

MINNESOTA STATE REGISTER

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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- Withdrawn Rules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. 50 Issue Number	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)
#38	Monday 23 March	Noon Tuesday 17 March	Noon Thursday 12 March
#39	Monday 30 March	Noon Tuesday 24 March	Noon Thursday 19 March
#40	Monday 6 April	Noon Tuesday 31 March	Noon Thursday 26 March
#41	Monday 13 April	Noon Tuesday 7 April	Noon Thursday 2 April

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SEE THE Minnesota State Register free at website: <https://mn.gov/admin/government/data-info/register.jsp>

- Minnesota State Register: Online subscription – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
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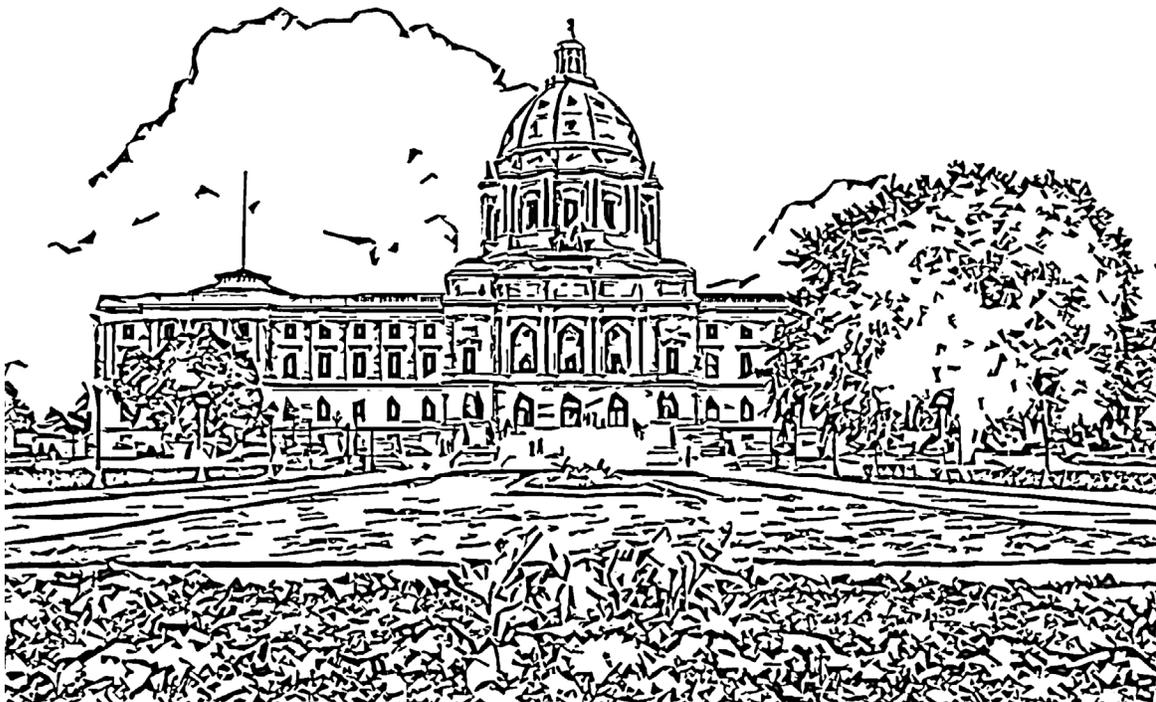
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Federal Register

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Front Cover Artwork: *A skier takes off on a snowy jump as the sun sets on a February afternoon at Spirit Mountain in Duluth, Minn.
Photo by Sean Plemmons*



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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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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 26-04: Declaring a Peacetime Emergency and Providing National Guard Assistance in Response to a Severe Winter Storm

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following executive order:

The National Weather Service is predicting a major winter storm for much of Minnesota beginning the evening of Saturday, March 14, and continuing throughout Sunday, March 15. The storm is expected to bring snowfall of up to twenty inches at a rate of up to two inches per hour. In addition to heavy snowfall, the storm is expected to bring strong winds of thirty to forty miles per hour, potentially creating blizzard conditions. Travel is expected to become nearly impossible in parts of the state and widespread power outages could occur.

The resources of local and county governments are inadequate to meet the public safety demands these severe winter weather conditions will create. Steele County has already requested assistance from the Minnesota National Guard. Due to the widespread nature of the storm, other counties will also likely require assistance in the days to come.

For these reasons, I declare a peacetime emergency pursuant to Minnesota Statutes 2025, section 12.31, and order as follows:

1. The Adjutant General is authorized to order to state active duty the personnel, equipment, facilities, and resources needed to provide assistance throughout impacted and requesting jurisdictions in Minnesota.
2. The Adjutant General is authorized to procure the goods and services needed to accomplish the mission.
3. The costs of this assistance will be paid from the general fund as allowed by Minnesota Statutes 2025, section 192.52

This Executive Order and declaration of peacetime emergency is effective immediately under Minnesota Statutes 2025, section 4.035, subdivision 2. The peacetime emergency declared in this Executive Order expires in accordance with Minnesota Statutes 2025, section 12.31, subdivision 2. The remainder of this Executive Order, including the activation of the Minnesota National Guard, remains in effect until the emergency conditions caused by the winter storm subside or March 19, 2026, whichever occurs first.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 13, 2026.

Tim Walz, GOVERNOR

Filed According to Law:

Steve Simon, SECRETARY OF STATE

Commissioner's Orders

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

Department of Natural Resources

Commissioner's Order - SNA Order #268 - Wabu Woods Scientific and Natural Area

Date: March 9, 2026

Statutory authority: *Minnesota Statutes*, sections 84.033, 86A.05, subd. 5, 97A.145, and 97A.093

Supersedes: Commissioner's Order #100

FACTUAL BACKGROUND AND LEGAL AUTHORITY

WHEREAS Minn. Stat. § 84.033, subd. 1 authorizes the commissioner of natural resources ("commissioner") to "acquire by gift, lease, easement, exchange, or purchase, . . . in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas" (herein after "SNA").

WHEREAS Minn. Stat. § 84.033, subdivision 3 provides that when acquiring land for designation as an SNA, "the commissioner must follow the procedures under section 97A.145, subd. 2".

WHEREAS Minn. Stat. § 97A.145, subd. 2 provides that prior to acquiring or leasing land, the "commissioner must notify the county board and the town officers where the land is located and furnish them with a description of the land to be acquired."

WHEREAS in accordance with section 97A.145, subd. 2 and subject to an extension of time granted by the commissioner, "the county board must approve or disapprove the proposed acquisition within 90 days after being notified" of the proposed acquisition. If the county board approves the acquisition, the commissioner may acquire the land.

WHEREAS if the county board disapproves the acquisition, the county board must state a valid reason for disapproving, and the commissioner may not purchase or lease the land. The commissioner may, however, appeal the disapproval to the district court with jurisdiction where the land is located. Alternatively, the commissioner may submit the matter to the Land Exchange Board for hearing and decision. *Id.*

WHEREAS SNAs are part of the State's outdoor recreation system and are "established to protect and perpetuate in an undisturbed natural state those natural features which possess exceptional scientific or educational value." Minn. Stat. § 86A.05, subd. 5(a).

WHEREAS to qualify as an SNA, the land area must have "natural features or exceptional scientific and educational value"¹ and must be "large enough to permit effective research or educational functions and to preserve the inherent natural values of the area." Minn. Stat. § 86A.05, subd. 5(b)(1) and (b)(2).

WHEREAS Minn. Stat. § 84.944 sets out factors that the commissioner must consider when acquiring critical habitat and requires that the commissioner designate the use of the land upon acquisition.

¹ Minnesota Statute § 86A.05, subd. 5(b)(1) lists 7 examples of natural features that evidence "exceptional scientific and educational value" although the list is not intended to be exhaustive.

Commissioner's Orders

WHEREAS each SNA must be designated as either a research unit, an educational unit, or a public use unit. Minn. Stat. § 86A.05, subd. 5 (e).

WHEREAS Minn. Stat. § 97A.093 precludes hunting, trapping, or fishing in an SNA unless the designation document allows hunting, trapping, or fishing or unless “the commissioner allows hunting, trapping, or fishing in accordance with the procedure in section 86A.05 Subd. 5, paragraph (d)” which requires a public hearing prior to changing the designation of the SNA.

WHEREAS an area designated as an SNA may not be altered in designation or use without holding a public hearing and an opportunity for persons to be heard on the designation or use as set forth in Minn. Stat. § 86A.05, subd. 5(c).

WHEREAS Wabu Woods SNA, Itasca County, Minnesota, was first designated as an SNA on January 11, 1994. *See Commissioner's Scientific and Natural Area Order No. 100 (Commissioner's Order No. 100)* (available upon request at the Minnesota Department of Natural Resources (DNR)). Wabu Woods, as established in 1994, consisted of 96.5 acres in Itasca County. These 96.5 acres were designated an SNA because the lands contained a mature, undisturbed stand of northern hardwood-conifer forest. *Id.* at 1 and Minn. Stat. § 86A.05, subd. 5(a)(1)(i), (iii) and (v). It was designated as a Public Use unit, open to the public for nature observation and general education and research. *See Commissioner's Scientific and Natural Area Order No. 100*, at page 2 and Minn. Stat. § 86A.05, subd. 5(e).

WHEREAS the March 24, 2003, *Commissioner's Decision Record* ordered 1) the opening of Wabu Woods SNA to public hunting, including the use of dogs for game birds, and 2) granting an easement to Itasca County for a road easement.

WHEREAS *Commissioner's Order No. 47SR34* prohibits the possession of lead ammunition or the discharge of a firearm loaded with lead or toxic ammunition on the fifty-four (54) SNAs in which hunting is allowed. Pursuant to *Commissioner's Order No. 47SR34*, the possession and discharge of a firearm loaded with lead or other toxic ammunition is prohibited in Wabu Woods SNA (Itasca County).

WHEREAS as set forth in *Commissioner's Order No. 100*, Wabu Woods SNA consisted of certain lands in Itasca County, Minnesota, described as:

Government Lot 6, Section Twenty-two (22), Township Fifty-seven (57) North, Range Twenty-six (26) West of the 4th Principal Meridian, except that platted part of Lot 6; AND, the Northeast Quarter of the Northwest Quarter (NE ¼ NW ¼), Section Twenty-six (26), Township Fifty-seven (57) North, Range Twenty-six (26) West, of the 4th Principal Meridian; AND, Government Lot 3, Section 26, Township 57 North, Range 26 West, of the 4th Principal Meridian.

WHEREAS the DNR desires that the 96.5 acres comprising the Wabu Woods SNA under *Commissioner's Order No. 100* remain part of the Wabu Woods SNA.

WHEREAS since the adoption of *Commissioner's Order No. 100*, DNR has acquired the following properties in Itasca County for addition to Wabu Woods SNA:

That part of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) and Government Lot Four (4), Section Twenty-six (26), Township Fifty-seven (57) North, Range Twenty-six (26) West of the Fourth Principal Meridian, lying easterly and northeasterly of the following described line: Commencing at the southwest corner of said Section 26; thence North 85 degrees 31 minutes 32 seconds East, assumed bearing along the south line of the SW ¼ SW ¼ of said Section 26, a distance of 658.40 feet to the midpoint of said south line and the point of beginning of the line to be described; thence North 0 degrees 54 minutes 06 seconds West, 2606.76 feet to the midpoint of the south line of said Government Lot 4; thence continue North 0 degrees 54 minutes 06 seconds West, 780.00 feet; thence North 68 degrees 31 minutes 03 seconds West, 562.00 feet, more or less, to the shore of Deer Lake and there terminating; 43.1 acres, more or less.

WHEREAS, with this addition, the Wabu Woods SNA will be 139.6 acres, all of which are under the control and possession of the DNR.

Commissioner's Orders

WHEREAS these 139.6 acres are of an area sufficiently large enough to permit research or education and to preserve the inherent natural value of the SNA, and the natural features of the SNA are of exceptional scientific and educational value as required by Minn. Stat. § 86A.05, subd. 5(a)-(b) and Minn. Stat. § 84.944, subd. 1(a). The 139.6 acres, including the newly acquired 43.1 acres in Itasca County, contain mature native plant communities including Red Oak-Sugar Maple-Basswood (Bluebead Lily) Forest, Lowland White Cedar Forest (Northern), Alder (Maple-Loosestrife) Swamp, Black Ash-Conifer Swamp (Northeastern), Northern Very Wet Ash Swamp, Northern Mesic Hardwood Forest, Sugar Maple- Basswood (Bluebead Lily) Forest, Aspen-Fir Forest, Red Pine-White Pine Woodland, Low Shrub Poor Fen, Sedge Meadow, and Poor Tamarack-Black Spruce Swamp, and undeveloped lakeshore on Deer Lake.

WHEREAS the most effective means by which such lands can be protected and perpetuated in their natural state and used for educational and research purposes in such a manner as will leave them conserved for future generations is by designation as a Scientific and Natural Area.

WHEREAS the DNR desires that Wabu Woods SNA shall continue to have the following exceptions to the provisions of Minn. Stat. § 97A.093 and Minn. Rules 6136.0100 through 6136.0600 as allowed for in accordance with the March 3, 2003 *Commissioner's Decision Record*: 1) the opening of Wabu Woods SNA to public hunting including the use of dogs for game birds and 2) granting an easement to Itasca County for a road access.

WHEREAS, in accordance with the requirements of Minn. Stat. § 84.033, subd. 3 and § 98A.145, subd. 2, the commissioner provided the Itasca County Board with a notice of the proposed acquisition, and the Itasca County Board, on December 20, 2022, adopted a resolution approving the proposed acquisition and the designation of the acquired land as an SNA.

ORDER

NOW, THEREFORE, based on the evidence on file at the DNR and pursuant to the authority vested in me by law as outlined herein, the Commissioner makes the following ORDER:

1. The above-described lands totaling 139.6 acres are hereby designated as the Wabu Woods Scientific and Natural Area, so long as such lands or any part thereof remain under lease by, or owned by, the Department of Natural Resources and shall be managed in accordance with the requirements set forth in Minn. Rules Ch. 6136.
2. The designation of Wabu Woods Scientific and Natural Area shall remain as a Public Use unit, open to the public for nature observation and general educational and research activities.
3. The commissioner has designated the Wabu Woods SNA as open to hunting in accordance with the requirements of Minn. Stat. § 97A.093(1). The possession of lead ammunition or the discharge of a firearm loaded with lead or other toxic ammunition is prohibited.
4. Upon publication of this order in the State Register *Commissioner's Order No. 100* will be deemed as rescinded and superseded by this Order.
5. The provisions of Minn. Rules 6136.0100 through 6136.0600 governing the management of Scientific and Natural Areas shall apply to the Wabu Woods Scientific and Natural Area, except for the granting of an easement to Itasca County for a road access as originally allowed for in accordance with the March 24, 2003 *Commissioner's Decision Record*.

