse of waste VOC-containing or hazardous air pollutant-containing materials from material usage activities. For purposes of this subpart, “reclamation” has the meaning given in part 7045.0020, subpart 73c, and “reuse” has the meaning given in part 7045.0020, subpart 75a. [Renumbered from subpart 2b.]

Subp. 14. **Refueling positions.** “Refueling positions” means the number of vehicles that could be receiving gasoline simultaneously at a gasoline service station. [Renumbered from subpart 3.]

Subp. 15. **Solids.** “Solids” means the nonvolatile portion of the material applied or used in a material usage activity. [Renumbered from subpart 2c.]

Subp. 16. **Stage-one vapor recovery.** “Stage-one vapor recovery” means pipes or hoses, or both, that create a closed system connecting a gasoline unloading tank and a gasoline receiving tank so that the vapors displaced from the receiving tank are transferred to the unloading tank. [Renumbered from subpart 4.]

Subp. 17. **Transfer efficiency.** “Transfer efficiency” means the ratio of the weight of solids in the material that adheres to an object to the total weight of solids in the material used in the application process. Transfer efficiency varies with the type of application method and is obtained from the application equipment manufacturer. If the manufacturer provides a range for the transfer efficiency, the transfer efficiency for calculating emissions of particulate matter is the minimum specified in the range.

Subp. 18. **Woodworking facility.** “Woodworking facility” means a stationary source that manufactures, refinishes, and restores parts or products primarily made of wood, but including incidental use of other materials such as metal, plastic, or ceramic.

7008.0200 GENERAL REQUIREMENTS.

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

F. The owner or operator of a stationary source that operates without a permit according to this chapter must comply with part 7007.0400, subpart 4, when making a change or modification that disqualifies the stationary source for a permit exemption under part 7007.0300.

7008.2100 GASOLINE SERVICE STATIONS; TECHNICAL STANDARDS.

Subpart 1. Eligibility.

A. To be eligible to operate without a permit under this chapter, the ~~stationary source~~ owner or operator of a gasoline service station must comply with this part in addition to the general operating requirements in ~~and~~ part 7008.0200, 7008.2000.

A. B. Gasoline receipt and dispensing operations must account for substantially all of the emissions from the facility. All other emissions from the stationary source must be from insignificant activities under part 7007.1300, ~~subparts~~ subpart 2 ~~and~~ or 3, or conditionally insignificant activities, ~~or both.~~

B. C. The owner or operator of a gasoline service station ~~shall~~ must have monthly gasoline throughput quantities that are less than the following:

(1) for gasoline service stations located in ozone attainment areas or marginal or moderate ozone nonattainment areas:

Proposed Rules

[For text of units (a) and (b), see M.R.]

(2) for gasoline service stations located in serious ozone nonattainment areas:

[For text of units (a) and (b), see M.R.]

~~C. D.~~ Stage-one vapor recovery systems must comply with the requirements of part 7011.0870.

Subp. 2. **Record keeping.** The owner or operator of a gasoline service station ~~shall~~ must maintain records for each calendar month of the number of gallons of gasoline throughput.

Subp. 3. **Notification.**

A. The owner or operator of a gasoline service station ~~shall~~ must submit a notification to the commissioner ~~within 90 days of April 28, 2003, or at least 90 days prior to commencement of~~ before beginning construction of a gasoline service station if the number of refueling positions is greater than the following:

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

B. The notification in item A ~~shall~~ must contain the following:

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

7008.2200 CONCRETE MANUFACTURING; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.** To be eligible to operate without a permit under this chapter, ~~the owner or operator of a concrete manufacturing stationary source must meet the requirements of~~ comply with this part and parts ~~7008.2250 7008.2000 and 7011.0850 to 7011.0859 in addition to the general operating requirements in part 7008.0200.~~

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

Subp. 6. **Record keeping.** The owner or operator of a concrete manufacturing stationary source must maintain records that contain:

A. the calendar-year production of unhardened concrete in tons to demonstrate compliance with subpart 2;

B. documentation of compliance with the requirements for conditionally insignificant activities;

C. the types of fuel combusted in nonmobile emissions units in each calendar year to demonstrate compliance with subpart 3, items A to C, and the amounts of fuel combusted in nonmobile internal combustion engines to demonstrate compliance with subpart 3, item C; and

D. documentation of compliance with subpart 2, items A and B, if the owner or operator elects to receive credit for reducing emissions by controlling road dust.

7008.2300 AUTO-BODY REFINISHING; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. To be eligible to operate without a permit under this chapter, the owner or operator of an auto-body refinishing facility must comply with this part and part 7008.2000.

B. Painting automobiles and automobile parts must account for substantially all emissions from the auto-body refinishing facility. All other emissions from the stationary source must be from insignificant activities in part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4110, or both.

C. The owner or operator of an auto-body refinishing facility must purchase or use less than 2,000 gallons of coating and cleaning materials, combined, each calendar year.

Proposed Rules

Subp. 2. **Operational requirements.** The owner or operator of an auto-body refinishing facility must:

A. ensure all painters are trained in proper spray application of surface coatings and proper setup and maintenance of spray equipment;

B. ensure spray-painting operations, excluding those done by spray guns with three ounces or less cup capacity, are completed inside a particulate-control system that is designed to confine and direct paint overspray, fumes, and vapors to a powered ventilation system and is equipped with either dry filtration or a water-wash system to capture paint overspray;

C. operate and maintain spray-painting application equipment, exhaust filtration systems, and spray booths according to the manufacturer's specification;

D. ensure all spray-gun cleaning is done so that an atomized mist or spray of gun-cleaning solvent and paint residue is not created outside a container that collects used gun-cleaning solvent. Spray-gun cleaning may be done, for example, by hand cleaning parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray-gun washer. A combination of nonatomizing methods may also be used; and

E. comply with the requirements for booth specifications, stripping management practices, overspray-capture efficiency, spray-gun specifications, solvent storage, and training in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 3. **Record keeping.**

A. The owner or operator of an auto-body refinishing facility must maintain:

(1) documentation that each painter has completed the training specified in subpart 2, item A;

(2) a record of inspection, maintenance, and repair activities for the spray-painting equipment, exhaust filtration system, and spray booths;

(3) a record of the number of gallons of coating and cleaning materials purchased or used for each calendar year; and

(4) if the owner or operator ships waste material from coating and cleaning activities off-site for recycling, records of the gallons of material shipped off-site for recycling.

B. If the owner or operator ships waste material from coating and cleaning activities off-site for recycling, the gallons of material recycled may be subtracted from the amount of combined coating and cleaning materials used. For purposes of this item, "recycling" means reclamation or reuse, as defined in part 7045.0020, of a coating or cleaning material.

C. The owner or operator must comply with the requirements for monitoring, record keeping, and reporting in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 4. **Notification.**

A. If the owner or operator of an auto-body refinishing facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

(1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and

Proposed Rules

(2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of an auto-body refinishing facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate an auto-body refinishing facility.

C. The notification required under this subpart must contain:

(1) the owner's name;

(2) the operator's name, if different than the owner's name;

(3) the facility name and address; and

(4) the number of gallons of coating and cleaning materials purchased or used in the last calendar year or, if the facility is not completed, the anticipated number of gallons of coating and cleaning materials to be purchased.

7008.2400 COATING FACILITY; TECHNICAL STANDARDS.

Subpart 1. Eligibility.

A. The owner or operator of a coating facility that is not an auto-body refinishing facility and that has no other emissions or emissions units that would require a permit under chapter 7007 may operate without a permit under this chapter. To be eligible to operate without a permit under this chapter, the owner or operator of a coating facility must comply with this part and part 7008.2000.

