

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 1147

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4-8-85
DATE FOR REVIEW 4-17-85
DATE DUE 4-22-85

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 4-17-85 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 4-18-85 Revisor approved 4/8/85 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 3.26.85 Date

✓ Notice of Intent to Solicit Outside Opinion SR. 8.13.84 + comments

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency contains small biz statement.

✓ Affidavit of Mailing Notice or rulemaking
2.11.85 At least 30 days prior to ~~hearing,~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
2.11.85 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

✓ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness includes DOF approval of fees. contains small biz statement.

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

N/A Notice of Submission to the Attorney General

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

ST. PAUL 55155

ADDRESS REPLY TO:
ATTORNEY GENERAL'S OFFICE
POLLUTION CONTROL DIVISION
1935 WEST COUNTY ROAD B-2
ROSEVILLE, MN 55113
TELEPHONE: (612) 296-7342

April 5, 1985

RECEIVED
APR 08 1985
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Mr. Mike Miles
Assistant Attorney General
Office of the Attorney General
Administration Building
St. Paul, MN 55155

Re: Proposed Adoption of Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules

Dear Mr. Miles:

On March 26, 1985, the Minnesota Pollution Control Agency adopted Minnesota Rules 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules. Enclosed for your review are the following:

1. Rules as adopted (original and three copies).
2. Order Adopting Rules (two copies).
3. Certificate of Agency's Resolution Adopting Rules.
4. Notice of intent to solicit outside opinion (9 S.R. 339, August 13, 1984).
5. Copies of written comments received pursuant to notice of intent to solicit outside opinion.
6. Order for Notice of Intent to Adopt Rules Without a Public Hearing.
7. Certificate of Agency's Authorizing Resolution.
8. Notice of Intent to Adopt Rules Without A Public Hearing and rules as proposed (9 S.R. 1812, February 11, 1985).
9. Affidavit Regarding Comments Received Pursuant to Notice of Intent to Adopt Rule Without a Public Hearing.

10. Notice of Intent to Adopt Rules Without a Public Hearing, as mailed.

11. Affidavit of Mailing, mailing list, and Certificate concerning mailing list.

12. Rules as Proposed.

13. Findings of Fact and Conclusions.

14. Statement of Need and Reasonableness.

15. Statement of Compliance with Rulemaking Procedures.

16. Affidavit Regarding Requests for Notification as to Submission of Rules to the Attorney General.

Very truly yours,

Jocelyn F. Olson

JOCELYN F. OLSON
Special Assistant
Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : THOMAS J. KALITOWSKI
Executive Director, MN Pollution Control Agency

DATE: 4-18-85

FROM : MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Minnesota Rules Parts 7042.0010-7042.0060, Low-Level Radioactive Waste Generator Fee Rules.

The above-referenced rule has been approved as to its legality by the Attorney General on April 17, 1985.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJC:sz

Enclosures

cc: Executive Director
Legislative Commission to Review
Administrative Rules

Chief Administrative Law Judge
Office of Administrative Hearings

AG copy

Pollution Control Agency

Solid and Hazardous Waste Division

Adopted Rules Relating to Low Level Radioactive Waste Generator Fees

Rules as Adopted

7042.0010 SCOPE OF RULES.

Parts 7042.0020 to 7042.0060 levy fees on the generators of low-level radioactive waste as required by Minnesota Statutes, section 116C.834.

7042.0020 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 7042.0010 to 7042.0060 have the meanings given them in this part.

Subp. 2. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 3. **Compact.** "Compact" means the Midwest Interstate Low-Level Radioactive Waste Compact as provided by Minnesota Statutes, section 116C.831.

Subp. 4. **Director.** "Director" means the executive director of the agency.

Subp. 5. **Disposal.** "Disposal" means the isolation of low-level radioactive waste from the biosphere in a permanent facility designed for that purpose.

Subp. 6. **Facility.** "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on or appurtenant to the land or site which is used or is being developed for the treatment, storage, or disposal of low-level radioactive waste.