This order takes effect upon publication in the State Register.

Sarah Strommen, Commissioner

Date: March 9, 2026

Official Notices

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

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

Minnesota Agricultural and Economic Development Board Notice of Public Hearing by the Minnesota Agricultural and Economic Development Board on the Issuance of Revenue Obligations Under Minnesota Statutes, Chapter 41A, as Amended, and Sections 469.152 Through 469.1655, as Amended, for the Benefit of Fairview Health Services

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the “Board”), or its designated representative, will hold a public hearing on March 31, 2026, at or after 10:30 a.m., at 180 Fifth Street East, 12th Floor, Suite 12302, Duluth Room, Saint Paul, Minnesota, on a proposal that the Board approve and authorize the issuance by the Board of one or more series of tax-exempt revenue obligations (the “Bonds”), pursuant to Minnesota Statutes, Chapter 41A, as amended, and Sections 469.152 through 469.1655, as amended (the “Act”), for the benefit of Fairview Health Services (the “Corporation”). The proceeds of the Bonds will be used to (i) finance all or a portion of the costs of (a) improvements to St. John’s Hospital, located at 1575 Beam Avenue in the City of Maplewood, Minnesota, including an expansion project to increase emergency department and inpatient capacity and acquisition of capital equipment (“St. John’s”); (b) improvements and equipping of UMMC-Riverside located at 2450 Riverside Avenue in the City of Minneapolis, Minnesota (“UMMC Riverside”), including expansion of the receiving dock and acquisition of capital equipment; (c) improvements and equipping of UMMC-East Bank, located at 500 Harvard Street SE in the City of Minneapolis, Minnesota (“UMMC East Bank”), including expansion of an observation unit, pre and post-unit space for cardiology and capital equipment acquisition; (d) acquisition of capital equipment at 6401 and 6400 France Avenue South, Edina, Minnesota (“Fairview Southdale”); 201 Nicollet Boulevard, Burnsville, Minnesota (“Fairview Ridges”); 5200 Fairview Boulevard, Wyoming, Minnesota (“Fairview Lakes”); 911 Northland Drive, Princeton, Minnesota (“Fairview Northland”) and Fairview Woodwinds (“Fairview Woodwinds”), located at 1925 Woodwinds Drive in the City of Woodbury, Minnesota (collectively, the “Project”); (ii) refinance all or a portion of the City of Minneapolis Health Care System Revenue Bonds, Series 2015A (Fairview Health Services), the proceeds of which were used to finance and refinance the acquisition, improvement and equipping of UMMC Riverside and 420 Delaware Street Southeast in the City of Minneapolis, Minnesota; Fairview Southdale; Fairview Ridges; Fairview Lakes; Fairview Northland and 750 East 34th Street, Hibbing, Minnesota (“Fairview Range”); (iii) refinance all or a portion of the City of Minneapolis Variable Rate Demand Health Care System Revenue Bonds, Series 2018BC (Fairview Health Services), the proceeds of which were used to finance and refinance the acquisition, improvement and equipping of UMMC Riverside; Fairview Southdale; Fairview Ridges; Fairview Lakes and Fairview Range; and (iv) finance capitalized interest, if any, and costs of issuance with respect to the Bonds.

Following the public hearing, the Board will consider adoption of a resolution approving the issuance of the Bonds. The aggregate face amount of the Bonds proposed to be issued to finance the activities contemplated herein is presently estimated not to exceed \$610,000,000. A draft copy of the proposed application to the Minnesota Department of Employment and Economic Development for approval of the Project, together with all attachments and exhibits required under the Act, shall be available for public inspection at the offices of the Board at 180 Fifth Street East, 12th Floor, Saint Paul, Minnesota, during normal business hours following the publication of this notice.

The Bonds will be issued by the Board and will constitute special, limited obligations of the Board payable solely from the revenues expressly pledged to the payment thereof, will not constitute a general or moral obligation of the Board, the State of Minnesota (the “State”), or any political subdivision thereof, and will not be secured by the taxing power of the Board, the State, or any political subdivision thereof or any assets or property of the Board, the State, or any

Official Notices

political subdivision thereof.

The estimated allocation of Bond proceeds by address is as set forth below:

	Project	2015 refinancing	2018 refinancing	Total
St. John's	\$257,000,000			\$257,000,000
UMMC East Bank	11,000,000			11,000,000
UMMC Riverside	7,000,000	4,000,000	176,000,000	187,000,000
Minneapolis Facilities – 420 Delaware		1,000,000		1,000,000
Fairview Southdale	2,000,000	44,000,000	4,000,000	50,000,000
Fairview Ridges	9,000,000	10,000,000	17,000,000	36,000,000
Fairview Lakes	2,000,000	12,000,000	13,000,000	27,000,000
Fairview Northland	2,000,000	11,000,000		13,000,000
Fairview Range		3,000,000	8,000,000	11,000,000
Woodwinds	2,000,000			2,000,000
Capitalized interest and costs of issuance	15,000,000			15,000,000
	307,000,000	85,000,000	218,000,000	610,000,000

All persons interested may appear and be heard at the time and place set forth above or may file written comments with the Executive Director of the Board prior to the date of the hearing set forth above.

PLEASE NOTE, the public hearing may be conducted via telephone or other electronic means as allowed under Minnesota Statutes, Section 13D.021. The public may attend the meeting in person. The public hearing shall take place at 180 Fifth Street East, 12th Floor, Saint Paul, Minnesota, Suite 12302, Duluth Room. The public may also attend via

Dial in by phone

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Video ID: 118 911 638 7

Dated: March 10, 2026

MINNESOTA AGRICULTURAL AND
ECONOMIC DEVELOPMENT BOARD

**Department of Employment and Economic Development (DEED)
Rehabilitation Services and Disability Determination Services
Notice of Fee Schedule for Medical Consultative Examinations and Ancillary Testing –
Effective February 27th, 2026**

**VOCATIONAL REHABILITATION SERVICES AND DISABILITY DETERMINATION SERVICES
MEDICAL/PSYCHOLOGICAL FEE SCHEDULE**

DISABILITY DETERMINATION SERVICES PAYMENT

The following paragraphs apply to the Disability Determination Services (DDS) *only*.

INCENTIVES TO SUBMIT TIMELY REPORTS:

All consultative exams – DDS will pay providers 100% of either the usual and customary amount billed or 100% of the agency fee maximum, whichever is less, if the report is received from 1 to 10 calendar days from the date of the examination (i.e. the day after the date of the examination is day 1). Reports received from 11 – 19 calendar days will be paid 90%.

Reports received 19 – 30 days from the date of the examination will be paid at a 75% rate.

For reports received 31 or more calendar days from the date of examiner, the DDS reserves the right to cancel the CE authorization invoice. Should the DDS decide to pay for such late evidence, the DDS will pay providers no more than 50% of either the usual and customary amount billed or 50% of the agency fee maximum, whichever is less.

Invoices should be accurate and received within 90 days of the CE date. Invoices received or corrected after 90 days will be paid at the DDS's discretion.

Payment will not be issued until receipt of the signed CE report.

Fee maximums are periodically revised and published in the State Register. You may request a copy of our current fee schedule by contacting Milla Kokotovich at 651.259.7781.

MEDICAL/PSYCHOLOGICAL FEES

SERVICE	MAXIMUM
Comprehensive Physical Examination & Report	255.00
Office Call or Limited Examination - No more than 15 minutes, little emphasis on history, up to three specific questions and report (no teledictation fee)	50.00

SPECIALIST EXAMINATION AND REPORT

SERVICE	CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
1. Internal Medicine (including cardiologist)	(99204)	255.00
A. Doppler studies		
1. Both legs with exercise	(technical) (93924-TC)	155.00
	(professional) (93924-26)	85.00
One office	(technical & professional) (93924)	240.00
2. Both legs without exercise	(technical) (93922-TC)	80.00
	(professional) (93922-26)	50.00
One office	(technical & professional) (93922)	130.00
B. ECG Testing		
1. Resting	(technical) (93005)	65.00
	(professional) (93010)	45.00

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SERVICE			CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
	One office	(technical & professional)	(93000)	110.00
	2. Exercise ECG (includes resting ECG)	(technical)	(93017)	155.00
		(professional)	(93018)	125.00
	One office	(technical & professional)	(93015)	280.00
	C. Echocardiography at rest and with cardiovascular stress test	(technical)	(93350-TC)	171.87
		(professional)	(93350-26)	108.35
	One Office	(technical & professional)	(93350)	280.22
2. Neurological			(99204)	255.00
	A. Neuro-ophthalmological			250.00
3. Neuropsychiatric				230.00
4. Occupational/Physical Therapy Examination			(97161) (97165)	200.00
5. Ophthalmological & Optometric (History and Physical, Visual Acuity & Visual Fields)				295.00
	A. History and Physical, including Funduscopy (Comprehensive)		(92004)	150.00
	B. Visual Acuity Screening		(92015)	40.00
	C. Visual Fields (Goldmann, HFA, or Octopus)		(92083)	120.00
6. Orthopedic (Musculoskeletal)			(99204)	255.00
7. Otolaryngological (Otological and Audiometry)				200.00
	A. Otological		(99204)	130.00
	B. Audiometry			
	Basic Comprehensive Audiometry (1 and 2, below, combined)		(92557)	80.00
	1. Pure Tone (air & bone) audiometry		(92553)	43.00
	2. Speech audiometry - threshold & discrimination		(92556)	37.00
	3. Hearing Aid Check (Binaural)		(92593)	33.00
	4. Hearing Aid Check (Monaural)		(92592)	17.00
	5. Electroacoustical Testing (Monaural)		(92594)	14.00
	6. Electroacoustical Testing (Binaural)		(92595)	18.00
	7. Bekesy Audiometry, screening		(92700)	44.21
	8. Visual Reinforcement Audiometry (for very young children)		(92579)	43.00
	9. HINT-C (Hearing in Noise Test)		(92700)	75.00
	Non-English Speaking Protocol: (10-13, below)			
	10. Speech Detection Threshold		(92555)	25.00
	11. Typanometry (impedance testing)		(92567)	35.00

Official Notices

SERVICE		CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
	12. Acoustic Reflex Testing	(92568)	25.00
	13. Pure Tone, air & bone	(92553)	43.00
	C. Vestibular evaluation	(92540)	210.00
8. Speech/Language Evaluation		(92523)	298.00
	A. For telehealth speech/language providers ONLY: Providers may make a once-month charge to reimburse the "Pro" subscription service on the Doxy.me platform		Current Rate
9. Pediatric		(99204)	255.00
10. Physiatric (Physical Medical & Rehabilitation)			250.00
11. Psychiatric		(90791)	235.00
12. Psychological			
	DDS: Mental Status Examination [MSE] and activities of daily living	(90791)	235.00
	Psychological tests with evaluation and report		see test fee schedule
	VRS: Clinical Interview and report (without testing)		235.00
	Testing with report (without clinical interview)		see test fee schedule
Clinical interview with testing and report may be authorized in one of two ways:			
	Hourly fee (not to exceed 3 hours) Or		200.00 per hour
	Clinical Interview 235.00 plus test fee(s)		see test fee schedule
	Consultation fee		135.00 per hour (pro-rated for less than an hour)

PER TEST FEE SCHEDULE

PSYCHOLOGICAL TESTS

PSYCHOLOGICAL TESTS	MAXIMUM
Achenbach Child Behavior Checklist	85.00
Achenbach Child Behavior Scales	20.00
Battelle Developmental Inventory	120.00
Bayley Scales of Infant Development IV	190.00
Beck Depression Scale	15.00
Bender Gestalt	20.00
Brigance Inventory of Early Development	75.00
Category Test	65.00
Clinical Interview (Children)	180.00
Columbia Test of Mental Maturity	70.00
Connors Continuous Performance Test	75.00

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PSYCHOLOGICAL TESTS	MAXIMUM
Connors Questionnaire for Attention Deficit Hyperactivity Disorder	60.00
Denver Developmental Screening Test	30.00
Foreign Language Exams (additional fee due to difficulty of the exams)	60.00
Gates Reading Summary	15.00
Gesell Developmental Schedules	45.00
Gray Reading Test	30.00
Hopkins Symptom Checklist 25	45.00
Leiter International Performance Scales	120.00
McCarthy Scales of Childrens' Abilities	100.00
Mental Status Exam (MSE) and Description of Activities of Daily Living (Adult)	210.00
Millon Multi-Axial Personality Inventory	75.00
Minnesota Child Development Inventory	60.00
Minnesota Multiphasic Personality Inventory (MMPI-2)	95.00
Minnesota Paper Form Test	30.00
Myers - Briggs Type Indicator	50.00
Neuropsychological Examination and Report (VRS)	Negotiated Rate
Neuropsychological Test Battery (DDS)	250.00
Neuropsychological Test Battery-Non-English Speaking (DDS)	250.00
Peabody Individual Achievement Test (PIAT)	65.00
Peabody Picture Vocabulary Test	40.00
Personality Inventory for Children	75.00
Porteus Mazes	65.00
Ravens Progressive Matrices	65.00
Rorschach	75.00
Scales of Independent Behavior	85.00
Stanford Binet Intelligence Scale, 4th Ed. (no payment for Stanford Binet subtests)	135.00
Test of Non-Verbal Intelligence - 4 (TONI-4)	85.00
Test of Variable Attention (TOVA)	100.00
Tests not listed	Negotiated Rate
Thematic Apperception Test (TAT)	45.00
Trail Making Test (A & B)	15.00
Thurstone Test of Mental Alertness	30.00
Vineland Adaptive Behavior Scale	120.00
Vineland Social Maturity Scale	50.00
Wechsler Adult Intelligence Scale - IV (WAIS-IV)	190.00
Wechsler Individual Achievement Test - III (WIAT-III)	50.00
Wechsler Intelligence Scale for Children - IV (WISC-V)	190.00
Wechsler Memory Scale - IV (WMS-IV)	190.00

PSYCHOLOGICAL TESTS	MAXIMUM
Wechsler Pre-School and Primary Scale of Intelligence – IV (WPPSI- IV)	190.00
Wide Range Achievement Test – 4 (WRAT-4)	70.00
Wide Range Assessment of Memory & Learning – 2 (WRAML-2)	100.00
Wisconsin Card Sort	65.00
Woodcock-Johnson Psycho-Educational Battery –Revised	120.00