B. Coating must account for substantially all emissions from the coating facility. All other emissions from the coating facility must be from insignificant activities under part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4110, or both.

C. The owner or operator of a coating facility must purchase or use less than 2,000 gallons of coating and cleaning materials, combined, each calendar year.

Subp. 2. Operational requirements. The owner or operator of a coating facility must:

A. ensure all painters are trained in proper spray application of surface coatings and proper setup and maintenance of spray equipment;

B. ensure spray-painting operations, excluding those done by spray guns with three ounces or less cup capacity, are completed inside a particulate-control system that is designed to confine and direct paint overspray, fumes, and vapors to a powered ventilation system and is equipped with either dry filtration or a water-wash system to capture paint overspray;

C. operate and maintain spray-painting application equipment, exhaust filtration systems, and spray booths according to the manufacturer's specification;

D. ensure all spray-gun cleaning is done so that an atomized mist or spray of gun-cleaning solvent and paint residue is not created outside a container that collects used gun-cleaning solvent. Spray-gun cleaning may be done, for example, by hand cleaning parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray-gun washer. A combination of nonatomizing methods may also be used; and

E. comply with the requirements for booth specifications, stripping management practices, overspray-capture efficiency, spray-gun specifications, solvent storage, and training in Code of Federal Regulations, title 40, part 63,

Proposed Rules

subpart HHHHHH, as applicable.

Subp. 3. Record keeping.

A. The owner or operator of a coating facility must maintain:

- (1) documentation that each painter has completed the training specified in subpart 2, item A;
- (2) a record of inspection, maintenance, and repair activities for the spray-painting application equipment, exhaust filtration system, and spray booths;
- (3) a record of the number of gallons of coating and cleaning materials purchased or used for each calendar year; and
- (4) if the owner or operator ships waste material from coating and cleaning activities off-site for recycling, records of the gallons of material shipped off-site for recycling.

B. If the owner or operator ships waste material from coating and cleaning activities off-site for recycling, the gallons of material recycled may be subtracted from the amount of combined coating and cleaning materials used. For purposes of this item, "recycling" means reclamation or reuse, as defined in part 7045.0020, of a coating or cleaning material.

C. The owner or operator must comply with the requirements for monitoring, record keeping, and reporting in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 4. Notification.

A. If the owner or operator of a coating facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

- (1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and
- (2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of a coating facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate a coating facility.

C. The notification required under this subpart must contain:

- (1) the owner's name;
- (2) the operator's name, if different than the owner's name;
- (3) the facility name and address; and
- (4) the number of gallons of coating and cleaning materials purchased or used in the last calendar year or, if the facility is not completed, the anticipated number of gallons of coating and cleaning materials to be purchased.

7008.2500 WOODWORKING FACILITY; TECHNICAL STANDARDS.

Subpart 1. Eligibility.

Proposed Rules

A. To be eligible to operate without a permit under this chapter, the owner or operator of a woodworking facility must comply with this part and part 7008.2000.

B. Equipment for manufacturing, refinishing, and restoring wood products and ovens for curing or drying wood products must account for substantially all the emissions from the woodworking facility.

C. All other emissions from the woodworking facility must be from insignificant activities under part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4100, or both.

Subp. 2. Operational requirements. The owner or operator of a woodworking facility must:

A. ensure that equipment for manufacturing, refinishing, and restoring wood products vents emissions to control equipment meeting the requirements in subpart 3 at all times the equipment is operating;

B. operate and maintain the control equipment as required by the manufacturer's specifications and part 7008.0200, item D;

C. ensure that opacity from the control-equipment exhaust does not exceed 20 percent opacity when venting externally;

D. when emissions are vented externally, check the control-equipment exhaust for any visible emissions once each day of operation during daylight hours except during inclement weather. If visible emissions are observed for longer than six minutes, the owner or operator must:

(1) inspect the control equipment; and

(2) take corrective actions, including repairing or replacing control-equipment components when necessary;
and

E. inspect the control equipment once each calendar quarter or more frequently according to the manufacturer's specification.

Subp. 3. Control requirements.

A. The owner or operator of a woodworking facility must comply with the applicable requirement for control equipment in items B to F.

B. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is less than or equal to 17,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.03 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

C. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 17,000 standard cubic feet per minute but less than or equal to 26,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.02 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

D. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 26,000 standard cubic feet per minute but less than or equal to 53,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.01 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

Proposed Rules

E. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 53,000 standard cubic feet per minute but less than or equal to 106,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.005 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

F. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 106,000 standard cubic feet per minute but less than or equal to 177,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.003 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

Subp. 4. Record keeping. The owner or operator of a woodworking facility must maintain:

A. a record of inspection, maintenance, and repair activities performed pursuant to the manufacturer's specifications for the control equipment;

B. records for each calendar year of the design airflow rate from the control equipment associated with each wood-product manufacturing, refinishing, and restoring equipment;

C. records for each calendar year of the manufacturer's design particulate matter concentration from each control equipment installed; and

D. records of the date and time of each visible emission check and whether or not any visible emissions were observed.

Subp. 5. Notification.

A. If the owner or operator of a woodworking facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

(1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and

(2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of a woodworking facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate a woodworking facility.

C. The notification required under this subpart must contain:

(1) the owner's name;

(2) the operator's name, if different than the owner's name;

(3) the facility name and address; and

(4) the manufacturer's design particulate matter concentration and airflow rate from each control equipment installed or, if the facility is not completed, the anticipated manufacturer's design particulate matter concentration and airflow rate from each control equipment.

Proposed Rules

7008.2600 INSIGNIFICANT FACILITY; TECHNICAL STANDARDS.

Subpart 1. Eligibility.

A. To be eligible to operate without a permit under this chapter, the owner or operator of an insignificant facility must comply with this part and part 7008.2000.

B. The insignificant facility must have only emissions units that:

- (1) are listed as insignificant activities in part 7007.1300, subpart 2 or 3;
- (2) are conditionally insignificant activities; or
- (3) qualify under subitems (1) and (2).

C. The owner or operator of an insignificant facility must limit the number of emissions units at the facility so that potential emissions from the facility are less than the thresholds in this item, calculated according to subpart 4:

- (1) total HAP emissions - 10 tons per year;
- (2) NO_x emissions - 100 tons per year;
- (3) SO₂ emissions - 50 tons per year;
- (4) particulate matter emissions - 100 tons per year;
- (5) PM-10 emissions - 25 tons per year;
- (6) VOC emissions - 100 tons per year;
- (7) CO emissions - 100 tons per year;
- (8) Pb emissions - 0.50 tons per year; and
- (9) CO₂e emissions - 100,000 tons per year.

Subp. 2. Operational requirements. The owner or operator of an insignificant facility must ensure that:

A. emissions units at the facility comply with all applicable requirements, as defined in part 7007.0100, subpart 7; and

B. conditionally insignificant activities at the facility comply with parts 7008.4000 to 7008.4110.

Subp. 3. Record keeping.

A. The owner or operator of an insignificant facility must maintain a record of all emissions units and the Minnesota Rules citation that defines each emissions unit as an insignificant activity or conditionally insignificant activity.

B. The records must be permanently kept on site at the facility or central office and be readily available for the commissioner to examine and copy.