Subp. 7. **Generator.** "Generator" means any person who produces or possesses low-level radioactive waste in the course of, or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity, and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission

or is a state party to the compact, to produce or possess such waste. "Generator" does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes.

Subp. 8. **Low-level radioactive waste or waste.** "Low-level radioactive waste" or "waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in United States Code, title 42, section 2014(e)(2).

Subp. 9. **Person.** "Person" means any individual, corporation, business enterprise or other legal entity either public or private and any legal successor, representative, agent or agency of the individual, corporation, business enterprise, or legal entity.

Subp. 10. **Storage.** "Storage" means the temporary holding of low-level radioactive waste for treatment or prior to treatment or disposal.

Subp. 11. **Treatment.** "Treatment" means any method, technique, or process, including storage for radioactive decay, designed to change the physical, chemical, or biological characteristics or composition of any low-level radioactive waste in order to render the low-level radioactive waste safer for transport or management, amenable to recovery, convertible to another usable material, or reduced in volume.

7042.0030 LOW-LEVEL RADIOACTIVE WASTE GENERATOR FEES.

Subpart 1. **Basis of fees.** The fees paid are based upon volume of waste shipped for disposal during the previous calendar year. Data on the volume of waste shipped shall be provided to the director with payment as described in part 7042.0040.

Subp. 2. **Amount of fees.** A generator of low-level radioactive waste is subject to the following fees:

A. A generator who ships 1,000 cubic feet or more of low-level radioactive waste per year to a facility for disposal is subject to a fee of 85 cents per cubic foot of low-level radioactive waste shipped per year.

B. A generator who ships at least 100 cubic feet but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal is subject to a fee of $100 per year.

7042.0040 PAYMENT OF FEES.

A generator must submit to the director the fees and appropriate documentation of the volume of waste shipped no later than June 10 of each year. Fees for wastes shipped in calendar year 1984 are payable by June 10, 1985. Checks shall be made payable to the state treasurer.

7042.0050 EXEMPTIONS.

Low-level radioactive waste generated as a result of a spill or accident and sealed sources which are returned to a vendor or manufacturer are not subject to the fees in parts 7042.0030 and 7042.0040.

7042.0060 PENALTY PROVISIONS.

If the generator fails to pay the generator fee by the due date, a penalty will be assessed. The penalty is five percent of the fee due for each month or fraction of month that the fee payment is late.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 18 1985
Joan Anderson Growe
Secretary of State

APPROVED AS TO FORM AND LEGALITY
April 17 1985
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY M J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

9:40 AM

Rules as Proposed (all new material)

7042.0010 SCOPE OF RULES.

Parts 7042.0020 to 7042.0060 levy fees on the generators of low-level radioactive waste as required by Minnesota Statutes, section 116C.834.

7042.0020 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 7042.0010 to 7042.0060 have the meanings given them in this part.

Subp. 2. **Agency.** "Agency" means the Minnesota Pollution Control Agency.

Subp. 3. **Compact.** "Compact" means the Midwest Interstate Low-Level Radioactive Waste Compact as provided by Minnesota Statutes, section 116C.831.

Subp. 4. **Director.** "Director" means the executive director of the agency.

Subp. 5. **Disposal.** "Disposal" means the isolation of low-level radioactive waste from the biosphere in a permanent facility designed for that purpose.

Subp. 6. **Facility.** "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on or appurtenant to the land or site which is used or is being developed for the treatment, storage, or disposal of low-level radioactive waste.

Subp. 7. **Generator.** "Generator" means any person who produces or possesses low-level radioactive waste in the course of, or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity, and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission or is a state party to the compact, to produce or possess such waste. "Generator" does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes.

Subp. 8. **Low-level radioactive waste or waste.** "Low-level radioactive waste" or "waste" means radioactive waste not

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in United States Code, title 42, section 2014(e)(2).