SERVICE	CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
13. Pulmonary Studies		
A. Pulmonary Spirometry, FEV ₁ , Total & timed vital capacity		
	(three efforts) w/o bronchodilator	(94010) 98.50
	Professional component only	(94010-26) 39.40
	Technical component only	(94010-TC) 59.10
B. Pulmonary Spirometry, FEV ₁		
	(three efforts) before and after bronchodilator	(94060) 160.00
	Professional component only	(94060-26) 64.00
	Technical component only	(94060-TC) 96.00
C. Arterial Blood Gas Studies with Exercise	(82803)	32.50
D. Functional Residual Capacity or Residual Volume	(94726)	112.50
	Professional component only	(94726-26) 45.00
	Technical component only	(94726-TC) 67.50
E. Pulse Oximetry – Single Reading	(94760)	4.00
F. Pulse Oximetry with Exercise	(94761)	8.00
G. Carbon Monoxide (CO) Diffusing Capacity	(94729)	120.00
	Professional Component Only	(94729-26) 48.00
	Technical Component Only	(94729-TC) 72.00
14. Special Laboratory Studies		
A. Phosphatase Acid Assay	(84060)	25.00
B. Albumin Assay	(82040)	20.00
C. Alkaline Phosphatase Assay	(84075)	19.50
D. Antinuclear Antibodies (ANA)	(86038)	51.75
E. Bilirubin, total	(82247)	20.00
F. Complete Blood Count (CBC)	(85025)	30.00
G. Assay of ck (CPK)	(82550)	26.60
H. Creatinine Clearance	(82575)	37.00
I. Creatinine Assay	(82565)	22.00
J. Ear Debridement (irrigation, lavage)	(69209)	35.00
K. Removal of Impacted Cerumen (curette, hook, suction)	(69210)	45.00

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SERVICE		CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
	L. Glucose, quantitative	(82947)	17.50
	M. Hematocrit (spun)	(85013)	13.00
	N. Hemoglobin	(85018)	15.00
	O. Lactate (LD) (LDH) Enzyme	(83615)	19.50
	P. Blood Lead Level	(83655)	40.00
	Q. Multi-Chemistry Panels		
	1. Comprehensive Metabolic Panel	(80053)	35.00
	Albumin Bilirubin, Total Calcium Carbon Dioxide (bicarbonate) Chloride Creatinine Glucose	Phosphatase, Alkaline Potassium Protein, Total Sodium Transferase, alanine amino (ALT) (SGPT) Transferase, aspartate amino (AST) (SGOT) Urea Nitrogen (BUN)	
	2. Hepatic Function Panel	(80076)	50.00
	Albumin Bilirubin, Total Bilirubin, Direct Phosphatase, Alkaline	Protein, Total Transferase, alanine amino (ALT) (SGPT) Transferase, aspartate amino (AST) (SGOT)	
	R. MUGA Scan, stress	(78473)	543.00
	(technical)	(78473-TC)	427.00
	(professional)	(78473-26)	116.00
	S. Prothrombin Time	(85610)	18.00
	T. Rheumatoid Factor, qualitative	(86430)	25.00
	U. Sedimentation Rate, Erythrocyte, non-automated	(85651)	20.00
	V. Urinalysis (UA) non-automated, without microscopy	(81002)	15.00
	W. Venipuncture (routine) or finger/heel/ear stick for collection of specimen(s)	(36415)	15.00
15. Miscellaneous			
	A. Height and Weight (billable only when not a component of a CE)		30.00
	B. Interpreter Fees (including sign language, tactile communication, and foreign language interpreters). Rates are per interpreter per exam.		
	1. For DDS Only:		
	a. Up to one hour		50.00
	b. Each additional (or fraction of additional) hour		50.00
	c. Sign or Tactile		Negotiated Rate

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SERVICE		CURRENT PROCEDURAL TERMINOLOGY CODE	MAXIMUM
	d. Background preparation when interpreter present for exam/ exam not performed		40.00
	2. For VRS Only (2 hour minimum):		Negotiated Rate
	C. Completion of Administrative Law Judge (ALJ) medical assessment forms		40.00
	Medical Evidence of Record Review (ALJ exam only)		65/hr, 2 hour max
	Medical Evidence of Record Review		65/hr, 2 hour max with prior approval
	D. Workshop Evaluation (DDS)		Negotiated Rate
	E. Facility Evaluation (VRS)		Contract Rate
	F. Foreign speech or ASL interpreter required at exam (Add-on fee due to complexity of exams) Rates are per interpreter per exam.		60.00
	G. Non-English Exam completed by bilingual panelist (no interpreter needed)		60.00
	16. Medical or psychological report from records including photocopies (MER)		35.00
	17. Chiropractic, Audiology & Physical Therapy report from records including photocopies		10.00
	18. For VRS Only:		
	Physician's or psychologist's written narrative of individual's medical or psychological history and/or condition, in response to VRS request for such		50.00
	Physician, psychologist, or other qualified practitioner records review with report		125.00 (per hour for less than an hour), 2 hour max

REVIEW OF RECORDS FOR FAILED EXAMS

For Disability Determination Services (Social Security Disability) Exams

SERVICE	MAXIMUM
Records review with failed Mental Status Exam (MSE) only exam	40.00
Records review with failed MSE + Psychological testing exam	60.00
Records review with failed or late canceled appointments in all specialty areas	40.00

Vocational Rehabilitation Services does not pay any cancellation, failed appointment, or no show fees.

LABORATORY AND X-RAY FEES

The subheadings are self-explanatory. The CURRENT PROCEDURAL TERMINOLOGY CODE corresponds to

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the American Medical Association's Current Procedural Terminology (CPT) codes, which are used by most sources providing medical services. These may also be used for easy in-agency identification of a particular procedure. When ordering and authorizing a particular laboratory or x-ray study, however, describe the test or x-ray to be done. Do not authorize only by the CPT code.

X-ray charges may be presented in two possible formats: one combines the technical (the x-ray itself) and professional (the physician's interpretation) components when these are provided by the same facility; the other format separates the technical and professional components when these services are provided by separate facilities.

For example: For a PA Chest X-ray, single view, one would find:

71010	Chest single view, PA	\$ 55.00
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This would be the acceptable maximum for an x-ray and interpretation at a single facility; however, when the **professional component** is billed separately, the procedure may be identified by adding the modifier **-26** to the usual CPT code. When the **technical component** is billed separately, the procedure may be identified by adding the modifier **-TC** to the usual CPT code.

For example:

71010-26	Chest single view, PA --PROF COMP ONLY	\$ 20.00
71010-TC	Chest single view, PA --TECH COMP ONLY	\$ 35.00

X-Rays

Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
71045	X-RAY	CHEST SINGLE VIEW, PA	55.00
71045-26	X-RAY	CHEST SINGLE VIEW, PA -- PROF COMP ONLY	20.00
71045-TC	X-RAY	CHEST SINGLE VIEW, PA -- TECH COMP ONLY	35.00
71046	X-RAY	CHEST 2 VIEWS, PA & LATERAL	60.00
71046-26	X-RAY	CHEST 2 VIEWS, PA & LATERAL -- PROF COMP ONLY	20.00
71046-TC	X-RAY	CHEST 2 VIEWS, PA & LATERAL -- TECH COMP ONLY	40.00
72040	X-RAY	SPINE, CERVICAL, 2 OR 3 VIEWS	78.00
72040-26	X-RAY	SPINE, CERVICAL, 2 OR 3 VIEWS --PROF COMP ONLY	31.20
72040-TC	X-RAY	SPINE, CERVICAL, 2 OR 3 VIEWS --TECH COMP ONLY	46.80
72070	X-RAY	SPINE, THORACIC, 2 VIEWS	70.00
72070-26	X-RAY	SPINE, THORACIC, 2 VIEWS -- PROF COMP ONLY	28.00

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
72070-TC	X-RAY	SPINE, THORACIC, 2 VIEWS -- TECH COMP ONLY	42.00
72080	X-RAY	SPINE, THORACOLUMBAR, 2 VIEWS	75.00
72080-26	X-RAY	SPINE, THORACOLUMBAR, 2 VIEWS -- PROF COMP ONLY	30.00
72080-TC	X-RAY	SPINE, THORACOLUMBAR, 2 VIEWS -- TECH COMP ONLY	45.00
72081	X-RAY	SCOLIOSIS STUDY, INCL. SUPINE & ERECT, ENTIRE	80.00
72081 - 26	X-RAY	SCOLIOSIS STUDY, INCL. SUPINE & ERECT, ENTIRE --PROF COMP ONLY	26.70
72081 - TC	XRAY	SCOLIOSIS STUDY, INCL. SUPINE & ERECT, ENTIRE --TECH COMP ONLY	53.30
72100	X-RAY	SPINE, LUMBOSACRAL, 2 OR 3 VIEWS	78.00
72100-26	X-RAY	SPINE, LUMBOSACRAL, 2 OR 3 VIEWS --PROF COMP ONLY	31.20
72100-TC	X-RAY	SPINE, LUMBOSACRAL, 2 OR 3 VIEWS --TECH COMP ONLY	46.80
72170	X-RAY	PELVIS, 1 OR 2 VIEWS	63.00
72170-26	X-RAY	PELVIS, 1 OR 2 VIEWS --PROF COMP ONLY	22.00
72170-TC	X-RAY	PELVIS, 1 OR 2 VIEWS --TECH COMP ONLY	41.00
73000	X-RAY	CLAVICLE, COMPLETE	50.00
73000-26	X-RAY	CLAVICLE, COMPLETE -- PROF COMP ONLY	18.40
73000-TC	X-RAY	CLAVICLE, COMPLETE -- TECH COMP ONLY	31.60
73010	X-RAY	SCAPULA, COMPLETE	61.00
73010-26	X-RAY	SCAPULA, COMPLETE -- PROF COMP ONLY	22.40
73010-TC	X-RAY	SCAPULA, COMPLETE -- TECH COMP ONLY	38.60
73030	X-RAY	SHOULDER, COMPL, MINIMUM 2 VIEWS	57.00
73030-26	X-RAY	SHOULDER, COMPL, MINIMUM 2 VIEWS -- PROF COMP ONLY	22.80
73030-TC	X-RAY	SHOULDER, COMPL, MINIMUM 2 VIEWS -- TECH COMP ONLY	34.20
73060	X-RAY	HUMERUS, MINIMUM 2 VIEWS	52.00
73060-26	X-RAY	HUMERUS, MINIMUM 2 VIEWS -- PROF COMP ONLY	20.80
73060-TC	X-RAY	HUMERUS, MINIMUM 2 VIEWS -- TECH COMP ONLY	31.20

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
73070	X-RAY	ELBOW, AP & LATERAL	47.00
73070-26	X-RAY	ELBOW, AP & LATERAL -- PROF COMP ONLY	18.80
73070-TC	X-RAY	ELBOW, AP & LATERAL -- TECH COMP ONLY	28.20
73080	X-RAY	ELBOW, COMPLETE, MINIMUM 3 VIEWS	58.75
73080-26	X-RAY	ELBOW, COMPLETE, MINIMUM 3 VIEWS -- PROF COMP ONLY	23.50
73080-TC	X-RAY	ELBOW, COMPLETE, MINIMUM 3 VIEWS -- TECH COMP ONLY	35.25
73090	X-RAY	FOREARM, AP & LATERAL	49.50
73090-26	X-RAY	FOREARM, AP & LATERAL -- PROF COMP ONLY	19.80
73090-TC	X-RAY	FOREARM, AP & LATERAL -- TECH COMP ONLY	29.70
73100	X-RAY	WRIST, AP & LATERAL	57.50
73100-26	X-RAY	WRIST, AP & LATERAL -- PROF COMP ONLY	16.50
73100-TC	X-RAY	WRIST, AP & LATERAL -- TECH COMP ONLY	41.00
73110	X-RAY	WRIST, COMPLETE, MINIMUM 3 VIEWS	67.00
73110-26	X-RAY	WRIST, COMPLETE, MINIMUM 3 VIEWS -- PROF COMP ONLY	21.20
73110-TC	X-RAY	WRIST, COMPLETE, MINIMUM 3 VIEWS -- TECH COMP ONLY	45.80
73120	X-RAY	HAND, 2 VIEWS	57.70
73120-26	X-RAY	HAND, 2 VIEWS -- PROF COMP ONLY	19.08
73120-TC	X-RAY	HAND, 2 VIEWS -- TECH COMP ONLY	38.62
73130	X-RAY	HAND, MINIMUM 3 VIEWS	62.50
73130-26	X-RAY	HAND, MINIMUM 3 VIEWS -- PROF COMP ONLY	21.00
73130-TC	X-RAY	HAND, MINIMUM 3 VIEWS -- TECH COMP ONLY	41.50
73140	X-RAY	FINGER(S), MINIMUM 2 VIEWS	62.00
73140-26	X-RAY	FINGER(S), MINIMUM 2 VIEWS -- PROF COMP ONLY	16.80
73140-TC	X-RAY	FINGER(S), MINIMUM 2 VIEWS -- TECH COMP ONLY	45.20
73501	X-RAY	HIP, UNILATERAL, 1 VIEW	58.00
73501-26	X-RAY	HIP, UNILATERAL, 1 VIEW -- PROF COMP ONLY	18.80

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
73501-TC	X-RAY	HIP, UNILATERAL, 1 VIEW -- TECH COMP ONLY	39.20
73502	X-RAY	HIP, COMPLETE, MINIMUM 2 VIEWS (AP PELVIS & LAT OF AFFECTED HIP)	80.00
73502-26	X-RAY	HIP, COMPLETE, MINIMUM 2 VIEWS -- PROF COMP ONLY	26.20
73502-TC	X-RAY	HIP, COMPLETE, MINIMUM 2 VIEWS -- TECH COMP ONLY	53.80
73521	X-RAY	HIPS, BILATERAL, MINIMUM 2 VIEWS EACH HIP, INCLUDING AP OF PELVIS	100.00
73521-26	X-RAY	HIPS, BILATERAL, MINIMUM 2 VIEWS EACH HIP, INCLUDING AP OF PELVIS -- PROF COMP ONLY	40.00
73521-TC	X-RAY	HIPS, BILATERAL, MINIMUM 2 VIEWS EACH HIP, INCLUDING AP OF PELVIS -- TECH COMP ONLY	60.00
73550	X-RAY	FEMUR, 2 VIEWS	56.70
73550-26	X-RAY	FEMUR, 2 VIEWS -- PROF COMP ONLY	22.68
73550-TC	X-RAY	FEMUR, 2 VIEWS -- TECH COMP ONLY	34.02
73560	X-RAY	KNEE, AP & LATERAL	64.00
73560-26	X-RAY	KNEE, AP & LATERAL -- PROF COMP ONLY	22.00
73560-TC	X-RAY	KNEE, AP & LATERAL -- TECH COMP ONLY	42.00
73562	X-RAY	KNEE, AP/LAT/OBLIQUE, MINIMUM 3 VIEWS	74.00
73562-26	X-RAY	KNEE, AP/LAT/OBLIQUE, MINIMUM 3 VIEWS -- PROF COMP ONLY	24.40
73562-TC	X-RAY	KNEE, AP/LAT/OBLIQUE -- TECH COMP ONLY	49.60
73564	X-RAY	KNEE, COMPLETE	82.00
73564-26	X-RAY	KNEE, COMPLETE -- PROF COMP ONLY	30.00
73564-TC	X-RAY	KNEE, COMPLETE -- TECH COMP ONLY	52.00
73590	X-RAY	TIBIA & FIBULA, 2 VIEWS	52.00
73590-26	X-RAY	TIBIA & FIBULA, 2 VIEWS -- PROF COMP ONLY	20.80
73590-TC	X-RAY	TIBIA & FIBULA, 2 VIEWS -- TECH COMP ONLY	31.20
73600	X-RAY	ANKLE, AP & LATERAL	58.00