Subp. 4. Calculating emissions. The owner or operator of an insignificant facility must calculate emissions to determine eligibility under this part as provided in this subpart. The owner or operator must:

Proposed Rules

A. use the electronic spreadsheet “Insignificant Facility PTE” provided by the commissioner to identify the number of emissions units and the Minnesota Rules citation that defines each emissions unit as an insignificant activity or conditionally insignificant activity to determine potential emissions from the insignificant facility. The “Insignificant Facility PTE” electronic spreadsheet is incorporated by reference, is not subject to frequent change, and is available on the agency’s Web site at <https://www.pca.state.mn.us/regulations/minnesota-rulemaking>; or

B. calculate the facility’s potential emissions as defined in part 7005.0100, subpart 35a, except that emissions caused by activities described in part 7007.1300, subpart 2, must not be considered in the calculation of potential emissions.

7008.4000 CONDITIONALLY INSIGNIFICANT ACTIVITIES.

A. If operated in compliance with this part and parts 7008.4100 and 7008.4110, the activities and operation of the emissions units listed in parts 7008.4100 and 7008.4110 are insignificant activities for purposes of parts 7007.0100 to 7007.1850. To qualify for the exemption from permitting in part 7007.0300, subpart 1, item D, subitem (2) or (3), the owner or operator of a stationary source that has the potential to emit any pollutant in excess of a permitting threshold in chapter 7007 must comply with the requirements of parts 7008.4000 to 7008.4110. Listing in part 7008.4100 or 7008.4110 has no effect on any other law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to which the activity may be subject.

B. If a permit is required under chapter 7007:

(1) the activities emissions units described in parts 7008.4100 and 7008.4110 must be listed in a permit application; and

(2) calculation of emissions from these activities shall emissions units must be provided if required by the agency; under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed in part 7008.4100 or 7008.4110 are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or, if accounted for, make a stationary source subject to a part 70 permit, emissions from the emissions units must be calculated in the permit application.

C. Calculation of emissions from the emissions units described in parts 7008.4100 and 7008.4110 must be provided in a permit application for a part 70 permit or an amendment to a part 70 permit.

D. The emissions units described in parts 7008.4100 and 7008.4110 must be listed in a permit application, and calculation of emissions from these emissions units must be provided in the permit application if the emissions units:

(1) are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants);

(2) are part of a Title I modification; or

(3) if accounted for, make a stationary source subject to a part 70 permit.

7008.4100 CONDITIONALLY INSIGNIFICANT ACTIVITY; MATERIAL USAGE.

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

Subp. 2. **Material usage limits.** The owner or operator must limit emissions from all material usage as provided in items A and B at the stationary source to qualify as a conditionally insignificant activity under this part.

A. VOCs. The owner or operator must limit VOC emissions to less than ~~2,000~~ 10,000 pounds, or VOC-containing material usage to less than ~~200~~ 1,000 gallons, in each calendar year period. Pounds of VOC emissions must be calculated according to the method in subpart 4. All VOC emissions from all material usage activities at the stationary source

Proposed Rules

must be accounted for in the annual calculation. This limit applies regardless of the hazardous air pollutant content of the VOC.

B. Particulate matter. The owner or operator must limit emissions of particulate matter, ~~PM-10, and PM-2.5~~ to less than 8,000 pounds each in each calendar year period, calculated according to the method in subpart 5. All particulate matter, ~~PM-10, and PM-2.5~~ emissions from all material usage activities at the stationary source must be accounted for in the annual calculation. This limit applies regardless of the hazardous air pollutant content of the particulate matter.

Subp. 3. **Record keeping.** The owner or operator of a stationary source claiming material usage as a conditionally insignificant activity must:

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

F. if requested by the commissioner, calculate and record for any of the previous five calendar years:

- (1) the VOC emissions using the method in subpart 4;
- (2) the particulate matter, ~~PM-10, and PM-2.5~~ emissions using the method in subpart 5;

[For text of subitems (3) and (4), see M.R.]

Subp. 4. **Calculating VOC emissions.** An owner or operator claiming material usage as a conditionally insignificant activity must calculate VOC emissions using one of the methods in item A or B. If the owner or operator ships waste material from material usage activities off-site for recycling, the amount of VOC recycled may be subtracted from the amount of VOC calculated in item A or B:

A. ~~gallons~~ pounds of VOC emissions per calendar year equal gallons of VOC-containing material purchased or used in a calendar year multiplied by the volume percentage pounds of VOC per gallon; or

B. pounds of VOC emissions per calendar year equal ~~gallons of VOC-containing material purchased or used in a calendar year multiplied by the pounds of VOC per gallon or pounds of VOC-containing material purchased or used in a calendar year multiplied by weight percent of VOC per gallon~~.

Subp. 5. **Calculating particulate matter, ~~PM-10, and PM-2.5~~ emissions.**

A. An owner or operator claiming material usage as a conditionally insignificant activity must calculate particulate matter, ~~PM-10, and PM-2.5~~ emissions ~~individually~~ using one of the following methods ~~in item A or B~~:

~~A.~~

(1) pounds of particulate matter, ~~PM-10, and PM-2.5~~ emissions per calendar year equal gallons of solids-containing material purchased or used in a calendar year multiplied by the pounds of solids per gallon; or

~~B.~~

(2) pounds of particulate matter, ~~PM-10, and PM-2.5~~ emissions per calendar year equal pounds of solids-containing material purchased or used in a calendar year multiplied by weight percent of solids per gallon.

B. For material usage activities that involve spray application of materials, the owner or operator may apply a transfer efficiency in the calculation of particulate matter, ~~PM-10, and PM-2.5~~ emissions by multiplying the result determined by in item A or B by (1 - transfer efficiency). The owner or operator may also apply a control efficiency, alone or in addition to the transfer efficiency, in calculating emissions of particulate matter by multiplying the result determined in item A by (1 - control efficiency). The control efficiency used in this calculation must be determined according to part 7011.0070 for listed control equipment and may be used only if the owner or operator is in compliance with parts 7011.0060 to 7011.0080.

Proposed Rules

7008.4110 ~~CONDITIONALLY INSIGNIFICANT PM AND PM-10 EMITTING~~ ACTIVITY; FINISHING OPERATIONS.

Subpart 1. **Applicability.** This part applies to the owner or operator of a stationary source claiming particulate matter (PM) or particulate matter of less than ten microns (PM10) venting equipment as a conditionally insignificant activity. finishing operations that emit only particulate matter as a conditionally insignificant activity. To qualify as a conditionally insignificant activity under this part, all finishing operations at the stationary source must be included in the limits under subpart 2. If lead is a component of any finishing operation at the stationary source, this part does not apply. All particulate matter is considered filterable particulate matter under this part.

Subp. 2. **Requirements.** Emissions from equipment venting PM or PM10 inside a building, for example: buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment. The owner or operator of a stationary source claiming finishing operations as a conditionally insignificant activity must be:

A. filtered through an air cleaning system install, operate, and maintain control equipment designed to control emissions of particulate matter on the finishing operations; and

B. vented inside of the building 100 percent of the time. limit emissions of particulate matter from all finishing operations to less than 10,000 pounds in each calendar year, calculated according to the method in subpart 4. All emissions of particulate matter from all finishing operations at the stationary source must be accounted for in the annual calculation.

Subp. 3. **Monitoring and record keeping.** The owner or operator of a stationary source claiming PM or PM-10 venting equipment finishing operations as a conditionally insignificant activity must:

A. operate the air cleaning system control equipment as required by the manufacturer's specification and part 7008.0200, item D;

B. inspect the air cleaning system as required by control equipment once each calendar quarter or more frequently according to the manufacturer's specification;

C. maintain the air cleaning system control equipment according to the manufacturer's specification; and

D. maintain a record of inspection, maintenance, and repair activities and the manufacturer's inspection, maintenance, and repair specifications for the air cleaning system control equipment for at least five years;

E. maintain records for each calendar year of the hours operated for the control equipment associated with each finishing operation;

F. maintain records for each calendar year of the design airflow rate from the control equipment associated with each finishing operation; and

G. if the default value is not used, maintain records for each calendar year of the manufacturer's design concentration for particulate matter from the control equipment associated with each finishing operation.