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7042.0040 PAYMENT OF FEES.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

A generator must submit to the director the fees and appropriate documentation of the volume of waste shipped no later than June 10 of each year. Fees for wastes shipped in calendar year 1984 are payable by June 10, 1985. Checks shall be made payable to the state treasurer.

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If the generator fails to pay the generator fee by the due date, a penalty will be assessed. The penalty is five percent of the fee due for each month or fraction of month that the fee payment is late.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD673

Agency: Pollution Control Agency

Division: Solid and Hazardous Waste Division

Agency Contact: Carol Rogers

Minnesota Rules: Parts 7042.0010 to 7042.0060

Title: Proposed Rules Relating to Low Level Radioactive Waste Generator Fees

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Lorna M. Breiter
Assistant Deputy Revisor
Phone: 296-2778
Date: January 23, 1985

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

ORDER ADOPTING RULES

Notice of the Minnesota Pollution Control Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on February 11, 1985, (9 S.R. 1812) and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minn. Stat. §14.14 (1984) on February 11, 1985. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, reviewing and considering the comments, and after determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED, that the attached Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules, are adopted pursuant to the authority vested in the Minnesota Pollution Control Agency by Minn. Stat. §116C.834.

Dated this 26th day of March, 1985.

Duane A Dahlberg

DUANE DAHLBERG
Chairperson

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director

Any written material received by the Minnesota Department of Labor and Industry, Division of Code Enforcement, shall become part of the record in the event that the rules are promulgated.

Oral statements will be received during regular business hours over the telephone at (612) 296-2342 and in person at the above address.

Information and opinions will be accepted until August 19, 1984.

August 6, 1984

Steve Keefe, Commissioner of the
Department of Labor and Industry

Pollution Control Agency
Solid and Hazardous Waste Division

Outside Opinion Sought Regarding Rules for Establishing Fee Systems for Generators of Low-Level Radioactive Waste

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) is seeking information and opinions from sources outside the Agency in preparing rules pursuant to Minnesota Laws 1983, Chapter 353, Article X, Section 4 (Minnesota Statutes, Section 116C.834) which requires establishment of a fee system for generators of low-level radioactive waste, to provide funds for carrying out Minnesota's responsibilities in the Midwest Interstate Low-Level Radioactive Waste Compact.

The law requires the Agency to recover:

1. the State contribution to join the compact;

2. the expenses of the commission member and costs incurred to support the work of the interstate commission;

3. regulatory costs including but not limited to costs of adopting and enforcing regulations if the State enters into a limited agreement with the U.S. Nuclear Regulatory Commission to assume State regulation of transportation and packaging, or disposal of low-level radioactive wastes; and

4. any liability the State may incur as a party state to the compact.

The Minnesota Pollution Control Agency requests information and comments concerning the subject of these rules.

Written technical statements and comments concerning these matters will be accepted for consideration until August 31, 1984, and should be addressed to the following:

Melba M. Hensel
Division of Solid and Hazardous Waste
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113
Telephone: 612/296-7774

Oral statements of technical information and comments will be accepted during regular business hours over the telephone at 612/296-7774 or in person at the above address.

Any written material received by the Minnesota Pollution Control Agency shall become part of the background record regarding these rules.

State Planning Agency
Human Services Division
Developmental Disabilities Program

Announcement of Meeting of Institutional Care and Economic Impact Planning Board

The next meeting of the Institutional Care and Economic Planning Board will be held on August 17, 1984, in the Capitol Square Building, first floor, Conference Rooms A and B from 10:00 a.m.-12:00 noon. This Board was established by Minnesota Laws 1984 Chapter 654 § 19.

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

It is hereby ordered this 8th day of February, 1985, that Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Pollution Control Agency for that purpose and be published in the State Register.

THOMAS J. KALITOWSKI
Executive Director

CERTIFICATE OF AGENCY'S AUTHORIZING RESOLUTION

I, Duane Dahlberg, do hereby certify that I am a member and the Chairperson of the Minnesota Pollution Control Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency duly and properly called and held on the 22nd day of January, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified.