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
73600-26	X-RAY	ANKLE, AP & LATERAL -- PROF COMP ONLY	18.00
73600-TC	X-RAY	ANKLE, AP & LATERAL -- TECH COMP ONLY	40.00
73610	X-RAY	ANKLE, COMPL, MINIMUM 3 VIEWS	64.00
73610-26	X-RAY	ANKLE, COMPL, MINIMUM 3 VIEWS -- PROF COMP ONLY	21.60
73610-TC	X-RAY	ANKLE, COMPL, MINIMUM 3 VIEWS -- TECH COMP ONLY	42.40
73620	X-RAY	FOOT, 2 VIEWS	50.00
73620-26	X-RAY	FOOT, 2 VIEWS -- PROF COMP ONLY	18.80
73620-TC	X-RAY	FOOT, 2 VIEWS -- TECH COMP ONLY	31.20
73630	X-RAY	FOOT, COMPL, MINIMUM 3 VIEWS	60.00
73630-26	X-RAY	FOOT, COMPL, MINIMUM 3 VIEWS -- PROF COMP ONLY	22.40
73630-TC	X-RAY	FOOT, COMPL, MINIMUM 3 VIEWS -- TECH COMP ONLY	37.60
73660	X-RAY	TOE OR TOES, MINIMUM 2 VIEWS	48.00
73660-26	X-RAY	TOE OR TOES, MINIMUM 2 VIEWS -- PROF COMP ONLY	17.30
73660-TC	X-RAY	TOE OR TOES, MINIMUM 2 VIEWS -- TECH COMP ONLY	30.70
77072	X-RAY	BONE AGE STUDIES	47.00
77072-26		BONE AGE STUDIES --PROF COMP ONLY	18.50
77072-TC		BONE AGE STUDIES --TECH COMP ONLY	28.50

Laboratory Studies

Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
80053	LAB	COMPREHENSIVE METABOLIC PANEL	35.00
80076	LAB	HEPATIC FUNCTION PANEL	50.00
81000	LAB	URINALYSIS, COMPLETE WITH MICROSCOPY	20.00
81002	LAB	URINALYSIS, WITHOUT MICROSCOPY	15.00
82040	LAB	ALBUMIN; SERUM, PLASMA, BLOOD	20.00
82247	LAB	BILIRUBIN; TOTAL	20.00
82270	LAB	BLOOD; OCCULT, FECES, SCREENING	9.75
82310	LAB	CALCIUM; TOTAL	13.70
82550	LAB	CREATINE KINASE (CK) (CPK), TOTAL	26.60

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
82565	LAB	CREATININE; BLOOD	22.00
82570	LAB	CREATININE; URINE	16.53
82575	LAB	CREATININE CLEARANCE; BLOOD OR URINE	37.00
82947	LAB	GLUCOSE, QUANTITATIVE	17.50
82951	LAB	GLUCOSE TOLERANCE TEST (GTT), 3 SPECIMENS (INCLUDES GLUCOSE)	48.00
83615	LAB	LACTATE DEHYDROGENASE (LD) (LDH)	19.50
83655	LAB	LEAD, QUANTITATIVE, BLOOD	40.00
84060	LAB	PHOSPHATASE, ACID; TOTAL	25.00
84075	LAB	PHOSPHATASE, ALKALINE	19.50
84132	LAB	POTASSIUM; SERUM	15.50
84133	LAB	POTASSIUM; URINE	20.00
84439	LAB	THYROXINE, FREE	40.00
84442	LAB	THYROXINE BINDING GLOBULIN (TBG)	48.80
84450	LAB	TRANSFERASE; ASPARTATE AMINO (AST) (SGOT)	20.40
84460	LAB	TRANSFERASE; ALANINE AMINO (ALT) (SGPT)	20.40
84520	LAB	UREA NITROGEN, QUANTITATIVE	15.30
84550	LAB	URIC ACID, BLOOD	19.75
84560	LAB	URIC ACID, URINE	29.20
85013	LAB	HEMATOCRIT (SPUN)	13.00
85018	LAB	HEMOGLOBIN	15.00
85025	LAB	COMPLETE BLOOD COUNT (CBC)	30.00
85008	LAB	NONDIFFERENTIAL WBC COUNT	9.00
85032	LAB	PLATELET; MANUAL COUNT	17.00
85610	LAB	PROTHROMBIN TIME	18.00
85651	LAB	SEDIMENTATION RATE, ERTHROCYTE; NON-AUTOMATED	20.00
86038	LAB	ANTINUCLEAR ANTIBODIES (ANA)	51.75
86140	LAB	C-REACTIVE PROTEIN	23.95
86430	LAB	RHEUMATOID FACTOR, QUALITATIVE	25.00
87116	LAB	CULTURE, TUBERCLE OR OTHER ACID FAST BACILLI, WITH ISOLATION	46.30
87389	LAB	HIV ANTIGEN/ANTIBODY	119.00
86359, 86360, 86355, 86357	LAB	PANEL: CD4/CD8 WITH TOTAL CELL AND ABSOLUTE RATIOS	626.00
92083	LAB	VISUAL FIELD EXAM WITH SEVERAL ISOPTERS ON GOLDMANN PERIMETRY OR EQUIVALENT	120.00

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Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
92541	LAB	SPONTANEOUS NYSTAGMUS TEST	69.12
92542	LAB	POSITIONAL NYSTAGMUS TEST	61.02
92537	LAB	BITHERMAL CALORIC VESITUBULAR TEST	113.00
92538	LAB	MONOTHERMAL CALORIC VESTIBULAR TEST	77.84
92534	LAB	OPTOKINETIC NYSTAGMUS TEST	47.33
92545	LAB	OSCILLATING TRACKING TEST	40.48
92553	LAB	PURE TONE AUDIOMETRY - AIR & BONE	43.00
92556	LAB	SPEECH AUDIOMETRY - THRESHOLD WITH SPEECH RECOGNITION/DISCRIM	37.00
92557	LAB	BASIC COMPREHENSIVE AUDIOMETRY (92553 & 92556 COMBINED)	80.00
92700	LAB	BEKESY AUDIOMETRY, SCREENING	44.21
92567	LAB	TYMPANOMETRY (IMPEDANCE TESTING)	35.00
92568	LAB	ACOUSTIC REFLEX TESTING	25.00
92570	LAB	ACOUSTIC REFLEX DECAY TEST	28.00
92582	LAB	CONDITIONING PLAY AUDIOMETRY	53.00
92591	LAB	HEARING AID EXAM & SELECTION (BINAURAL) (VRS ONLY)	65.00
92591	LAB	HEARING AID EXAM & SELECTION (VRS ONLY)	65.00 Per Hour
92593	LAB	HEARING AID CHECK (BINAURAL)	33.00
92652	LAB	AUDITORY EVOKED POTENTIALS (AEPs)	242.23
93000	LAB	ECG, AT LEAST 12 LEADS, WITH INTERPRETATION & REPORT	110.00
93005	LAB	ECG, TRACING ONLY	65.00
93010	LAB	ECG, INTERPRETATION AND REPORT ONLY	45.00
93268	LAB	TELEPHONIC OR TELEMETRIC TRANSMISSION OF ECG RHYTHM STRIP	146.33
93015	LAB	CARDIOVASCULAR STRESS TEST, WITH INTERPRETATION AND REPORT	280.00
93017	LAB	CARDIOVASCULAR STRESS TESTING, TRACING ONLY	155.00
93018	LAB	CARDIOVASCULAR STRESS TESTING, INTERPRETATION AND REPORT ONLY	125.00
93350	LAB	ECHOCARDIOGRAPHY, DURING REST AND CV STRESS TEST, WITH INTERPRETATION AND REPORT	280.22
93350-26	LAB	ECHOCARDIOGRAPHY, DURING REST AND CV STRESS TEST - PROF COMP ONLY	108.35

Current Procedural Terminology Code	Type of Service	Procedure Description	Maximum
93350-TC	LAB	ECHOCARDIOGRAPHY, DURING REST AND CV STRESS TEST - TECH COMP ONLY	171.87
94729	LAB	CO DIFFUSING CAPACITY, ANY METHOD	120.00
94729-26	LAB	CO DIFFUSING CAPACITY -- PROF COMP ONLY	48.00
94729-TC	LAB	CO DIFFUSING CAPACITY -- TECH COMP ONLY	72.00
95860	LAB	NEEDLE ELECTROMYOGRAPHY (EMG); ONE EXTREMITY	130.14
95860-26	LAB	EMG - ONE EXTREMITY -- PROF COMP ONLY	23.04
95860-TC	LAB	EMG - ONE EXTREMITY -- TECH COMP ONLY	107.10
95861	LAB	EMG - TWO EXTREMITIES	222.93
95863	LAB	EMG - THREE EXTREMITIES	264.65
95864	LAB	EMG - FOUR EXTREMITIES	346.22
95930	LAB	VISUAL EVOKED POTENTIAL (VEP) TESTING CENTRAL NERVOUS SYSTEM,	137.00

TRANSPORTATION

Vocational Rehabilitation Services and Disability Determination Services Consultative Examination (CE) Providers

Clients will be reimbursed at the IRS mileage rate, effective the date the travel occurs, for travel to exams in cities more than 50 miles away from the client's home city.

Travel in a specially-equipped van: Current rate in Commissioner's Plan, effective the date the travel occurs.

We will reimburse clinicians performing consultative examinations who must travel to perform a consultative examination at the current IRS mileage rate, effective the date the travel occurs. If travel to the exam is in excess of 50 miles round trip, refer to instructions below for additional reimbursement.

Travel in excess of 50 miles:

- Providers only: Current IRS mileage rate, effective the date the travel occurs, plus \$50.00 in 50-mile increments round trip for clinicians. Exact mileage should be documented.
 - 0-49 miles-No reimbursement
 - 50-99 miles-\$50
 - 100-149 miles-\$100
 - 150-199 miles-\$150
 - 200-249 miles -\$200
 - 250-299 miles-\$250

Travel for in-person psychological exams at correctional facilities or client's residence: Providers will be paid \$50 for miles 0-99 round trip, plus the current IRS mileage rate, effective the date the travel occurs. Round trip travel to a prison or a client's residence in excess of 99 miles will follow the incremental rate increases as above.

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Minnesota Court of Administrative Hearings Notice of Order on Petition In re the Petition of the Upper Midwest Chapter of the Recycled Materials Association Seeking an Order that the Pollution Control Agency is Enforcing or Attempting to Enforce an Unpromulgated Rule

This matter came before Administrative Law Judge Jim Mortenson on the Petition of the Upper Midwest Chapter of the Recycled Materials Association (Association or Petitioner) for an order to stop the Pollution Control Agency (PCA or Agency) from enforcing what the Association claims is an unpromulgated rule.

Ian A.J. Pitz, Michael Best & Friedrich LLP, represents the Association. Oliver J. Larson and Peter Wenker, Assistant Attorneys General, represent the PCA.

The Petition was filed pursuant to Minn. Stat. § 14.381 (2024) on August 28, 2025. The PCA filed its Response to the Petition on September 19, 2025. The Association requested permission to file a reply to the Response, on September 24, 2025, and the PCA objected in writing the same day. The Association responded to the PCA's objection on September 25, 2025. On September 29, 2025, the Judge issued an Order permitting the Association to file its Reply and setting a hearing for oral argument on October 16, 2025.¹

On September 19, 2025, the Association filed a motion to stay (Motion). The Motion was essentially a request for an immediate injunction of the PCA policy in question. The PCA filed a response to the Motion on September 25, 2025. The Judge, in the September 29 Order, declined to take additional action on the Petition, which included a preliminary injunction.

On October 9, 2025, the PCA filed a set of additional exhibits upon which it intended to rely in its defense. That same date, the Association filed a rebuttal Declaration by an owner and two executives of three of the Association's members, with exhibits. The Association filed its Reply brief on October 13, 2025.

The Judge heard oral arguments on the Petition at the Court of Administrative Hearings in St. Paul, Minnesota, on October 16, 2025.

Based upon the filings and arguments of the parties, Minn. Stat. § 14.381, and for the reasons set forth in the memorandum that follows, the Judge issues the following:

ORDER

1. The PCA's declaration that certain holders of registration permit option D are now subject to site-specific requirements is a policy or pronouncement of general applicability and future effect. Moreover, it does not correspond to the plain meaning of the applicable rules' plain meaning. Therefore, the declaration is an unpromulgated rule.
2. The PCA must **CEASE AND DESIST** from requiring current holders of registration permit option D to request new kinds of permits absent one of the permissible determinations under Minn. R. 7007.1110, subp. 16, which is justified in a manner consistent with the entirety of the regulatory scheme in part 7007.
3. Nothing in this Order is intended to prevent the Commissioner's exercise of emergency powers as delegated and prescribed at Minn. Stat. § 116.11 (2024) or revoking an existing registration permit following the procedures under Minn. R. 7007.1110, subp. 5, and .1700 (2025).

Dated: January 15, 2026

JIM MORTENSON
Administrative Law Judge

¹ The PCA submitted some specific objections to the Order in a letter dated September 30, 2025. The Judge took no actions on those objections and here acknowledges that the PCA was appropriately preserving its arguments for appeal.

NOTICE

This decision is the final administrative decision under Minn. Stat. § 14.381. It may be appealed to the Minnesota Court of Appeals pursuant to the authority of Minn. Stat. §§ 14.44 and 14.45 (Supp. 2025).

MEMORANDUM

I. Introduction

In the spring of 2025, the Agency issued an un promulgated rule when it applied a blanket policy to Association members which decreed that shredders used for recycling automobiles could no longer operate under option D registration permits and, instead, had to operate under individual air emissions permits. The Agency’s rationale for this determination was: it could not regulate the input of automobiles into the shredders, and therefore it was possible the shredders could generate and emit more VOCs per year than permissible under the law.