Subp. 4. **Calculating emissions of particulate matter.** The owner or operator claiming finishing operations as a conditionally insignificant activity must calculate emissions of particulate matter from each control equipment according to the following equation:

$$E = OP \times EF \times Q_{Air} \times (1 \text{ lb}/7,000 \text{ grains}) \times (60 \text{ minutes}/1 \text{ hour})$$

Where: E = actual emissions from the control equipment, in pounds per calendar year

OP = hours of operations of the control equipment per calendar year

EF = design concentration for particulate matter from the control equipment, in grains per standard

Proposed Rules

cubic foot, but if the manufacturer's design value is unknown, then the default value is 0.07 grains per standard cubic foot for cyclones or 0.03 grains per standard cubic foot for fabric filters

Q_{Air} = design airflow rate from the control equipment, in standard cubic feet per minute.

7011.0561 ~~CONTROL OF~~ CONTROLLING MERCURY FROM ELECTRIC GENERATING UNITS.

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

Subp. 4. **Performance standards for mercury emissions.** Unless the commissioner establishes an alternative mercury emissions reduction under Minnesota Statutes, section 216B.687, subdivision 3, the owners or operators of coal-fired electric generating units that do not qualify for the exemption under subpart 3 must control mercury emissions as described in this subpart.

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

[For text of subps 5 to 10, see M.R.]

7011.1201 DEFINITIONS.

[For text of subps 1 to 42a, see M.R.]

Subp. 43. **Refuse-derived fuel or RDF.** "Refuse-derived fuel" or "RDF" has the meaning given in Minnesota Statutes, section ~~116.90~~ 115A.03, subdivision 1, ~~paragraph (d)~~ 25d.

[For text of subps 43a to 50, see M.R.]

7011.2300 STANDARDS OF PERFORMANCE FOR STATIONARY INTERNAL COMBUSTION ENGINES.

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

Subp. 2. Sulfur dioxide.

A. ~~No An~~ owner or operator of a stationary internal combustion engine ~~shall must not allow to be discharged into the atmosphere from the engine~~ any gases that contain sulfur dioxide in excess of 0.5 pounds per million Btu actual heat input ~~to be discharged into the atmosphere from the engine unless an alternative emission limit is established for sulfur dioxide in an air emission permit after demonstration through modeling of or other enforceable document is used to demonstrate modeled compliance with the sulfur dioxide standards in part parts 7009.0080 and 7009.0090.~~

B. No later than January 31, 2018, owners or operators of a stationary internal combustion engine must not allow any gases that contain sulfur dioxide in excess of 0.0015 pounds per million Btu actual heat input to be discharged into the atmosphere from the engine unless ~~the agency establishes an alternative sulfur dioxide emission limit in an air emission permit that includes a demonstration through modeling of or other enforceable document is used to demonstrate modeled compliance with the sulfur dioxide standards in part parts 7009.0080 and 7009.0090.~~

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

7019.3020 CALCULATION OF ACTUAL EMISSIONS FOR EMISSION INVENTORY.

A. Emissions from all emissions units ~~shall must~~ be reported in the annual emissions inventory report in a format specified by the commissioner. Emissions from insignificant activities listed in part 7007.1300, subpart 2, ~~shall must~~ not be reported. Emissions from insignificant activities listed in part 7007.1300, subparts 3 and 4, and conditionally insignificant activities listed in part 7008.4000 ~~shall must~~ be reported if the commissioner or owner or operator has determined that emissions from those activities are not insignificant for purposes of permitting under parts 7007.0100 to 7007.1850 or for those activities required to be quantified by a facility issued a capped permit option 1. Notwithstanding the previous sentence, the commissioner may request an inventory of fugitive emissions from roads and parking lots, defined as insignificant under part 7007.1300, subpart 3, item ~~F~~ G, upon determining that emissions from these sources represent a substantial portion of the facility's total emissions.

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

REPEALER. Minnesota Rules, parts 7008.0100, subparts 2a and 5; and 7008.2250, are repealed.

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions.

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

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Mille Lacs Lake Fishing Regulations

Notice is hereby given that the above-entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, sections 97A.045, subd. 2; 97C.005; and 97C.401.

The conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows:

1. Each year a harvestable surplus is set for walleye in Mille Lacs Lake pursuant to the procedures set forth in the 1996 Stipulated Settlement and Federal Consent Decree adopted by the Minnesota Federal District Court in 1997 and affirmed by the U.S. Supreme Court in 1999. The harvest surplus is the volume of fish that can be harvested safely from Mille Lacs Lake while ensuring sufficient remaining walleye in the lake for a healthy fishery. The harvest surplus is then divided between the state of Minnesota and the eight Chippewa Tribal Bands. The Mille Lacs Band, Fond Du Lac Band, and six Wisconsin Bands of Chippewa are not required to declare their harvest intentions on inland waters until mid-March. This year, the final harvestable surplus has not yet been agreed upon by the parties.

2. The proposed fishing regulations for Mille Lacs Lake are based on the expected safe harvest level that will be determined for 2018. The final harvest threshold was not determined prior the publication of the rule. This rule was developed using and is consistent with the applicable biological data being used to set the final harvest threshold. The biological data indicates that conservative catch-and-release regulations for state anglers need to be put in place by the May 12, 2018, inland fishing opener to ensure that angler harvest does not exceed state angler harvest thresholds for the 2018 open water fishing season.

Dated: March 23, 2018

Tom Landwehr
Commissioner of Natural Resources

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

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

Subp. 4. Mille Lacs Lake and associated tributaries special management regulations.

A. The angling season for northern pike begins at 12:01 a.m. May 12, 2018, and continues to 11:59 p.m. March 31, 2019. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, the possession limit for northern pike is five.

(1) Until December 1, 2018:

Expedited Emergency Rules

(a) only one northern pike in possession may be greater than 40 inches in length;

(b) all northern pike in possession must be less than 24 30 inches in length or greater than 36 40 inches in length; and

(c) all northern pike that are 24 30 to 36 40 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one northern pike over 36 inches in length.

(2) Beginning December 1, 2018:

(a) subitem (1) does not apply;

(b) at least two northern pike 30 inches in length or less taken the same day from Mille Lacs Lake must be in immediate possession before possessing a northern pike greater than 30 inches in length; and

(c) only one northern pike in possession may be greater than 30 inches in length.

B. The possession limit for smallmouth bass is one. Unless otherwise authorized by special permits for fishing tournaments, the angling season for largemouth and smallmouth bass begins at 12:01 a.m. on the Saturday two weeks before the Saturday of Memorial Day weekend and continues to 11:59 p.m. on the last Sunday in February. All largemouth and smallmouth bass caught from the beginning of the open season through the Friday before Memorial Day weekend must be immediately returned to the water. The catch and release season for smallmouth bass under part 6262.0200, subpart 1, item A, subitem (2), that begins the second Monday in September and ends the last Sunday in February does not apply to Mille Lacs Lake or its associated tributaries to the posted boundaries. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries;

(1) the possession limit for largemouth and smallmouth bass in aggregate is three. Only one largemouth or smallmouth bass in possession may be greater than 21 inches in length. All largemouth and smallmouth bass in possession must be 21 less than 17 inches or greater than 21 inches in length. All largemouth and smallmouth bass less than that are 17 to 21 inches in length, inclusive, must be immediately returned to the water; and

(2) a waiver of the size and possession restrictions for largemouth and smallmouth bass under subitem (1) is permitted for a limited number of bass-fishing tournaments each year as determined by the commissioner. When determining whether to grant a waiver, the commissioner must consider:

(a) tournament size;

(b) expected participation; and

(c) potential to generate public interest and local economic activity.