> BE IT RESOLVED, that Thomas J. Kalitowski, the Executive Director of the Pollution Control Agency (MPCA) is hereby granted the authority and directed to sign an order of the MPCA directing the notice given of the MPCA's intent to adopt without a public hearing the attached rules relating to low-level radioactive waste generator fee rules, to sign the Notice thereof, and to perform any acts incidental thereto.
>
> Prior to publishing the proposed rules in the State Register, the Executive Director is authorized to make any form changes in the rules that the Revisor of Statutes requires the MPCA to make in order to obtain the Revisor's certification as required by Minnesota Statute, Section 14.07, subdivision 2 (1984).

IN WITNESS WHEREOF, I have hereunto subscribed my name this 22nd day of January, 1985.

DUANE DAHLBERG
Chairperson

Attest by one other Agency member

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) intends to adopt without a public hearing, in accordance with the provisions of Minn. Stat. §16A.128 (1984), Minn. Rules Parts 7042.0010 through 7042.0060, Low-Level Radioactive Waste Generator Fee Rules. In accordance with Minn. Stat. §16A.128 (1984), the Agency will follow the procedure for non-controversial rules set out in Minn. Stat. §§14.22 to 14.28 (1984), with the exception that no public hearing will be held in the event that twenty-five or more requests for hearing are received.

The proposed rule amendments are authorized by Minn. Stat. §116C.834 (1984). A copy of the proposed rules is enclosed. One free copy of the rules is available on request from the Agency. Please contact the person whose name and address appears below.

The Agency has prepared a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon by the Agency to support the proposed rules. Copies of the Statement of Need and Reasonableness and of the proposed rules are available and may be obtained by contacting:

Melba Hensel
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113
Telephone: (612) 296-7776

Interested persons have until 4:30 p.m. on March 13, 1985, to submit comments on the proposed rules. Comments should be submitted to Melba Hensel at the address stated above. The proposed rules may be modified if the data and views received by the Agency before the end of the comment period warrant modification and the modification does not result in a substantial change in the proposed rules.

Upon adoption of the rules by the Agency Board, the rules as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rule as adopted will be sent to the Attorney General for review as to

form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Melba Hensel at the address previously stated.

You are hereby advised, pursuant to Minn. Stat. §14.115 (1984), "Small business considerations in rulemaking," that the proposed rules may have an impact on some small businesses in Minnesota. There may be some small businesses who ship 100 cubic feet or more but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal. These small businesses would be subject to a fee of $100 per year.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. §10A.01, subd. 11 (1984) as any individual:

> (a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or
>
> (b) Who spends more than $250 not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Dated: February 6, 1985

THOMAS J. KALITOWSKI
Executive Director

Rules as Proposed (all new material)

7042.0010 SCOPE OF RULES.

Parts 7042.0020 to 7042.0060 levy fees on the generators of low-level radioactive waste as required by Minnesota Statutes, section 116C.834.

7042.0020 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 7042.0010 to 7042.0060 have the meanings given them in this part.

Subp. 2. Agency. "Agency" means the Minnesota Pollution Control Agency.

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Subp. 4. Director. "Director" means the executive director of the agency.

Subp. 5. Disposal. "Disposal" means the isolation of low-level radioactive waste from the biosphere in a permanent facility designed for that purpose.

Subp. 6. Facility. "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on or appurtenant to the land or site which is used or is being developed for the treatment, storage, or disposal of low-level radioactive waste.

Subp. 7. Generator. "Generator" means any person who produces or possesses low-level radioactive waste in the course of, or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity, and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission or is a state party to the compact, to produce or possess such waste. "Generator" does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes.

Subp. 8. Low-level radioactive waste or waste. "Low-level radioactive waste" or "waste" means radioactive waste

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in United States Code, title 42, section 2014(e)(2).

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7042.0030 LOW-LEVEL RADIOACTIVE WASTE GENERATOR FEES.