II. Regulatory Background

The legislature gave the PCA the important task of protecting the health of our state by improving air quality. The legislature outlined this task relatively specifically, which is reiterated here in full to set the stage for the analysis of the question presented by the Petition:

The Pollution Control Agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency’s overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the Pollution Control Agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the Pollution Control Agency.²

The standards of air quality and the details of the regulatory scheme were promulgated through rulemaking under the Minnesota Administrative Procedures Act (MAPA).³ The majority of the regulatory system for air quality is found in Minnesota Rules chapter 7007.⁴ To protect air quality by limiting emissions of pollutants, a permitting process is in place. There are several types of permits under the state’s air pollution regulatory scheme.

This matter concerns one of a subgroup of permits called “registration permits”.⁵ Specifically, the permits at issue are registration permits option D (Option D permit), which are prescribed at Minn. R. 7007.1110, .1130. It is also important to consider that the concerns raised by the PCA about Petitioner’s members, who own and operate metal shredders, are about the release of a particular category of pollutant: volatile-organic compounds (VOCs). Thus, references in this report which would otherwise be to “sources of pollution” are often referred to by the term “shredder”. References which would otherwise be to “pollution” are often referred to as “VOCs”. This is because these are the specific sources of pollution, and the specific pollution involved here.

2 Minn. Stat. § 116.07, subd. 2(a) (2024).

3 Minn. Stat. § 116.07, subd. 4(a) (2024).

4 Minn. R. 7007.0050 (2025) (describing scope of chapter 7007).

5 Minn. R. 7007.0100, subp. 18a.; .0250, subp. 7 (2025).

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Registration permits cannot be used when it is necessary to have permit requirements tailored to the operations of a specific permittee.⁶ The permits used in such situations are commonly referred to as individual permits. If a shredder “has the potential to emit” 100 tons of VOCs per year or more, an individual permit is required.⁷ A shredder that requires an individual permit, however, can be operated under a registration permit if the operator chooses to limit emissions to a level under which the registration permit is allowed and otherwise qualifies under Minn. R. 7007.1110 to .1130.⁸

Option D permits can be applied for by the owner and operator of a stationary source of air pollution, such as a stationary metal shredder, if the shredder meets the following criteria:

- A. all emissions units at the stationary source are either included in calculations in subpart 4, or are insignificant activities under part 7007.1300, subparts 2 and 3, or are conditionally insignificant activities;
- B. the 12-month rolling sum of actual emissions at the stationary source for each pollutant are less than or equal to the thresholds in subpart 5; and
- C. the owner or operator does not anticipate making changes in the next year which will cause the stationary source’s 12-month rolling sum of actual emissions to exceed any threshold in tons per year listed in subpart 5.⁹

The application for an Option D permit for metal shredders must include the following:

- A. Information about the shredder’s emissions and its owners and operators;
- B. a description of the shredder’s “processes and products, by Standard Industrial Classification (SIC) code;”
- C. certain applicable state and federal legal standards;
- D. a statement about whether compliance records will be based on “the purchase or the use of VOC-containing or hazardous air pollutant-containing materials and on the purchase and use of fuels;”
- E. the calculations used to determine actual emissions and the results of those calculations;
- F. if control equipment efficiencies were used in making the calculations for actual emissions, specific information about the control equipment and its use; and
- G. if the calculations used particular factors and reflected use of particular control equipment, the operating parameters of that control equipment.¹⁰

There are many compliance requirements for Option D permits. For the shredding equipment involved in this review, the relevant compliance requirements are found at Minn. R. 7007.1130, subp. 3(D) and (F). Item D is:

If the stationary source determined eligibility in the permit application, in whole or in part, by calculating actual emissions under subpart 4 based on the quantity of material handled or throughput, or product produced, the owner or operator must:

- (1) record by the last day of each month for each material handled or throughput and for each product produced, the amount of the material handled or throughput and the amount of product produced for the previous month; and
- (2) recalculate and record by the last day of each month for each material handled or throughput and for each product produced, the 12-month rolling sum of emissions for the previous 12 months, the date the calculation was made, and the calculation itself.

6 Minn. R. 7007.1110, subp. 2b(B) (2025) (providing that when “site-specific requirements are needed to ensure compliance with applicable requirements or to protect human health or the environment” then a registration permit cannot be used.)

7 Minn. R. 7007.0250, subp. 4 (2025).

8 Minn. R. 7007.0250, subp. 7 (2025).

9 Minn. R. 7007.1130, subp. 1 (2025).

10 Minn. R. 7007.1130, subp. 2 (2025).

This is used for shredders because their emissions are based on the feedstock (what is being recycled) put into the machine. Item F is: “[t]he 12-month rolling sum of actual emissions from the [shredder] determined pursuant to [the required calculations for determining actual emissions] must not exceed [50 tons per year of VOCs].”¹¹ This 50-ton per year limit is important to this matter.

The PCA’s regulations detail the method for calculating actual emissions (absent the use of a continuous emissions monitor) for Option D permit holders. The rule provides that the owner or operator of a shredder “may use a calculation worksheet provided by the commissioner...or may use the calculation methods” detailed in the rule.¹² The method for calculating actual emissions is:

$$E \text{ (actual emissions in tons per year)} = OP \times UEF \times [1-CE]^{13}$$

OP = Operating Parameter as required by the Uncontrolled Emission Factor (hours of operation or units produced)

UEF = Uncontrolled Emission Factor (pounds of pollutant per hour of operation or units produced) as defined in part 7005.0100, subpart 10a, for uncontrolled emissions

CE = Control Efficiency (percent expressed as a decimal fraction of 1.00) determined according to part 7011.0070 for listed control equipment.¹⁴

The Control Efficiency is synonymous with “control equipment efficiency.”¹⁵ This is:

the percentage of emissions produced by a process that are not emitted to the atmosphere. Control equipment efficiency is equal to the product of the capture efficiency and collection efficiency or the product of capture efficiency and destruction efficiency.¹⁶

The “capture efficiency” is:

the percentage of emissions produced by a process that are captured by an enclosure and/or ductwork and transported to air pollution control equipment.¹⁷

The “collection efficiency” is:

the percentage of emissions entering the air pollution control equipment that are collected by the air pollution control equipment and thus removed from the exhaust stream. “Collection” pertains to pollutants that are collected but molecular composition may or may not be changed.¹⁸

The “destruction efficiency” is:

the percentage of emissions entering the air pollution control equipment that are destroyed by the air pollution control equipment and thus removed from the exhaust stream. “Destruction” pertains to pollutants that are destroyed whereby molecular composition is changed.¹⁹

To determine the emissions factor to use in the equation above:

11 Minn. R. 7007.1130, subps. 3(F), 5 (2025).

12 Minn. R. 7007.1130, subp. 4 (2025). Counsel advised the Judge during the oral argument that there are no calculation worksheets for metal shredders.

13 Minn. R. 7007.1130, subp. 4(A).

14 Minn. R. 7007.1130, subp. 4(A).

15 Minn. R. 7011.0060, subp. 3a (2025).

16 Minn. R. 7011.0060, subp. 3b (2025).

17 Minn. R. 7011.0060, subp. 2 (2025).

18 Minn. R. 7011.0060, subp. 3 (2025).

19 Minn. R. 7011.0060, subp. 3d (2025).

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(1) the emissions unit is either an uncontrolled unit (for the tested pollutant) or is fitted with air pollution control equipment subject to the monitoring and record-keeping requirements of parts 7011.0060 to 7011.0080 or is fitted with air pollution equipment that has met the requirements of subpart 6; and

(2) the performance tests met all the requirements of parts 7017.2001 to 7017.2060, and all other applicable state rules and federal regulations governing performance tests. The owner or operator of a stationary source that uses an emission factor developed from a performance test shall use the calculation method under item A.²⁰

An “emission factor” is “the most accurate and representative emission data available.”²¹ The sources for emission data are listed at Minn. R. 7005.0100, subp. 10a. Applicable here, an emission factor may be “developed or approved by the commissioner and derived from the following sources:

- (a) other EPA publications including, but not limited to, Locating and Estimating documents, Control Technology Center documents, the preamble and background information documents for New Source Performance Standards or National Emission Standards for Hazardous Air Pollutants;
- (b) EPA databases and computer programs;
- (c) engineering publications;
- (d) performance test data from the same or a similar emission unit at the same or a similar facility;
- (e) manufacturer’s performance tests;
- (f) emission data developed by the regulated party using the best engineering judgment criteria listed in subitem (2); or
- (g) the General Reporting Protocol for the voluntary reporting program of the Climate Registry.

When developing or approving an emission factor, the commissioner must use “best engineering judgment and [the decision must be] based on one or more of the following considerations:

- (a) the precision and accuracy of the data;
- (b) the design and operational similarity between the emission units tested and the emission units to which the emission factor is to be applied;
- (c) the number of emission units tested in developing the emission factor under consideration;
- (d) the availability of emission data of equal or greater quality;
- (e) the emission unit operating conditions under which the tests were conducted; and
- (f) the data analysis procedures.²²

An alternative method may be used for calculating VOC actual emissions. While it is not used by the members of Petitioner in this case, it is nevertheless pointed out here in the event it is later considered by the Agency or a court:

E [actual emissions in tons per year] = $(a - b - c) \times (1 - d)$, where

a = the amount of VOC or each individual gas comprising the pollutant greenhouse gases entering the process or the amount of carbon dioxide, nitrous oxide, or methane generated, plus any VOC or greenhouse gas that is recycled or reused in the process. A signed statement from the supplier or the material safety data sheet must be

²⁰ Minn. R. 7007.1130, subp. 4(C).

²¹ Minn. R. 7005.0100, subp. 10a (2025).

²² Minn. R. 7005.0100, subp. 10a (C)(2).

submitted stating the maximum amount of VOC or each individual gas comprising the pollutant greenhouse gases in any material that was used in the process. A VOC or greenhouse gas that is recycled or reused means a VOC or greenhouse gas that undergoes reclamation or reuse, as defined in part 7045.0020.

b = the amount of VOC or each individual gas comprising the pollutant greenhouse gases incorporated permanently into the product. This includes VOCs or each individual gas comprising the pollutant greenhouse gases chemically transformed in production. It does not include latent VOC or each individual gas comprising the pollutant greenhouse gases remaining in the product that will at some time be released to the atmosphere. An explanation of this calculation must also be submitted.

c = the amount of VOC or each individual gas comprising the pollutant greenhouse gases, if any, leaving the process as waste, or otherwise not incorporated into the product and not emitted to the air.

d = the control efficiency (percent expressed as a decimal fraction of 1.00) determined according to part 7011.0070.²³

The federal Environmental Protection Agency (EPA) approved Minnesota's regulatory framework found in chapter 7007. Specifically, after revisions to Minn. R. 7007.1130 were made, the EPA stated in 2020:

[the revisions] to Minn. R. 7007.1130 are consistent with CAA section 110(l) [42 U.S.C. § 7410] as these changes do not relax any previously approved SIP provision. Limitations are created in Minn. R. 7007.1125 and 7007.1130 that are equivalent to the types of limits that would have been established in an individual permit. Due to the low levels of actual emissions from these sources, EPA believes that the SIP revision will not interfere with attainment and maintenance of the NAAQS [national ambient air quality standards]. EPA proposes to approve the addition of Minn. R. 7007.1125 and revisions to Minn. R. 7007.1130 into the Minnesota SIP.²⁴

Once the commissioner issues an Option D permit to an owner or operator of a shredder, they “must submit an annual emission inventory to the commissioner under parts 7019.3000 to 7019.3100” which keeps the Commissioner informed of what pollution the shredder is emitting on an annual basis²⁵ The Commissioner may revoke an Option D permit pursuant to Minn. R. 7007.1700 or, under the grounds listed in Minn. R. 7007.1110, subp. 16, they may request operators to submit an application or a different type of permit.²⁶ The grounds for this request are:

- A. the stationary source has a history of noncompliance with applicable requirements or with its registration permit;
- B. *the stationary source does not qualify for a registration permit;*
- C. the stationary source qualifies for a different registration permit option under parts 7007.1110 to 7007.1130;
- D. the applicable requirements to which the stationary source is subject are about to or have changed substantially;
- E. the permit application contains material mistakes or inaccurate statements related to establishing eligibility for the emissions standards, limitations, or other terms or conditions of the permit and correction of such mistakes or statements would result in ineligibility for the permit applied for;
- F. alterations or modifications to the permitted facility will result in or have the potential to result in alteration in the nature or quantity of regulated air pollutants to be emitted by the permittee such that the permittee is no longer eligible for the permit it holds; or
- G. *the commissioner receives information previously unavailable to the commissioner that shows that the terms*

23 Minn. R. 7007.1130, subp. 4(D).

24 Air Plan Approval; Minnesota; Revision to the Minnesota State Implementation Plan, 85 Fed. Reg. 6,485 (Feb. 5, 2020). The specific revisions to the rule do not impact the analysis in this case.

25 Minn. R. 7007.1110, subp. 8 (2025); See Minn. Stat. § 116.06, subd. 9. “Emission” means a release or discharge into the outdoor atmosphere of any air contaminant or combination thereof.”

26 Minn. R. 7007.1110, subp. 5 (2025).

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*and conditions of the permit do not accurately represent the actual circumstances of the permitted facility.*²⁷

There is another manner by which an Option D permit may be altered. If there is a change or modification to the shredder which “results in the stationary source being subject to a new source performance standard” or “adds an emissions unit,” the owner or operator must provide certain information to the Commissioner.²⁸ This includes changes which increase emissions.²⁹ Such changes require the owner or operator to submit another application under the appropriate different permit or registration permit option.³⁰ Failure to timely submit the new permit application will result in the loss of the right to operate the shredder.³¹ There were no changes of modifications to shredders in this matter, so this compliance perspective is not under consideration.

Finally, changes made by the government (regulatory changes) may also result in a shredder no longer qualifying for or meeting the requirements for an Option D permit.³² When this occurs, the owner or operator must notify the Commissioner of the regulatory change that impacts their shredder “and a statement of what type of permit application the owners and operators will submit,” including whether that be a different registration permit option.³³ The addition of certain control equipment or the permanent removal of emissions units or other pollution prevention methods may result in a shredder becoming eligible again for a registration permit.³⁴ Simply decreasing the amount of material shredded (reducing production) is not sufficient for this option.³⁵ The PCA argues that it obtained new information from the federal government, not that there were regulatory changes at the federal level. Thus, this compliance perspective is not under consideration.