C. Mille Lacs Lake is closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily during the period commencing (night closure) beginning at 10 p.m. on the Monday following the Saturday two weeks prior to the Saturday of Memorial Day weekend May 14, 2018, and ending at 12:01 a.m. on Monday, four weeks after the date of commencement. During the closure, no person shall be on the waters of Mille Lacs Lake while having in possession any equipment whereby fish may be taken. Spearing is prohibited from December 1 through April 30. A person may not have a spear in possession while on or fishing in Mille Lacs Lake during this period. December 1, 2018, except as provided in subitems (1) and (2).

(1) Beginning June 2 at 10:00 p.m. and subject to the bait restrictions under item H, subitem (3), fishing for muskellunge and northern pike is allowed between 10:00 p.m. and 6:00 a.m. Angling for, harvesting, and possessing species other than muskellunge and northern pike during these hours are prohibited.

(2) Beginning June 2 at 10:00 p.m., bow fishing for rough fish is allowed between 10:00 p.m. and 6:00 a.m.

Expedited Emergency Rules

No person shall have in possession any angling equipment while bow fishing under this subitem. Angling for, harvesting, and possessing species other than rough fish while bow fishing during these hours are prohibited.

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

E. The angling season for Northern cisco (tullibee) is year round. While a person is on or fishing in Mille Lacs Lake or its associated tributaries to the posted boundaries, the possession and daily limit for Northern cisco (tullibee) is ten fish.

F. The angling season for walleye begins at 12:01 a.m. May 12, 2018, and continues to 11:59 p.m. February 24, 2019. Angling for walleye is limited to catch and release only. Any walleye caught must be immediately returned to the water.

F.G. Fish that are taken by angling and not immediately released into the water after capture are considered to be in possession and part of the bag limit. Once a fish has been reduced to possession, culling or live-well sorting (the act of exchanging one fish for another) is not allowed; except that culling or live-well sorting before meeting a bag limit of fish reduced to possession is allowed for largemouth and smallmouth bass.

H. The bait restrictions under this item apply while a person is on or fishing Mille Lacs Lake or its associated tributaries to the posted boundaries.

(1) There are no bait restrictions for angling before 9:59 p.m. May 14, 2018, and after November 30, 2018.

(2) There are no bait restrictions during the day-angling periods after May 14, 2018, through November 30, 2018. The day-angling period extends from 6:00 a.m. to 9:59 p.m. during any 24-hour period after May 14, 2018, through November 30, 2018.

(3) While a person is targeting muskellunge and northern pike during the night-angling period under item C, subitem (1), only artificial muskellunge and northern pike lures greater than eight inches in length, measured from the front of the eye of the lure to the end of the trailing hook, or sucker minnows greater than eight inches in length may be used or in possession. During the night-angling period, no person while angling may have in possession tackle or bait other than that specifically used for muskellunge or northern pike. The night-angling period extends from 10:00 p.m. to 5:59 a.m. during any 24-hour period beginning June 2, 2018, through November 30, 2018.

G.I. This subpart applies to the following waters.

	Name	Location	County
(1)	Mille Lacs	T.42-45, R.25-28, S.Various	Aitkin, Mille Lacs
(2)	Borden Creek	T.44, R.25, S.5	Aitkin
(3)	Seastade Creek	T.45, R.26, S.22	Aitkin
(4)	Marmon (Twenty) Creek	T.45, R.25, S.32	Aitkin
(5)	Grave Creek	T.45, R.25, S.8	Aitkin
(6)	Peterson Creek	T.43, R.25, S.5	Mille Lacs
(7)	Thains River (Malone Creek)	T.42, R.25, S.2	Mille Lacs
(8)	West Sucker Creek	T.42, R.25, S.18	Mille Lacs
(9)	South Sucker Creek	T.42, R.25, S.18	Mille Lacs
(10)	Garrison (Borden) Creek	T.44, R.28, S.12	Crow Wing
(11)	Seguchie Creek	T.44, R.28, S.36	Crow Wing
(12)	Reddy Creek	T.45, R.26, S.23	Aitkin
(13)	Whitefish Creek	T.43, R.27, S.7	Mille Lacs
(14)	Seventeen Creek	T.44, R.25, S.17,18,29	Aitkin

Expedited Emergency Rules

	Name	Location	County
(15)	Cedar Creek	T.43, R.25, S.15	Mille Lacs
(16)	McCleans Creek	T.45, R.27, S.34	Aitkin
(17)	unnamed	T.43, R.25, S.8	Mille Lacs
(18)	unnamed	T.42, R.26, S.11	Mille Lacs
(19)	unnamed	T.42, R.26, S.22	Mille Lacs
(20)	unnamed	T.43, R.27, S.8	Mille Lacs
(21)	unnamed	T.43, R.27, S.6	Mille Lacs
(22)	unnamed	T.43, R.27, S.21	Mille Lacs
(23)	unnamed	T.44, R.27, S.31	Crow Wing
(24)	unnamed	T.44, R.28, S.36	Crow Wing
(25)	unnamed	T.44, R.27, S.4	Aitkin
(26)	unnamed	T.45, R.27, S.25	Aitkin
(27)	unnamed	T.44, R.25, S.29	Aitkin
(28)	unnamed	T.44, R.25, S.31,32	Aitkin
(29)	unnamed	T.44, R.28, S.24	Crow Wing
(30)	unnamed	T.44, R.28, S.13	Crow Wing
(31)	Rum River Outlet	T.43, R.27, S.33	Mille Lacs

[For text of subps 5 to 58, see M.R.]

[For text of subp 59, see 41 SR 1290]

[For text of subps 60 to 145, see M.R.]

EFFECT OF RULE. The expedited emergency amendments to Minnesota Rules, part 6264.0400, subpart 4, supersede the Commissioner's Order issued by the commissioner of natural resources on December 1, 2017.

REPEALER. The expedited emergency amendments to Minnesota Rules, part 6264.0400, subpart 4, published in the State Register, volume 41, page 1287, May 8, 2017, are repealed.

Adopted Rules

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

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

Department of Labor and Industry

Adopted Permanent Rules Relating to Combative Sports and Mixed Martial Arts

The rules proposed and published at State Register, Volume 42, Number 30, pages 840-843, January 22, 2018 (42 SR 840), are adopted as proposed.

Minnesota Racing Commission

Adopted Permanent Rules Relating to Horse Racing: Licensure, Racing Days, Pari-Mutuel, Facilities and Equipment, Security Officers, Stewards, Races, Prohibited Acts

The rules proposed and published at State Register, Volume 42, Number 35, pages 981-1014, February 26, 2018 (42 SR 981), are adopted as proposed.