Subpart 1. **Basis of fees.** The fees paid are based upon volume of waste shipped for disposal during the previous calendar year. Data on the volume of waste shipped shall be provided to the director with payment as described in part 7042.0040.

Subp. 2. **Amount of fees.** A generator of low-level radioactive waste is subject to the following fees:

A. A generator who ships 1,000 cubic feet or more of low-level radioactive waste per year to a facility for disposal is subject to a fee of 85 cents per cubic foot of low-level radioactive waste shipped per year.

B. A generator who ships at least 100 cubic feet but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal is subject to a fee of $100 per year.

7042.0040 PAYMENT OF FEES.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

A generator must submit to the director the fees and appropriate documentation of the volume of waste shipped no later than June 10 of each year. Fees for wastes shipped in calendar year 1984 are payable by June 10, 1985. Checks shall be made payable to the state treasurer.

7042.0050 EXEMPTIONS.

Low-level radioactive waste generated as a result of a spill or accident and sealed sources which are returned to a vendor or manufacturer are not subject to the fees in parts 7042.0030 and 7042.0040.

7042.0060 PENALTY PROVISIONS.

If the generator fails to pay the generator fee by the due date, a penalty will be assessed. The penalty is five percent of the fee due for each month or fraction of month that the fee payment is late.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Penny Nicklas, being duly sworn, deposes and says:

That on the 11 day of February, 1985, at the City of Roseville, County of Ramsey, State of Minnesota, s/he served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail for first class mailing at said City of Roseville, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Pollution Control Agency for the purpose of receiving notice of the proposed adoption of rules by the Pollution Control Agency.

Penny Nicklas

Subscribed and sworn to before me this
11th day of February, 1985.

Margaret Frank
Notary Public

MARGARET FRANK
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept 26, 1985

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

CERTIFICATE

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minn. Stat. §14.14 (1984), that their names be placed on file with the Minnesota Pollution Control Agency (Agency) for the purpose of receiving notice of the proposed adoption of rules by the Agency is accurate and complete as of 11:00 a.m., this 11 day of February, 1985.

Elaine A. Zoch

Low Level Rad. Waste - Notice + Proposed Rules Mailing List

Mailing Sent: ok KAR 4/30/85

Abbott Northwestern Hospital
2727 Chicago Avenue
Radiology and Pathology Department
Minneapolis, MN 55407
Attn: Radiation Protection Officer

Academy of the Holy Angels
6600 Nicollet Avenue South
Richfield, MN 55423
Attn: Michael J. Karlson

Advanced Flex, Inc.
15115 Minnetonka Industrial Road
Minnetonka, MN 55343
Attn: Ken R. Conner

American Crystal Sugar Company
Research Center
Moorhead, MN 56560
Attn: Radiation Protection Officer

American Red Cross
100 South Robert Street
St. Paul, MN 55107
Attn: Radiation Protection Officer

Anoka High School
3939 - 7th Avenue North
Anoka, MN 55303
Attn: Zona Rohs

Arrow Tank and Engineering Company
650 Emerson
Cambridge, MN 55008
Attn: Radiation Protection Officer

Arrowhead Community College
Mesabi Campus
Virginia, MN 55792

Ashland Petroleum Company
100 West Third Avenue
St. Paul Park, MN 55071
Attn: Radiation Protection Officer

Augsburg College
Minneapolis, MN 55454
Attn: Radiation Protection Officer

Beckman Instruments, Inc.
5780 Lincoln Drive
Edina, MN 55436
Attn: David Peterson

Bemidji State University
Science and Math Department
Bemidji, MN 56601
Attn: Radiation Protection Officer

Bethel College
3900 Bethel Drive
Biology Department
St. Paul, MN 55112
Attn: Radiation Protection Officer

Bethesda Lutheran Hospital
559 Capitol Boulevard
Radiology Department
St. Paul, MN 55103
Attn: Radiation Protection Officer

Bio-Metric Systems, Inc.
9932 West 74th Street
Eden Prairie, MN 55344
Attn: Radiation Protection Officer