If the commissioner determines one of the circumstances in Minn. R. 7007.1110, subp. 16, exist, the owner or operator of a shredder must submit an application for the different type of permit or registration option “within 120 days of the commissioner’s written request for the application.”³⁶ If the Commissioner determines a shredders operating under an option D registration permit no longer qualifies for the registration permit, the “permit shield” under Minn. R. 7007.1800 does not apply.³⁷ Finally, and among other general requirements, the general conditions of registration permits include:

- F. The permittee shall furnish to the commissioner, within a reasonable time, any information that the commissioner may request in writing to determine whether cause exists for revoking the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the commissioner copies of records to be kept by the permittee.
- G. The commissioner’s issuance of the permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain a permit.
- H. The commissioner’s issuance of the permit does not prevent the future adoption by the agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.

...

²⁷ Minn. R. 7007.1110, subd. 16 (emphasis added). The Department’s arguments in this matter only concern the grounds listed at Minn. R. 7007.1130, subp. 16(B) and (G), so only those provisions are examined in detail. *See*, Agency Response to Petition Concerning Unpromulgated Rulemaking at 4-5, 11, 12 (Sep. 19, 2025). Revocation. may occur under Minn. R. 7007.1700, which is not at issue here.

²⁸ Minn. R. 7007.1110, subp. 10 (2025).

²⁹ Minn. R. 7007.1110, subp. 11.

³⁰ *Id.*

³¹ *Id.*

³² Minn. R. 7007.1110, subp. 11a.

³³ Minn. R. 7007.1110, subp. 11a (A).

³⁴ Minn. R. 7007.1110, subp. 14.

³⁵ *Id.*

³⁶ Minn. R. 7007.1110, subp. 16.

³⁷ Minn. R. 7007.1110, subp. 18. The permit shield, generally, is a permit provision stating that compliance with the permit conditions is “deemed compliance with any applicable requirements as of the date of permit issuance.” The details of the permit shield are not at issue in this matter and need not be discussed in more detail.

L. The permittee shall, when requested by the commissioner, submit within a reasonable time any information and reports that are relevant to pollution or the activities authorized under the permit.

M. If the permittee discovers, through any means, including notification by the commissioner, that noncompliance with a condition of the permit has occurred, the permittee shall immediately take all reasonable steps to minimize the adverse impact on human health or the environment resulting from the noncompliance.³⁸

Given the complexity of regulatory scheme concerning air emission permits, as set-forth in-part above, it bears repeating that the PCA's only basis for the changes at issue here are the provisions under Minn. R. 7007.1110, subp. 16(B) and (G). Thus, the Petition is reviewed in light of these two provisions only.

III. Factual Background

The Petitioner is a trade organization consisting of companies engaged in recycling materials.³⁹ Six of Petitioner's members operate metal-shredding facilities in Minnesota.⁴⁰ Four of those members – Alliance Steel Service Company, New Ulm Steel, Alter Metal Recycling, and Crow Wing Recycling – are participants in the Petition.⁴¹ These participants will be referred to as the “operators,” with the understanding that other metal recycling operators exist in Minnesota.

The operators have been running their metal-shredders under Option D permits. Alliance's Bayside facility in Duluth has been operating under an Option D permit since 1995, as has New Ulm Steel in New Ulm.⁴² Alter's facility in Anoka has been operating under an Option D permit since 1998.⁴³ And Crow Wing received its Option D permit for its facility in Brainerd in 2010.⁴⁴ As noted above, the Option D permits prohibit the operators from emitting more than 50 tons of VOCs per year.⁴⁵ The operators calculate their actual emissions annually, using the quantity of materials handled, the throughput, and an emissions factor based on data derived from other similar pollution sources.⁴⁶

In July 2021, the United States Environmental Protection Agency (EPA) issued an “Enforcement Alert” concerning emissions from metal recycling facilities.⁴⁷ The Alert was to ensure shredder operators be “aware of the amount of volatile organic compounds (VOCs) and other emissions from their facilities.”⁴⁸ The Alert notes that emissions testing for one southern California shredder conducted in 2018 and 2019 found VOC emission rates of 86, 183, 151, and 284 pounds per hour, very high amounts.⁴⁹ As a result, the EPA was concerned that other shredders around the nation may have VOC emissions which exceed allowable limits. The EPA Alert recommended that shredder operators to remove fluids and other materials which release VOCs from the material to be shredded (depolluting), and “[e]stimate hourly and annual VOC emissions, using appropriate available test data from similar facilities” as part of minimizing VOC emissions.⁵⁰ If emissions are estimated to be over certain thresholds, remedies must be employed to reduce them, including the installation of capture controls on the shredder.⁵¹

Based on this EPA Alert, in 2022 and 2023 the PCA sought data from shredder operators about their operations and emissions.⁵² The PCA informed the operators about the EPA Alert and wanted to get emissions data based on performance

38 Minn. R. 7007.1110, subp. 21.

39 Affidavit (Aff.) of Crystal Palmer at 1 (Aug. 27, 2025).

40 *Id.* at 2.

41 Aff. of Shane Betz (Aug. 27, 2025); Aff. of Neil Byce (Aug. 27, 2025); Aff. of Sarah Schlichtholz (Aug. 27, 2025); Aff. of Grant VanWyngereen (Aug. 27, 2025).

42 Aff. of S. Betz at 2; Aff. of N. Byce at 1.

43 Aff. of S. Schlichtholz at 1-2.

44 Aff. of G. VanWyngereen at 1.

45 Aff. of S. Betz at 2; Aff. of N. Byce at 2; Aff. of S. Schlichtholz at 3; Aff. of G. VanWyngereen at 2.

46 Aff. of S. Betz at 2; Aff. of N. Byce at 2; Aff. of S. Schlichtholz at 3; Aff. of G. VanWyngereen at 2.

47 Declaration (Decl.) of Cory Boeck at 1, Exhibit (Ex.) 1 (Sep. 19, 2025).

48 *Id.*

49 *Id.* at fn. 1. Even 86 pounds per hour, if emitted continuously all year, would be over 375 tons. The threshold for an Option D registration is 50 tons per year.

50 *Id.* at 3.

51 *Id.*

52 Decl. of C. Boeck at 2; Exs. 1 – 21 (Correspondences between PCA and various shredder operators from March 22, 2022, through May 15, 2023; hereinafter, “October 9 Exhibits”).

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testing pursuant to Minn. R. 7017.2001 - .2060 (2021), rather than from the calculations under Minn. R. 7007.1130.⁵³ Performance testing takes time and is costly, so some operators balked at having to do it.⁵⁴ The PCA advised operators that it would wait for a new emissions factor provided by the EPA for operators to use in their emissions calculations.⁵⁵

After the EPA devised a new emissions factor, the PCA decided “it was not appropriate to allow metal shredders with the ability to shred automobiles to remain in the Option D program.”⁵⁶ The rationale was that “there were significant differences in VOC emissions depending on the feedstock of the shredder” which it believed it could not regulate under Option D permits.⁵⁷ Instead, the PCA determined that individual air permits would be required so that enforceable limits on feedstock could be applied to ensure emissions stayed under the threshold.⁵⁸

IV. Analysis

A. Unadopted Rules

A rule is:

every agency statement of general applicability and future effect, including amendments, suspensions, and repeals of rules, adopted to implement or make specific the law enforced or administered by that agency or to govern its organization or procedure.⁵⁹

An agency may only “adopt, amend, suspend, or repeal its rules in accordance with the procedures specified” in the Minnesota Administrative Procedures Act (MAPA).⁶⁰ The procedures for adopting rules are set forth at Minn. Stat. §§ 14.05 – 14.47 (Supp. 2025).

The Court of Administrative Hearings is charged with the responsibility of examining claims that agencies are “enforcing or attempting to enforce a policy, guideline, bulletin, criterion, manual standard, or similar pronouncement as though it were a duly adopted rule.”⁶¹ This examination is initiated by a petition, supported by an affidavit, filed with the Office by the person making the claim.⁶²

If the administrative law judge determines that the petitioner is correct and that the agency is enforcing an unadopted rule, the judge must order the agency to cease such enforcement.⁶³ The judge’s order must be published by the agency in the State Register and the order may be appealed to the Court of Appeals.⁶⁴

When an agency applies a law or rule to specific facts on a case-by-case basis, the agency’s determination is not considered an unadopted rule.⁶⁵ Nor is an agency’s interpretation of a law an unadopted rule if the interpretation is consistent with the plain meaning of the law, or if the law “is ambiguous and the agency interpretation is a longstanding one.”⁶⁶ If, however, there is “[a]n agency interpretation that ‘make[s] specific the law enforced or administered by the agency’ [it] is an interpretive rule that is valid only if promulgated in accordance with the Act.”⁶⁷

53 Decl. of C. Boeck at 2.

54 Decl. of C. Boeck at 3; Minn. R. 7017.2001 - .2060.

55 Decl. of C. Boeck at 3.

56 Decl. of C. Boeck at 3.

57 Decl. of C. Boeck at 3.

58 Decl. of C. Boeck at 3.

59 Minn. Stat. § 14.02, subd. 4 (2024).

60 Minn. Stat. § 14.05, subd. 1 (2024).

61 Minn. Stat. § 14.381, subd. 1 (2024).

62 *Id.*

63 *Id.* at subd. 2.

64 *Id.*

65 *Id.* at subd. 1(b).

66 *Cable Communications Bd. v. Nor-West Cable Communications Partnership*, 356 N.W.2d 658, 667 (Minn. 1984) (citing, *White Bear Lake Care Center v. Minnesota Dept. of Public Welfare*, 319 N.W.2d 7, 8 (Minn. 1982)).

67 *Mapleton Community Home, Inc. v. Minnesota Dept. of Human services*, 391 N.W.2d 798, 801 (Minn. 1986) (internal citations omitted).

B. The agency made a statement of general applicability and future effect which was not adopted in accordance with law.

The PCA was duly working with the operators based on concerning information from the EPA about VOCs from shredding automobiles. At issue here is the PCA determination that because it is possible automobile shredders could emit VOCs in excess of the permissible threshold of 50 tons per year, they may no longer chose to operate under or apply for Option D permits. This determination, made without following MAPA, is impermissible rulemaking.

The agency’s argument is that under the present rules, the PCA may limit the use of Option D permits when the Commissioner determines that site-specific permit requirements are needed to ensure compliance and protect human health and the environment. This is clearly stated in Minn. R. 7007.1110, subp. 2b(B). But this rule does not exist in a vacuum. There are several processes the Commissioner is required to employ when requesting a change in the type of permit an emitter must use if they are to continue to pollute.

First, it is important to point out that the PCA did not act on a case-by-case basis in this matter. An agency may formulate policy, outside of MAPA, when acting on a case-by-case basis and applies the law based on specific facts to a specific party.⁶⁸ Here, the PCA did not have specific facts, but rather general facts concerning possible VOC emissions, which it applied generally to all automobile shredders in the state. The PCA used the same rationale in demanding shredder operators apply for a different kind of air emission permit. This is not unlike the email the agency in *Shakopee Mdewakanton Sioux Community* sent to vendors about that agency’s change in position on electronic pull-tab technology. There, the Gambling Control Board sent emails to three electronic pull-tab vendors setting forth “a blanket policy for how the board would make approval decisions in the future.”⁶⁹ This was determined to be an unpromulgated rule. The same occurred here, when the PCA sent letters to multiple shredder operators which contained virtually the same language describing why the operators could no longer continue business under their Option D permits. The PCA made a policy change, and it must be examined as such.

Second, the PCA is not applying the plain language of the law. In this case, there are two grounds the PCA relies on for its policy change. First, is that the source of emissions “does not qualify for a registration permit.”⁷⁰ The PCA uses a circular argument here: because the Commissioner decided that site-specific requirements are required for metal shredders that recycle automobiles, such shredders do not qualify for Option D permits. But these shredders have a long history of operating under Option D permits without issue. They did so legally when they complied with permit requirements and did not exceed VOC emissions limits.

Things changed when the PCA obtained information that the VOC emissions of the operators might not be accurate. This was based on information from the EPA, not information from the operators and what was occurring at their facilities. But the PCA appropriately worked with operators to obtain new information about their VOC emissions to ensure they were not exceeding what is legally permitted. This work resulted in what was to be a change in the emission factor – the number used to make calculations about actual emissions under Minn. R. 7007.1130, subp. 4. That work, however, stopped.

The PCA unilaterally determined the Option D permit was no longer an option for automobile shredders. This, despite the law that it is an option.⁷¹ An agency may not act arbitrarily or capriciously. That is, it must use its judgment not merely its will.⁷² When looking at whether an agency has acted arbitrarily or capriciously, a court must consider “a combination of danger signals” which suggest that “the agency has not taken a ‘hard look’ at the salient problems and ‘has not genuinely engaged in reasoned decision-making.’”⁷³

68 *In re Shakopee Mdewakanton Sioux Community*, 988 N.W.2d 135, 144 (Minn. 2023) (internal citations omitted).

69 *Id.*

70 Minn. R. 7007.1110, subp. 16(B).

71 Minn. R. 7007.250, subp. 7; .1110, .1130.

72 *In re the Denial of Contested Case Hearing Requests*, 993 N.W.2d 627, 646 (Minn. 2023) (internal citations omitted).

73 *Id.* at 646-647 (citing, *Reserve Mining Co. V. herbst*, 256 N.W.2d 808, 825 (Minn. 1977) (quoting *Greater Television Corp. v. F.C.C.*, 444 F.2d 841, 851 (D.C. Cir. 1970))).

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Here, the PCA was taking a hard look at the issue of VOC emissions. It had information from the EPA which indicated emissions may be more than what present calculations show. The key here is that it was *possible* that the emissions were higher, not that they were. The Agency and operators engaged each other and a new emission factor to use in making calculations for actual emissions was close at hand.

Then, based only on its view that it could not ensure there were no violations by the operators, the PCA determined that it had to remove the Option D permit as an option. This was an arbitrary and capricious decision because a) PCA rules allowed Option D and included a process for making determinations about its use, and b) there were no site-specific facts showing that the operators were not complying with their Option D permit requirements. The idea that operators might not comply, because the Agency could not control the operators' input of material into their shredders, was the basis for the Agency's determination.⁷⁴ This logic flies in the face of the law and common sense under the Agency's own rules. Indeed, if there were widespread evidence that operators were not complying, the Agency's approach would make sense and would be in conformity with the power the Commissioner has under the rules. But the speculation on display here, if permitted to apply on these facts, would give the Commissioner unfettered discretion that would reduce much of this complex regulatory scheme to something largely meaningless. In short, simply because a regulated party *could* fail to comply with legal requirements is not, under the current regulations, enough to remove from them the Option D permit.