Minnesota Racing Commission

Adopted Permanent Rules Relating to Horse Racing: Stabling, Medication, and Veterinary Practices

The rules proposed and published at State Register, Volume 42, Number 33, pages 929-938, February 12, 2018 (42 SR 929), are adopted as proposed.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order 18-06: Declaring an Emergency in the State of Minnesota and Providing Assistance for Emergency Sheltering, Search and Rescue, and Sheltering of Stranded Motorists

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, on April 13, 2018 a major wind and snow storm swept through Rock County causing major power outages due to downed power lines affecting Magnolia, MN located in Rock County, which necessitated a sheltering mission at the armory in Luverne;

Whereas, the wind and snow conditions are forecast to worsen and persist for the coming weekend, and these conditions create an imminent danger to persons, presenting an immediate need to activate emergency sheltering resources;

Whereas, the resources of the affected local and county governments were inadequate to meet the demands generated by the winter storm conditions;

Whereas, the Rock County Sheriff has requested the assistance of the Minnesota National Guard to support sheltering of the displaced youth and staff; and

Whereas, weather conditions continue to deteriorate in the southern portion of Minnesota, and the counties of Anoka, Benton, Big Stone, Blue Earth, Brown, Carver, Chippewa, Chisago, Cottonwood, Dakota, Dodge, Douglas, Faribault, Fillmore, Freeborn, Goodhue, Grant, Hennepin, Houston, Isanti, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, Martin, McLeod, Meeker, Mille Lacs, Morrison, Mower, Murray, Nicollet, Nobles, Olmstead, Otter Tail, Pipestone, Pope, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Stevens, Swift, Todd, Traverse, Wabasha, Wadena, Waseca, Washington, Watonwan, Wilkin, Winona, Wright, and Yellow Medicine are under blizzard or winter weather warnings and travel in these areas is expected to become increasingly difficult, and it is expected that additional counties may require the assistance of the Minnesota National Guard to support recovering and sheltering of stranded motorists.

Now, Therefore, I hereby declare an emergency and order that:

1. The Adjutant General of Minnesota order to state active duty on or about April 13, 2018, in the service of the State, such personnel and equipment of the military forces of the State as required and for such period of time as necessary to provide assistance and emergency relief services.
2. The Adjutant General is authorized to purchase, lease or contract for goods and services necessary to accomplish the mission.
3. The cost of subsistence, transportation, fuel, pay and allowances of said individuals shall be defrayed from the general fund of the State, as provided for in Minnesota Statutes, sections 192.49, subdivisions 1 and 2; 192.52; and 192.54, and as otherwise permitted by law.

Executive Orders

Pursuant to Minnesota Statutes, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. It remains in effect until the conclusion of the emergency.

In Testimony Whereof, I have set my hand on this 13th day of April, 2018.

Mark Dayton
Governor

Filed According to Law:

Steve Simon
Secretary of State

Official Notices

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

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

Department of Administration

Real Estate and Construction Services

Request for Information (RFI) for Housing Lease Availability

NOTICE IS HEREBY GIVEN that the State of Minnesota, Department of Administration, on behalf the Department of Human Services, Direct Care and Treatment is requesting information on the availability for lease of existing or newly constructed single family homes in Ramsey County that have 4+ bedrooms, and 2+ baths.

Interested parties are requested to respond to this RFI by providing to Roger Behrens at the Department of Administration, in writing by mail or e-mail, the following information:

- 1) Location of the existing or proposed housing,
- 2) Description of the housing and property,
- 3) If a multi-tenant facility, how many apartments are available, and
- 4) Estimated monthly rental rate.

This RFI will remain open until **2:30 p.m. Monday, October 1, 2018**.

For more information, see <https://mn.gov/admin/business/vendor-info/real-estate/solicitations-announcements.jsp> or contact Roger Behrens at roger.behrens@state.mn.us.

Department of Employment and Economic Development (DEED) Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (“DEED”) will conduct a public hearing on **Friday, May 4, 2018 at 1:00 p.m.**, or as soon thereafter as reasonably possible at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, on a proposal to provide funding through the Minnesota Job Creation Fund Program pursuant to authority granted under *Minnesota Statutes* 116J.8748 and *Minnesota Rules* Chapter 4301. This hearing is conducted in accordance with *Minnesota Statutes* 116J.994, Subd. 5.

Description of Project and Proposed JCF Funding:

Uponor Inc. may expand in Hutchinson (McLeod County), Minnesota. The company is a leading provider of plumbing and indoor climate systems for the residential and commercial building markets across Europe and North America. The proposed project would consist of renovation of the company’s existing 70,000 sf facility in Hutchinson. The total project cost is \$32,364,000, of which \$6,364,000 would be eligible for the capital investment rebate as renovation of an existing building. The company expects to create 140 jobs within three (3) years at an average cash wage of \$20.87 per hour. The project is eligible for a job creation award of up to \$1,000,000 and a capital investment rebate of up to \$477,300.

All interested persons may appear and be heard at the time and place set forth above. Persons interested in participating via teleconference should contact Tom Washa, Minnesota Job Creation Fund Program Manager at (651) 259-7483 or Tom.Washa@state.mn.us prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Tom Washa at the street or e-mail address set forth above prior to the date of the hearing set forth above. All persons who appear at the meeting or participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

Department of Human Services Correction to Request for Information (RFI): Benefit Recovery Section

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Benefit Recovery Section makes the following correction to the RFI that was published in the April 16, 2018, State Register. The RFI requested information from vendors with practical experience and success in health care third party liability identification, recovery methods and operations who are knowledgeable of federal and state regulations relating to Medicaid.

DHS must receive information from vendors by **3:30 p.m. CDT on May 14, 2018**. The RFI published on April 16, 2018, erroneously set the date that DHS must receive information by as April 16, 2018.

You can view the full text of the corrected RFI by visiting the Minnesota Department of Human Services Open Grants, RFPs and RFIs website:

<http://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/index.jsp?id=1053-335511>

Official Notices

Department of Human Services

Provider and Enrollment Division

Notice of availability of the Minnesota Health Care Programs provider participation list [Minnesota Rules, Parts 9505.5200 to 9505.5240, also known as DHS Rule 101-provider compliance list]

Notice is hereby given that the Minnesota Health Care Programs provider participation list for April 2018 is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101 (Minnesota Rules, Parts 9505.5200 to 9505.5240). If a provider name is not on the list, the Department considers the provider non-compliant. The list of providers is separated by provider type, each section is in alphabetical order by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact **Julie Hervas**, Rule 101 Specialist, at **651-431-2704** or toll-free at 1-800-366-5411. You may fax your request to 651-431-7462 or mail to the Department of Human Services, PO Box 64987, St. Paul, MN 55164-0987.

Emily Piper, Commissioner
Department of Human Services

Department of Labor & Industry (DLI)

Notice of Commercial Prevailing Wage Correction

On December 11, 2017 the Commissioner of Labor & Industry certified prevailing wage rates for Commercial construction projects in all 87 Minnesota Counties. These rates were identified by annual voluntary survey of commercial construction projects in Minnesota collected by the Department.

This is a Notice of Correction to wage rates in the two counties listed below effective April 23, 2018. This correction is for all Commercial Construction contracts advertised for bid on or after this date.

Affected County	Labor Code	Wage Rate	Fringe Rate	Total Rate	Certification Date	Revised Date
Houston	707	36.87	19.05	55.92	December 11, 2017	April 23, 2018
<i>increase</i>	707	38.72	19.05	57.77	effective July 1, 2018	
Clay	706	19.00	5.81	24.81	December 11, 2017	April 23, 2018

Wage rate determinations are available online at: <http://www.dli.mn.gov/LS/PrevWageComm.asp>

Questions regarding determinations may be directed to the following:

Division of Labor Standards & Apprenticeship

443 Lafayette Road N
St. Paul, MN 55155

Phone: 651-284-5091
Email: dli.prevwage@state.mn.us

Minnesota Comprehensive Health Association (MCHA) Meeting Notices

Minnesota Comprehensive Health Association (MCHA) - Administrator for the Minnesota Premium Security Plan (MPSP). Upcoming meetings:

The MCHA Executive Committee meeting will be held on **Monday, April 23rd, 2018, at 9:00 AM.**

The MCHA Finance Committee meeting will be held **Monday, April 30, 2018, at 1:00 PM.**

The MCHA Annual Meeting of the Members will be held on **Monday, May 21st, 2018, at 2:00 PM.**

The MCHA Annual Board of Directors meeting will be held on **Monday, May 21st, 2018, at 2:00 PM.**

For information on meeting location and attendance please contact MCHA at 952-593-9609 or email peggy@mchamn.com.