Blaine Senior High School
12555 University Avenue North
Blaine, MN 55434
Attn: Arlan Ross

Blandin Paper Company
115 Southwest First Street
Grand Rapids, MN 55744
Attn: Radiation Protection Officer

Blue Earth High School
6th and Galbrath
Blue Earth, MN 55013
Attn: Mr. Corlpin

Boise Cascade Corporation
International Falls, MN 56649
Attn: Radiation Protection Officer

Boone Valley Coop
Soybeans Division
Dawson, MN 56232
Attn: Radiation Protection Officer

Braun Engineering Testing, Inc.
6800 South County Road 18
Minneapolis, MN 55435
Attn: Radiation Protection Officer

Brockway Inc., Plant #8
13500 South Robert Trail
Rosemount, MN 55068
Attn: John L. Waugman

BRW, Inc.
2829 University Avenue Southeast
Minneapolis, MN 55414

Bureau of Engraving, Inc.
3311 Broadway Avenue, Northeast
Minneapolis, MN 55413
Attn: John Buckbee III

Burlington Northern, Inc.
176 East 5th Street, Room 1280
St. Paul, MN 55101
Attn: Radiation Protection Officer

Campbell Soup Company
11 South Ninth Street
Worthington, MN 56187
Attn: Radiation Protection Officer

Capitol Medical Laboratory
590 Park Street, Suite 1
St. Paul, MN 55103
Attn: Susan Reichling

Cargill, Inc.
Research Division
Wayzata, MN 55391
Attn: Radiation Protection Officer

Cargill, Inc.
Soybean Division
Burnsville, MN 55337
Attn: Radiation Protection Officer

Carleton College
Northfield, MN 55057
Attn: Radiation Protection Officer

Century Circuits and Electronics
155 Eaton Street
St. Paul, MN 55107
Attn: David D. Coyer

Certainteed Corporation
Post Office Box 177
Shakopee, MN 55379
Attn: Radiation Protection Officer

Champion International Corporation
Post Office Box 43260
St. Paul, MN 55164
Attn: Radiation Protection Officer

Cherne Contracting Corporation
7777 Washington Avenue South
Edina, MN 55435
Attn: Radiation Protection Officer

Children's Hospital
345 North Smith Avenue
St. Paul, MN 55102
Attn: Radiation Protection Officer

Circuit Science, Inc.
15831 Highway 55
Plymouth, MN 55447
Attn: Thomas Clemens

Comfrey Public School
District 81
Comfrey, MN 56019
Attn: Mr. Dutcher

Community Memorial Hospital
Skyline Boulevard
Cloquet, MN 55720
Attn: Shirley Randa

Community Memorial Hospital
855 Mankato Avenue
Winona, MN 55987
Attn: Radiation Protection Officer

Concordia College
Moorhead, MN 56560
Attn: Radiation Protection Officer

Control Data Corporation
Post Office Box 1249
Safety Security Officer
Minneapolis, MN 55440

Conwed Corporation
Post Office Box 414
Red Wing, MN 55066
Attn: Radiation Protection Officer

Cook County North Shore Hospital
and Convalescent Home
Grand Marais, MN 55604
Attn: Jane Burley

Davnie, Mr. William F.
4517 Normandale Heights Drive
Minneapolis, MN 55437

Detector Electronics Corporation
6901 West 110th Street
Bloomington, MN 55438
Attn: Radiation Protection Officer

Diagnostic Services, Inc.
280 Broadway
Forest Lake, MN 55025
Attn: Radiation Protection Officer

District Memorial Hospital
246 - 11th Avenue Southeast
Forest Lake, MN 55025

Divine Redeemer Hospital
724 - 19th Avenue North
St. Paul, MN 55075
Attn: Radiation Protection Officer

Donaldson Company, Inc.
Post Office Box 1299
Minneapolis, MN 55440
Attn: Radiation Protection Officer