The Agency's second basis for its decision bears this out. That provision, under Minn. R. 7007.1110, subp. 16(G), provides that the Commissioner can ask operators to request an application under a different kind of permit if "the commissioner receives information previously unavailable to the commissioner that shows the terms and conditions of the permit do not accurately represent *the actual circumstances* of the permitted facility." Here, the evidence does not show the shredders are *actually* exceeding emissions standards. The Agency only posits that they could. Thus, this basis does not support the PCA's position that it is acting in conformity with current law with its policy that Option D permits are no longer an option for Petitioner's members who recycle automobiles.

V. Conclusion

The Agency's determination in 2025 that metal shredders that recycle automobiles may not operate under an Option D permit is an unadopted rule. Operators may be required to change the permit type they operate under if they violate the requirements under the Option D permit, but not because they could violate the requirements. The PCA must stop enforcing the unpromulgated rule that requires, as a blanket policy, automobile shredders to operate only under an individual air emissions permit. This does not prohibit the PCA from using its emergency powers under the law, from issuing orders on a case-by-case basis where operators have not complied with permit requirements, or pursuing statutory changes or changes of its regulations under MAPA.

J. R. M.

⁷⁴ See, Decl. of C. Boeck at 3; Aff. of S. Betz, Ex. C; Aff. of N. Byce, Ex. D; Aff. of S. Schlichtholz, Ex. E; Aff. of G. VanWyngaeren, Ex. D.

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: <https://mn.gov/admin/citizen/grants/>

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/open-rfp.jsp>

Minnesota Department of Human Services Notice of Grant Opportunities

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services (DHS) places notice of any available grant opportunities on the DHS Grant Requests for Proposals website: ***Open grants, RFPs and RFIs.***

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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> 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 Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$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.

Contact the Office of State Procurement at: (651) 296-2600

Minnesota Office of the Attorney General Request for Qualifications for Outside Counsel Services Relating to: Acting as Bond, Disclosure, and Tax Counsel for One or more State Entities with Bond Issuance Authority

Acting as bond, disclosure, and tax counsel for one or more state entities with bond issuance authority. The following agencies will be appointed bond, disclosure, and tax counsel as a result of this RFQ:

- *Minnesota Management and Budget*

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- *Minnesota Housing Finance Agency*
- *Minnesota State Colleges and Universities*
- *Minnesota Health and Education Facilities Authority*
- *Minnesota Agricultural and Economic Development Board*
- *Minnesota Office of Higher Education*
- *Iron Range Resources & Rehabilitation Board*
- *Minnesota Public Facilities Authority*
- *Minnesota Rural Finance Authority*

Not all agencies will be appointed the same counsel necessarily; RFQ respondents are encouraged to apply for any and all state entities they wish to represent.

SUBMITTALS DUE BY 4:00 P.M. (Central time) on April 13, 2026

Please email submittals to RFQ.response@ag.state.mn.us

I. INTRODUCTION

This Request for Qualification (RFQ) has been prepared and released by the State of Minnesota Office of the Attorney General for the purpose of appointing qualified counsel to provide bond, disclosure, and tax counsel services under a special appointment by the Minnesota Attorney General's Office (AGO) to the following agencies and boards with bond issuance authority (collectively the "Clients"):

- Minnesota Management and Budget
- Minnesota Housing Finance Agency
- Minnesota State Colleges and Universities
- Minnesota Health and Education Facilities Authority
- Minnesota Agricultural and Economic Development Board
- Minnesota Office of Higher Education
- Iron Range Resources & Rehabilitation Board
- Minnesota Public Facilities Authority
- Minnesota Rural Finance Authority

Bond, disclosure, and tax counsel will assist in completion of disclosures, document preparation, due diligence and compliance, issuing legal opinions and tax opinions, closing procedures, assistance post issuance, and potentially more tasks related to the Client's bond-related needs ("identified matters"). Each client listed will have varying degrees of needs – some issue bonds occasionally or rarely, and others do so many times per year. An appointment is not a guarantee of a particular amount of work; rather, it's an agreement to do any and/or all work as it comes up for the client.

The AGO seeks to review responses from law firms and qualified counsel for engagement. All services in this RFQ are anticipated to be provided on an hourly fee basis, with a per transaction cap.

Please note in your RFQ response which of the above Clients you would like to represent. You may express interest in representing some or all of them, but please be specific. Please consider tailoring the answer to the questions below based on the Clients you wish to represent.

Occasionally, the AGO seeks to engage attorneys with expertise in particular types of legal matters to assist in representing the State and its agencies. In order to ensure that the State is getting the highest quality legal service at the most reasonable rates, and that all law firms who wish to perform this work are able to compete for it, the AGO is issuing this RFQ as an open solicitation.

The review of qualifications and the possible engagement resulting from this RFQ may not be exclusive, and the AGO reserves the right to assign bond counsel, co-bond counsel, or special tax counsel work to more than one firm. In responding to this solicitation, it is understood by all proposers that the AGO reserves the right to select none, any, or

all proposers whom the AGO deems to be in the State's best interest. The AGO is not required to submit this work to a competitive bidding process. Any possible engagement letter following this RFQ will depend on the proposals received in response to this RFQ.

The anticipated engagement will be for at least five years; the needs of the State related to the identified matters are ongoing.

II. AGO CONTACT INFORMATION

This RFQ is being released by the AGO, which is also the sole point of contact during the review process. Any Special Attorney appointment[s] resulting from this RFQ will be administered by the AGO. The contract administrators are Assistant Attorney General Anne Kealing and Solicitor General Liz Kramer. If additional information is necessary to interpret the requirements of this RFQ, please direct questions to RFQ.response@ag.state.mn.us.

III. CONDITIONS OF SUBMITTING RESPONSES

Proposers responding to this RFQ understand that the following conditions apply to any proposal:

A. **RESPONSE PREPARATION.** The minimum qualifications stated in Section IV and the submission content stated in section V of this RFQ are mandatory. Failure by a respondent to respond to a specific requirement can be the basis for elimination from consideration during the comparative evaluation. Joint responses will not be accepted.

B. **RESPONSE SUBMISSION/ DEADLINE.** Response(s) should be provided in Adobe (pdf) format and submitted by email to the address on the cover of this RFQ by no later than 4:00PM (Central Time) on **April 13, 2026**. No responses submitted after this deadline will be accepted.

C. **INCURRING COSTS.** The AGO is not liable for any cost incurred by respondents in replying to this RFQ.

D. **ORAL INTERVIEWS AND FURTHER INFORMATION.** While not planned at this time, the AGO reserves a right to schedule and conduct an oral interview with any or all of the respondents to this RFQ. The AGO also reserves the right to request additional data or a presentation in support of any or all proposals at any time.

E. **PROPRIETARY INFORMATION.** Any restrictions on the use of data contained within a response must be clearly stated in the response itself. Information deemed proprietary submitted in response to this RFQ will be handled in accordance with applicable State data practices law.

F. **ACCEPTANCE OF TERMS.** The proposer has reviewed and understands the RFQ process and requirements as stated in this RFQ.

G. **NO ENDORSEMENT.** Selection as outside counsel does not constitute an endorsement by the State of Minnesota or the AGO. A chosen firm may not promote or advertise its designation without permission of the AGO.

H. **RESERVED RIGHTS.** The AGO reserves the right to reject any and all proposals received in response to this RFQ when determined to be in the State's best interest, and to waive minor noncompliance in a proposal. The AGO further reserves the right to make such investigations as deemed necessary as to the qualifications of any and all firms submitting proposals in response to this RFQ. If all proposals are rejected, the AGO reserves the right to re-solicit proposals. Nothing in this RFQ is intended to limit or constrain the discretion of the AGO in exercising any authority, duty, prerogative, or power established or recognized by the Constitution, statutes, executive orders, regulations, case law, or other applicable law.

I. **FEES.** Attorney fees and costs for the identified matter will be paid by the Clients directly. Provide a fee schedule and proposed compensation. Proposals should include information concerning the rates for all attorneys and staff positions, fees, and costs of the proposer. Please provide any additional compensation information you propose, including flat fee and/or capped arrangements. Please disclose the metrics for diligence of timely and accurate time entry for invoices. Please note invoices must be submitted for review and approval on at least a monthly basis. In some

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cases these may be progress invoices, when the transaction fees are charged at the end of the transaction. Additional requirements and terms of payment will be negotiated prior to appointment of any proposer.

J. COSTS. Allowable costs will be determined by a special attorney appointment. Firms are expected to take measures to control and reduce costs.

IV. RFQ PROCESS AND REQUIRED QUALIFICATIONS

A. MINIMUM QUALIFICATIONS. At a minimum, firms submitting a proposal in response to this RFQ should have substantial experience in representing clients as bond, disclosure, and/or tax counsel, as demonstrated by being listed in the latest edition or current online version of The Bond Buyer's Municipal Marketplace Directory (Red Book). Firms should have no current or anticipated conflict of interests with representation of the Client for which they are submitting an RFQ specifically or the State generally.

B. EVALUATION CRITERIA. Responses to this RFQ meeting the minimum qualifications will be evaluated based on the following criteria:

- General quality of response
- Qualifications of firm attorneys
- Experience of firm within specific area of issuance of bonds
- Experience of firm acting as bond, disclosure, and tax counsel for public entities
- Experience with Minnesota Constitution/statutes/bond law
- Federal tax law experience
- Fee proposal
- Cost proposal
- Minimum of ethical and business conflicts

The AGO reserves the right to consider other factors if it deems the information relevant to the evaluation and selection process.

C. LEGISLATIVE ADVISORY COMMISSION APPROVAL MAY BE NEEDED. Proposers should be aware that Minn. Stat § 8.065 requires notice to the Legislative Advisory Commission of certain outside counsel hires, and the Commission has a right to make a recommendation on the hire.

V. SUBMITTAL CONTENT.

Responses must address all the questions and requests in this section. Please also include a cover letter with an executive summary of the proposal. The response should be limited to a total of 25 pages with no less than 12-point font.

A. CONTACT NAME. Name, phone number and email address of individual or individuals responsible for this RFQ response who may be contacted in the event of questions or notification. The proposer also should identify the individual who would be designated as the contact person with the AGO for billings and special attorney appointment[s] administration.

B. LIST WHICH CLIENT(S) YOU WISH TO APPLY TO REPRESENT. You may name as few as one or as many as all Clients. Each Client's appointment will be considered separately, so make sure to describe differences, if any, in how you would represent them, rates, any anything else you wish to distinguish on a Client-by-Client basis.

C. GENERAL FIRM QUALIFICATIONS. Provide or identify the following information about the firm:

1. The year the firm was established.
2. The address of each office maintained by the firm.

3. The size and composition of staff, including the number of partners, associates, law clerks and legal assistants.
4. The firm's presence or work experience in Minnesota, if any.
5. The firm's public finance staffing structure and experience in representing clients in issuance of bonds, potentially including any Client-specific information. Describe any changes that have occurred in the past two calendar years or are anticipated in the next two calendar years.
6. Please provide (not subject to the 25-page limit) a typical example of a Tax Certificate applicable to bonds, notes or other obligations of types that have been issued within the last two years by each of the Clients identified in V.B. If needed, the example you provide may omit any identifying information.
7. The firm's organizational approach to facilitate coordination of the various specialists who will be performing various aspects of the work, including what would happen if the primary attorney assigned to a specific matter is not available to the Client contact when an issue needs to be resolved prior to the primary attorney's availability.
8. Describe the quality control and "due diligence" policies and procedures of your firm.
9. The firm's hiring, training, and advancing of traditionally underrepresented attorneys within their firm (e.g., women, persons of color, LGBTQIA2S+ persons, and persons with disabilities), especially in the area of the identified matter. State whether any attorneys identified in section V(D) are from a traditionally underrepresented group, and what their anticipated role will be in representing the State in the identified matter (second chair, lead attorney, billing attorney, originating attorney, etc.).
10. The firm's approach, human resources, and technical resources to handle document intensive matters, including handling electronically-stored information. Indicate whether the firm uses a vendor for any aspect of these approaches, and if so when, for what, and to what extent. Indicate any anticipated file costs related to electronically-stored information.
11. Any agency or department of the State of Minnesota represented by the firm during the last five years. For each matter, provide the name of the State agency or department, a description of the matter, the dates of the engagement and the name and contact information of the State employee responsible for overseeing the work of the firm on that matter.
12. The firm's professional liability insurance coverage. Specify the type of malpractice or errors and omissions insurance that the firm carries and the limits of coverage.

D. **QUALIFICATIONS AND EXPERIENCE OF PARTICULAR ATTORNEYS.** The proposal should identify the specific attorneys likely to be assigned to perform the requested legal services. For each of these attorneys, provide or identify the following:

1. A professional resume.
2. Their experience handling matters in the area of the identified matter and other indications of expertise (writing articles, giving presentations, etc).
3. The percentage of each attorney's practice devoted to serving as bond and disclosure counsel and percentage devoted to tax counsel in the area of public finance.
4. The office at which the attorney primarily works, if the firm has more than one office location.
5. A table that includes the type, size, and amount of tax-exempt issues for which each attorney has executed the bond counsel or tax counsel opinion from January 1, 2021, to December 31, 2025. Please group this table into the following categories; issues by state governments/state-created authorities and issues by other units of government.
6. For All Appointments: Highlight experiences, if any, of the attorneys in the following areas:

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- i. With any of the Clients listed above and describe the attorney's experience and expertise with that particular type and size of debt issuer.
 - ii. In special tax counsel matters, letter rulings, remedial action experiences or other tax-specific matters in public finance that the attorney was responsible for from January 1, 2021, to December 31, 2025.
 - iii. Developing post-issuance compliance procedures and related guidance/training materials, with respect to expenditure of bond proceeds, arbitrage restrictions, private activity rules, and any other significant tax issues.
 - iv. Developing disclosure policies and procedures and related guidance/training materials with respect to primary offering materials and continuing disclosure requirements, including any trainings offered on municipal issuer obligations under SEC Rule 15c2-12.
 - v. In alternative and innovative financing tools, including alternatives to advance refunding, tax credit subsidy bonds and public-private partnerships.
 - vi. Describe the experience of the attorney or work of your firm (please specify) in reviewing and interpreting the Minnesota Constitution, Minnesota Statutes, or related case law as it pertains to a bond-related matter.
 - vii. Summarize the experience of the attorney in providing essential legal services during the creation of unique financing programs. This discussion should address creation of bond and disclosure documents, tax certificates, responding to rating agency questions or comments on legal issues, and working with the investment bankers and other parties in the transaction. Please provide and discuss an example of how the attorney added significant value during the development of unique financing program.
7. Agency-Specific Questions: please answer the following questions if you are applying to work for the applicable Client:
- i. Minnesota Housing Finance Agency: If seeking to be considered to provide bond, disclosure and tax counsel services for the Minnesota Housing Finance Agency, describe experience of each attorney with qualified mortgage bonds, including, but not limited to, the application of the federal tax code 10-year rule (as to required application of certain mortgage prepayments and repayments to redeem bonds), allocation of mortgage loans between simultaneously issued taxable and tax-exempt bonds, and the integration of swap payments and debt service payments for bond yield compliance.
 - ii. Minnesota Office of Higher Education: If seeking to be considered to provide bond, disclosure and tax counsel services for the Minnesota Office of Higher Education, describe experience of each attorney with qualified student loan bonds, including, but not limited to, private activity bond cap, recycling in the context of student loans, the application of the federal tax code 95% test, tax tracking between variable and fixed rate student loans when removed or transferred between trusts, allocation of student loans between simultaneously issued taxable and tax-exempt bonds, and qualified student loan bond refunding compliance with or without transferred proceeds.