Minnesota Pollution Control Agency (MPCA) Municipal Division

Extension of Public Notice Comment Period for the National Pollutant Discharge Elimination System/State Disposal System General Permit for Stormwater Associated with Construction Activity

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is extending the public comment period for the reissuance of the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater (CSW) General Permit No. MNR100001, under the provisions of *Minnesota Rules* Chapter 7001.0210 for persons conducting construction activity and for discharges of stormwater affected from construction activity, to the waters of the state of Minnesota (State). The public comment period dates previously noticed in the *State Register* on April 9, 2018, are extended by 14 days.

The public comment period begins: April 10, 2018

The public comment period ends: May 23, 2018 4:30 p.m.

Comments on the proposed permit should be submitted in accordance with the provisions of this original public notice published on April 9, 2018.

The draft permit and fact sheet are available for review at the MPCA office located at 520 Lafayette Road North, St. Paul, Minnesota 55155, during regular business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, and at the MPCA Regional Offices. Location information for the regional offices is available on the MPCA website at: www.pca.state.mn.us/about/regions/index.html. Additional information may be obtained at these offices.

You may also view a copy of the draft permit and fact sheet at the MPCA Public Notice website at: <https://www.pca.state.mn.us/public-notices>

A free copy of the draft permit and fact sheet is also available upon request by calling 651-296-3890 or 1-800-657-3864, or for users of Telecommunications Device for the Deaf call 651-297-5353. Only one copy will be sent per request.

Official Notices

Comments on the draft permit must be received **in writing** during the public comment period identified above. Comments, petitions, and/or requests should be mailed or emailed to:

Todd M. Smith
Minnesota Pollution Control Agency
Municipal Division
Stormwater Policy and Technical Assistance Unit
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
Phone: 651-757-2732 or 1-800-657-3864
E-mail: todd.smith@state.mn.us

Minnesota Pollution Control Agency (MPCA) Watershed Division

Extension of Comment Period for the Draft Watershed Restoration and Protection Strategies (WRAPS) and Total Maximum Daily Load (TMDL) Reports (Reports) for the Duluth Urban Area Streams Subwatershed

Extension of comment period. The Minnesota Pollution Control Agency (MPCA) is extending its request for comments on the Draft Watershed Restoration and Protection Strategies (WRAPS) and Total Maximum Daily Load (TMDL) Reports (Reports) for the Duluth Urban Area Streams Subwatershed.

Public Comment Period Extension Begins: April 19, 2018
Public Comment Period Ends: 4:30 P.M. on June 18, 2018

For the entire original public notice with instructions on submitting comments, refer to the March 19, 2018, *State Register*. The Minnesota Pollution Control Agency (MPCA) is requesting comments on the WRAPS and TMDL Reports for the Duluth Urban Area Streams Subwatershed. The draft Reports are available for review at:
<https://www.pca.state.mn.us/water/total-maximum-daily-load-tmdl-projects>.

Written comments on the draft Reports must be sent to the MPCA contact person listed below by June 18, 2018 at 4:30 p.m. The comments should indicate whether they are about the WRAPS Report or the TMDL Report. The MPCA will prepare responses to comments received and make any necessary revisions to the documents.

Subsequent to the revision(s), the draft TMDL Report will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

Agency Contact Person: Written comments and requests for more information should be directed to:

Brian Fredrickson
Watershed Project Manager, Watershed Division
Minnesota Pollution Control Agency
525 South Lake Avenue, Suite 400
Duluth, Minnesota 55802
Phone: 218-302-6604 or 800-657-3864
Fax: 218-723-4727
Email: brian.fredrickson@state.mn.us
Website: <http://www.pca.state.mn.us/water/tmdl>

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

State Grants & Loans

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

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at <https://mn.gov/deed/about/contracts/>

Minnesota Housing Notice of Request for Proposals (RFP) for Administrators for the 2018 - 2019 Homeownership Education, Counseling and Training (HECAT) Fund

The Minnesota Housing Finance Agency (Minnesota Housing), Minnesota Homeownership Center (the Center), Greater Minnesota Housing Fund (GMHF) and Family Housing Fund (FHF) announce the availability of funds under the Homeownership Education, Counseling and Training (HECAT) Fund to provide financial support to eligible organizations to deliver a variety of homebuyer/homeowner education, counseling and training services to Minnesotans. Services include the following: group in person homebuyer education; one-on-one financial wellness and homebuyer counseling, home equity conversion counseling, and foreclosure prevention counseling. Proposals are solicited from community-based non-profit organizations as defined in Minn. Stat. 462A.03, subd. 22. Non-profit organizations must provide proof of their tax-exempt 501(c)(3) status.

The RFP, Workbook, Instructions and Program Overview along with Technical Assistance information will be available April 23, 2018 on www.mnhousing.gov → Lenders & Homeownership Partners → Community Development → Homeownership Education & Counseling

All application materials must be received by Minnesota Housing no later than **3:00 p.m. CST Tuesday, May 22, 2018**. Submission instructions can be found on the **Homeownership Education & Counseling** page of the **Minnesota Housing** website.

If you have questions please contact Que Vang at (651) 297-3128 or que.vang@state.mn.us.

Department of Human Services Purchasing and Service Delivery Division Addendum to Request for Proposals to Provide Coordinated Health Care Services Through the Special Needs BasicCare Program to Adults with Disabilities Eligible for Medical Assistance

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Purchasing and Service Delivery Division has published an Addendum to its Request for Proposal to Provide Coordinated Health Care Services Through the Special Needs BasicCare Program to Adults with Disabilities Eligible for Medical Assistance in the following counties: Beltrami, Big Stone, Brown, Clearwater, Dodge, Douglas, Freeborn, Goodhue, Grant, Hubbard, Kanabec, McLeod, Meeker, Morrison, Pipestone, Pope, Renville, Sibley, Steele, Stevens, Traverse, Todd, Wabasha, Wadena, and Waseca that was published in the March 12, 2018 State Register. In the Addendum, corrections to the provider

State Grants & Loans

network templates and clarifications to the language were made to Appendix Q: Provider Network Listing, in the original RFP.

To request a full text of the RFP Addendum please contact:

Request for Proposal Response
Attention: Gina Smith
Department of Human Services
Purchasing and Service Delivery Division
444 Lafayette Road North, St. Paul, MN 55155
Phone: (651) 431-5804
Gina.A.Smith@state.mn.us

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

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: http://www.dhs.state.mn.us/main/id_000102

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

State Contracts

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

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

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5,000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Department of Agriculture

Notice of Contract Opportunity for Soil Pesticide Analysis

PROJECT NAME: Soil Pesticide Analysis

DETAILS: The Minnesota Department of Agriculture is requesting proposals for the purpose of a Soil Pesticide Analysis project to determine if existing analytical lists in Minnesota Department of Agriculture's (MDA's) Incident Response Unit (IRU) are adequate or should be updated or if additional analytical lists should be developed. This will be achieved by analyzing soil samples for identified pesticides and then a review of the data. The laboratory will provide sample containers, shipping to and from laboratory to locations in Minnesota and laboratory analysis of the identified pesticides in soil samples.

Work is anticipated to start around August 15, 2018.

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email, to:

Deborah Madsen, Project Manager
Minnesota Department of Agriculture
Pesticide and Fertilizer Management Division
Freeman Building
625 Robert Street North
St. Paul, MN 55155
Deb.Madsen@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail or hand delivery no later than **June 5, 2018 by 2:00 pm CDT**. **Late proposals will not be considered.** Emailed and faxed proposals will **not** be considered.

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

Minnesota State Colleges and Universities (Minnesota State)

Lake Superior College

Request for Proposal for Avionics Upgrades for Piper Seminole Aircraft

NOTICE IS HEREBY GIVEN that proposals are being solicited for costs to purchase and install avionics upgrades in a Piper Seminole aircraft for Lake Superior College's Center for Advanced Aviation (CAA). The CAA is located at the Duluth International Airport, 4960 Airport Road, Duluth, MN 55811. Vendor would be responsible to provide quotes for equipment and installation costs.

For additional information or to request a copy of the RFB, please contact:

Mike Francisco, Purchasing *purchasing@lsc.edu*
Lake Superior College
2101 Trinity Rd, Duluth MN 55811
Telephone: 218-733-5968

Proposals are due at the Lake Superior College Business Office, 2101 Trinity Road, Duluth, MN 55811 by **12:00 p.m. on Friday, May 4, 2018**.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFB if it is considered to be in its best interest.

Minnesota State Colleges and Universities (Minnesota State)

St. Cloud Technical & Community College

Formal Request for Proposal for Carpentry House Built on Blocks

Response Due Date and Time: **Tuesday, May 1, 2018 at 2:00 p.m. Central Time**

The complete Request for Proposal will be available on Monday, April 16, 2018 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Carpentry House Built on Blocks

State Contracts

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Susan Meyer, Purchasing Agent, Room 1-401
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctcc.edu

Contact for questions: Susan Meyer, Phone: (320) 308-5973 e-mail: smeyer@sctcc.edu

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. **Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.**

Minnesota Judicial Branch

Board of Law Examiners, Board of Continuing Legal Education, Board of Legal Certification, and Lawyer Registration Office

Request for Proposals: Information Technology Services

The Board of Law Examiners, Board of Continuing Legal Education, Board of Legal Certification, and Lawyer Registration Office (State) are using a competitive selection process to select the IT vendor responsible for the on-site and remote maintenance, support, monitoring, security, and backup of their office's network, servers, workstations, applications, and devices.

The request for proposals does not obligate the State to award a contract or complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested parties' submissions must be in writing and received by the State office no later than **4:30 pm on May 18, 2018**. The sealed proposal must include four (4) paper copies and one (1) electronic PDF copy on flash drive and be sent to the following address; no electronic submissions will be accepted:

Emily Eschweiler
Director
Supreme Court Boards
180 E. 5th Street, Suite 950
St. Paul, MN 55101

A complete copy of the Request for Proposals may be found on the Minnesota Judicial Branch website (in the Public Notices section) at www.mncourts.gov, through the Board of Law Examiners website (in the News section) at www.ble.mn.gov/news or can be requested from Kirsten Hedin at khedin@mbcle.state.mn.us.

Department of Public Safety (DPS)

Driver and Vehicle Services (DVS)

Notice of Request for Submissions for 2018 Ignition Interlock Device Program Certification Process

The Driver and Vehicle Services (DVS) division of the Department of Public Safety is requesting submissions from qualified ignition interlock device (IID) manufacturers for the purpose of certification in the Minnesota Ignition Interlock Device Program beginning July 1, 2018 and ending June 30, 2019.

All requirements and information and submission delivery instructions are included in a certification packet which is available from:

Linda Vang
Department of Public Safety; Driver and Vehicle Services
445 Minnesota Street
Saint Paul, MN 565101
Telephone: 651.201.7903
Email address: linda.vang@state.mn.us

Deadline for submission of the required documents is **2:30 p.m. Central Time on Wednesday, May 23, 2018.**

This Request for Submissions does not obligate the State or the Department of Public Safety to certify any ignition interlock device manufacturer; and the State and DPS each reserves the right to cancel this solicitation. All expenses incurred in responded to this notice are solely the responsibility of the responders.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: www.dot.state.mn.us/consult

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

Non-State Public Bids, Contracts & Grants

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

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2018 Runway 10L - 28R Modifications

Airport Location: Flying Cloud Airport
Project Name: 2018 Runway 10L - 28R Modifications
MAC Contract No.: 108-1-045
Bids Close At: 2:00 p.m. on Tuesday, May 15, 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Major work items include pavement removal, excavation, geotextile fabric, P-208 aggregate base, P-401 bituminous pavement, pavement marking removals, pavement markings, pavement jointing, turf restoration, airfield signage and runway guard lights, REILs, conduit and circuitry.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities, or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 11%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Short Elliott Hendrickson Inc., at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Northstar Imaging Services, Inc.; 1325 Eagandale Court - Suite 130; Eagan, MN 55121; 651.686.0477. Make checks payable to: Northstar Imaging Services, Inc. Deposit per set (nonrefundable): \$65 (includes shipping).

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 16, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2018 Runway 4-22 In-Pavement Guard Lights

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2018 Runway 4-22 In-Pavement Guard Lights
MAC Contract No.: MAC Contract No. 106-1-274
Bids Close At: 2:00 PM on May 15, 2018

— Non-State Public Bids, Contracts & Grants

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the installation of both in-pavement and elevated guard lights on Runway 4-22 at the north and south intersection with Runway 12R-30L, the north intersection with Runway 17-35, and the south intersection with Runway 12L-30R. Work also includes the removal and replacement of all runway surface sensors and remote processing units.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities, or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 3%.

Bid Security: Each bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN 55101; PH: (651) 292-4400; FX: (651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within ten (10) days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 16, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2018 Alleyways Pavement Rehabilitation

Airport Location: Crystal Airport
Project Name: 2018 Alleyways Pavement Rehabilitation
MAC Contract No.: 109-1-041
Bids Close At: 2:00 p.m. on Tuesday, May 15, 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Major work items include pavement removal, excavation, P-208 aggregate base, P-401 bituminous pavement, pavement marking and turf restoration.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities, or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 11%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Short Elliott

Non-State Public Bids, Contracts & Grants **==**

Hendrickson Inc., at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Northstar Imaging Services, Inc.; 1325 Eagandale Court - Suite 130; Eagan, MN 55121; 651.686.0477. Make checks payable to: Northstar Imaging Services, Inc. Deposit per set (nonrefundable): \$65 (includes shipping).

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 16, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for 2018 MSP Consolidated Loading Dock Facility

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2018 MSP Consolidated Loading Dock Facility
MAC Contract No.: 106-3-572
Bids Close At: 2:00 p.m. May 22, 2018

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for general, mechanical, and electrical construction.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to https://public.govdelivery.com/accounts/MNORGMAC/subscriber/topics?gsp-CODE_RED and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 9%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in Appendix B.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Miller Dunwiddie; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$50.00 by entering eBidDoc™ #5706594 in the "Search Projects" page. Contact Quest Construction Data Network at 952-233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on April 23, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Ramsey County Public Notice

Notice: "RE971051172US-15 Trust" file number 171552, filed on the 16th day of December, 2016, including all six amendments in the Office of the Secretary of the state of Minnesota in accordance with Minnesota Statute Section 318.02 as published 9/02/2015, that all proceedings proceed ex parte, sealed at Judge's private chambers, under judicial power of the written constitution of the United States.