E. NON-ATTORNEY STAFF. Identify any key non-attorney employees or people associated with the firm that the firm likely would use in conducting litigation in the identified matter. For each such person, describe their experience in such cases and other indications of their expertise in this area.

F. ACTUAL OR POTENTIAL CONFLICTS OF INTEREST. State whether any attorneys within the firm represent any clients or interests adverse to any entity of the State, including lawsuits, administrative proceedings, other legal actions, or lobbying activities. Without violating your duty of confidentiality, the proposal should describe the nature of any such representation. The proposal also must indicate whether any other activities of the firm potentially pose a conflict of interest, or the appearance of a conflict of interest, in representation of the State in the identified matters. The firm should immediately advise the AGO in writing of any real or possible conflicts that arise after the

submission of the proposal.

REFERENCES

1. Provide (including name, address, phone number, and e-mail address) the following references:
 - a) Two investment bankers who have underwritten within the past year bond issue(s) for which the attorney provided approving opinions for bonds, notes or other obligations of types that have been issued within the last two years by each of the Clients identified in V.B.
 - b) Two state issuers that issue a variety of bonds, notes and other obligations of types that have been issued within the last two years by each of the Clients identified in V.B. for which the attorney provided the approving bond and/or tax opinions within the past year.
 - c) Two references for Section 103 tax counsel matters handled within the last two years.

Capitol Area Architectural and Planning Board (CAAPB) Notice of Request for Proposal (RFP) for a Public Project on the Urban History of Commemoration in the Capitol Area

Project Name: Public Project on the Urban History of Commemoration in the Capitol Area

The Capitol Area Architectural and Planning Board (CAAPB) is requesting proposals to develop and implement a public history project aimed at gaining knowledge of and promoting public education around the urban history of commemorative works on display on the Minnesota State Capitol Mall. Some statuary was installed on, or adjacent to, the Capitol building during the early 20th century. A formal monument display on the Capitol Mall, however, was a distinctly postwar phenomenon, which was connected to federally sponsored development initiatives, including interstate highway construction and urban development projects (“Urban Renewal”). Urban Renewal de-densified the Capitol’s front yard, making space for all but three commemorative works currently on view.

The project takes the contingent creation of a formal commemorative works display on the lawn and the establishment of a formal “Capitol Area” with expansion of the Capitol grounds in the 1950s and 60s as an anchoring moment for expressions of the State’s cultural memory.

The project, however, will not focus narrowly on the immediate postwar period. Instead, the project will place this history in a longer narrative of the Area’s development that reaches from geological time to the present.

The project includes:

1. Narrative report written for a general audience: The narrative report should provide a discussion of: (1) environmental and social history of the current Capitol Area from geological time to early European settlement; (2) proto-urban renewal plans of the late 19th and early 20th century and their connection to St. Paul’s industrialization; (3) changes to the Area’s landscape and social fabric in the 1950s and 60s; and (4) the evolution of the Mall’s memorial landscape that periodizes the introduction of new monuments.
2. Tour program: A series of scripted tours highlighting a selection of commemorative works and historically important sites featured in the narrative report. Tour design should accommodate guided, self-guided, in-person, and virtual modalities and may have a mapping component.

Programming should aim to coordinate with tours of the Capitol building offered by the Minnesota Historical Society. One tour should be geared towards 6th grade students and align with Minnesota’s K-12 academic standards in social studies.

State Contracts

3. Analytical report and dataset: A study of existing commemorative works that establishes a common set of facts on every commemorative work installed in the Capitol Area, e.g., date of design, date of installation, materials, size of work, location, artist biography and influences, etc.
4. Public outreach: A series of public events (e.g., workshops, talks, or outreach opportunities) geared towards continuing dialogue over past and future practices of commemoration in the Capitol Area.

The contract term is anticipated to last from April 2026 to June 30, 2027.

Please view the full RFP here: <https://mn.gov/caapb/commemorative/cw-rfp/>

INQUIRIES REGARDING THE RFP: All requirements and information, as well as proposal delivery instructions are contained in the RFP. Please direct inquiries to:

Jessie Hughes, Office Administrative Specialist
Capitol Area Architectural and Planning Board (CAAPB)
jessie.hughes@state.mn.us

Deadline for inquiries is March 30, 2026, at 4:30 pm, Central Time (CT).

Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State advertises contract opportunities for goods and services on its Vendor and Supplier Opportunities website (<https://www.minnstate.edu/vendors/index.html>). New notices may be added daily and will remain posted for the duration specified in each individual notice. For questions or to report any issues viewing the information on the website, please email Minnesota State at Sourcing@MinnState.edu.

Minnesota State Colleges and Universities (Minnesota State) St. Cloud Technical and Community College (SCTCC) Request for Proposals: SCTCC Wedum Center for Student Success Furniture Package

St. Cloud Technical & Community College requests responses from Furniture Suppliers to provide the furniture package for the Wedum Center for Student Success on the campus of SCTCC. Furniture included but not limited to: office setups, tables and chairs, soft seating, booth seating.

Responses must be received no later than 4:00 p.m. Central Standard Time on Friday, April 3, 2026. **Late responses will not be considered.**

To view RFP go to: <https://sctcc.edu/request-proposal>

Minnesota Competency Attainment Board (MNCAB) Request for Information: Forensic Navigator Case Management System

The Minnesota Competency Attainment Board (MNCAB) invites qualified vendors to submit information for the development of a Forensic Navigator Case Management System to streamline and enhance the agency's ability to perform all facets of case management workflow in accordance with our legislative charter.

The request for Information does not obligate MNCAB to award a contract or complete the project, and it reserves the right to cancel the solicitation if it is in the agency's best interest.

Interested submissions must be received by MNCAB no later than 11:59 p.m. CST, May 1, 2026. Electronic proposal submissions may be sent to Darrell Hill, RFI Administrator at darrell.hill@mncab.us with the subject line: "Request for Information - Forensic Navigator Case Management System". Please contact the RFI Administrator if an alternate submission method is necessary.

A complete copy of the Request for Information may be found on the Minnesota Competency Attainment Board website at www.mn.gov/cab.

Department of Military Affairs Notice for Sale of State Property – Madison Minnesota National Guard Armory

PUBLIC NOTICE: Pursuant to Minnesota Statute 193.36, the Adjutant General of Minnesota is offering the Armory located at 504 Third Street, Madison, Lac qui Parle County, Minnesota for sale to the public "as is" through sealed bids to be opened at 2:00 pm on **May 29, 2026**, at Camp Ripley, Minnesota. The appraised value for the property is \$430,000.00. The property is zoned as B-2 Downtown Business District.

Interested parties may schedule an inspection of the property by contacting Major Patrick Foley at 320-616-3172.

Sealed responses for purchase of the Armory will be received by the Department of Military Affairs, Facilities Management Office, Camp Ripley, Building 2-1, 15000 Highway 115, Little Falls, MN 56345-4173.

DELIVERY OF RESPONSES

A. Responses must use the Sealed Bid Submission Form found at <https://mn.gov/mdma/rps/>. Each response and all papers bound and attached to it, together with solicitation security consisting of a money order in an amount not less than \$100.00 (refundable in the event that the bid is not accepted) shall be placed in an envelope and securely sealed therein. The envelope should be marked to indicate the following:

1. The name and address of the Responder
2. Marked "Madison Armory Purchase"
3. The solicitation opening date and time

B. The envelope shall be addressed to the Department of Military Affairs, Facilities Management Office, Camp Ripley, Building 2-1, 15000 Highway 115, Little Falls, MN 56345-4173, herein after referred to as the Contracting Agency, and responses must be received by the Contracting Agency and time stamped before the time set for the opening of the responses. In accordance with Minn. Stat. § 13.591, subd. 3. LATE RESPONSES WILL NOT BE CONSIDERED.

C. Responses arriving by mail or otherwise after the time designated for the opening of the responses will not be considered and will be returned unopened. Responses faxed to the Contracting Agency, oral responses, E-mail responses, and telephone responses will not be accepted.

D. No oral, e-mail, or facsimile modifications will be accepted.

RESPONSE OPENING

Responses will be publicly opened and read aloud. Responders and other interested persons may be present.

This solicitation does not obligate the State to sell or complete the sale of the property, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

State Contracts

Minnesota Teachers Retirement Association Request for Proposals for Actuarial Services

PROJECT NAME: Actuarial Services

DETAILS: The Minnesota Teachers Retirement Association is requesting proposals for the purpose of providing required and discretionary actuarial services under Minnesota statutes as well as acting as the actuarial advisor the TRA Board of Trustees (“the Board”), the TRA Executive Director and staff. The reports and studies will assist the Board and the Minnesota Legislature in evaluating the performance and funding status of the TRA Fund.

Work is anticipated to start after July 1st 2026

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

Alex Rank
Accounting Officer
arank@minnesotatra.org

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received email not later than April 20th Central Time, 2PM CST. **Late proposals will not be considered.** [Fax/mailed] proposals will **not** be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

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 email the Consultant Services Helpline at *ptconsultantserviceshelpline.dot@state.mn.us*.

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: <https://mn.gov/admin/osp> as well as the Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>.

JE Dunn Construction

Request For Qualifications: Minnesota State Patrol Headquarters BP1 Building Demolition

DUE DATE AND TIME: March 23rd, 2026, at 3:00 P.M. CENTRAL TIME, USA

Responses to this Request for Qualifications (RFQ) must be returned to JE Dunn Construction at the following location, or by email. Paper (hard copy) or e-mailed electronic copies will be accepted.

JE Dunn Construction
Attn: Steven Dueck
800 Washington Ave N, Suite 600
Minneapolis, MN 55401
Steven.dueck@jedunn.com

Project Description

JE Dunn Construction has been selected as the Construction Manager for New Minnesota St. Patrol Headquarters, located in Roseville, MN.

Work will consist of demolishing the approximately 200,000 SF existing building and constructing a new 110,000 SF St. Patrol Headquarters building. The new building will include approximately 65,000 SF for office and training space and 45,000 SF for an enclosed garage for vehicles and equipment storage.

The intent of this RFQ process is to select subcontractors for the opportunity to be a bidding subcontractor for the demolition and abatement of the existing buildings. The scope of this RFQ includes:

Project Construction Budget

1. Approximate construction budget: \$77,000,000

Schedule

1. Projected Construction Schedule:
 - a. Abatement and Existing Building Demolition: June 2026 to Fall 2026.
 - b. New Construction: Fall 2026 to March 2028.

The full RFQ can be accessed and downloaded here: *State Patrol Headquarters BP1 - Building Demolition*

Non-State Public Bids, Contracts & Grants ==

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2026 Apron Lighting LED Upgrade Phase 2

Airport Location: Minneapolis – St. Paul International Airport
Project Name: 2026 Apron Lighting LED Upgrade Phase 2
MAC Contract No.: 106-1-394
Bids Close At: 2:00 PM on April 14, 2026
Bid Opening Conference Call: 3:00 PM on April 14, 2026
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 13%.

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 Construction Documents: Plans and specifications are at QuestCDN Online as indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #10104487 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC's web address of <https://metroairports.bonfirehub.com>.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2026 Folded Plate Surface Reconstruction

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2026 Folded Plate Surface Reconstruction
MAC Contract No.: 106-2-1128
Bids Close At: 2:00 PM on April 14, 2026
Bid Opening Conference Call: 3:00 PM on April 14, 2026
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new

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business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 14%.

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 the Appendix D.

Availability of Construction Documents: Plans and specifications are available at QuestCDN Online as indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #10017203 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC’s web address of <https://metroairports.bonfirehub.com>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2026 LVN 225th Street Reconfiguration and Paving

Airport Location:	Airlake Airport (LVN)
Project Name:	2026 LVN 225th Street Reconfiguration and Paving
MAC Contract No.:	113-3-019
Bids Close At:	2:00 PM on April 14, 2026
Bid Opening Conference Call:	3:00 PM on April 14, 2026
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN’s website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 17%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Short Elliott Hendrickson Inc.; at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and

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specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ 10097343 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC’s web address of <https://metroairports.bonfirehub.com>.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2026 MIC Eastside Service Road and East Taxilanes Pavement Reconstruction

Airport Location:	Crystal Airport (MIC)
Project Name:	2026 MIC Eastside Service Road and East Taxilanes Pavement Reconstruction
MAC Contract Nos.:	109-1-056 & 109-1-058
Bids Close At:	2:00 PM on April 16, 2026
Bid Opening Conference Call:	3:00 PM on April 16, 2026
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN’s website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 17%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Short Elliott Hendrickson Inc.; at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ 10097340 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC’s web address of <https://metroairports.bonfirehub.com>.

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Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2026 Reliever Beacon Replacements

Airport Location: Lake Elmo and Air Lake Airports
Project Name: 2026 Reliever Beacon Replacements
MAC Contract No.: 114-1-014
Bids Close At: 2:00 PM on April 16, 2026
Bid Opening Conference Call: 3:00 PM on April 16, 2026
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 14%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Short Elliott Hendrickson Inc., at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ 10095193 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC's web address of <https://metroairports.bonfirehub.com>.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2026 STP Pavement Reconstruction – Taxilanes/Tower Road

Airport Location: Saint Paul Downtown Airport
Project Name: 2026 STP Pavement Reconstruction – Taxilanes/Tower Road
MAC Contract No.: 107-1-094
Bids Close At: 2:00 PM on April 15, 2026
Bid Opening Conference Call: 3:00 PM on April 15, 2026
Teleconference Dial In #: 1-612-405-6798
Conference ID #: 897 927 742#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our portal, <https://metroairports.bonfirehub.com> to receive email notifications of new

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business opportunities.

Small Businesses (SB): The goal of the MAC for the utilization of Small Businesses on this project is 17%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Short Elliott Hendrickson Inc.; at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the **QuestCDN website**. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ 10095196 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2026, at MAC’s web address of <https://metroairports.bonfirehub.com>.