Douglas County Hospital
111 -17th Street
Alexandria, MN 56308
Attn: Radiation Protection Officer

Dr. Martin Luther College
College Heights
New Ulm, MN 56073
Attn: Professor Martin Sponholz

Duluth Clinic Ltd.
400 East Third Street
Duluth, MN 55805

East Senior/Junior High School
2600 Hoffman Road
Mankato, MN 56001

Economics Laboratory, Inc.
Osborn Building
R and D Department
St. Paul, MN 55102
Attn: Radiation Protection Officer

Elk River Senior High School
900 School Street
Elk River, MN 55330
Attn: David Halgren

Ely-Bloomenson Comm. Hospital
328 West Conan Street
Ely, MN 55731
Attn: Vearl Nelson, Administrator

EPA - Environmental Research Lab
6201 Congdon Boulevard
Duluth, MN 55804
Attn: Radiation Protection Officer

Erie Mining Company
Post Office Box 847
Hoyt Lakes, MN 55750
Attn: Radiation Protection Officer

Ernest Lehmann and Associates, Inc.
1409 Willow Street, Suite 300
Minneapolis, MN 55403
Attn: Kathryn Hale

Eveleth Taconite Company
Post Office Box 180
Eveleth, MN 55734
Attn: Radiation Protection Officer

Fairview-Southdale Hospital
6401 France Avenue Sou[illegible]
Edina, MN 55435
Attn: Radiation Protection Officer

Fire Watch, Inc.
2490 University Avenue
St. Paul, MN 55114
Attn: Radiation Protection Officer

Fisher Public School #600
Fisher, MN 56723
Bruce W. Anderson

General Fabrication Corporation
1100 Southwest 11th Avenue
Forest Lake, MN 55025
Attn: Don Wallace

General Mills, Inc.
9000 North Plymouth Road
Resource Center
Minneapolis, MN 55427
Attn: Radiation Protection Officer

Genesis Laboratories, Inc.
5245 Edina Industrial Boulevard
Edina, MN 55435
Attn: Radiation Protection Officer

George A. Hormel Company
Box 800
Corp. Engineering Department
Austin, MN 55912
Attn: Radiation Protection Officer

Geotechnical Engineering Corp.
1925 Oakcrest Avenue
Roseville, MN 55113
Attn: Radiation Protection Officer

GME Consultants, Inc.
2083 East Center Circle
Minneapolis, MN 55441

Golden Valley Health Center
4101 Golden Valley Road
Pathology Dept.
Golden Valley, MN 55422
Attn: Radiation Protection Officer

Graceville High School
Graceville, MN 56240
Attn: R. Schumaker

Granite Falls Municipal Hospital
345 - 10th Avenue
Granite Falls, Mn 56241
Attn: Robert Stevens, Admin.

Gustavus Adolphus College
St. Peter, MN 56082
Attn: Radiation Protection Officer

Hamline University
1536 Hewitt Avenue
Chemistry Dept.
St. Paul, MN 55104
Attn: Radiation Protection Officer

Hanna Mining Company
2125 East Second Avenue
Hibbing, MN 55746
Attn: Radiation Protection Officer

Henkel Corporation
2010 East Hennepin Avenue
Minneapolis, MN 55413
Attn: Radiation Protection Officer

Hennepin County Bureau - Public Services
320 Washington Avenue South
Hopkins, MN 55343

Hennepin County Medical Center
701 Park Avenue South
Minneapolis, MN 55415
Attn: Radiation Protection Officer

Henry Sibley Senior High School
1897 Delaware
St. Paul, MN 55118
Attn: Lawrence Cannon

Hibbing City Engineering Dept.
City Hall
Hibbing, MN 55746
Attn: John Suihkonen, P.E.

Hibbing Taconite Company
Post Office Box 589
Hibbing, MN 55746
Attn: Radiation Protection Officer

Highland Park Junior High School
975 Snelling Avenue South
St. Paul, MN 55116
Attn: Frank Boucher

Hitchcock Industries
8701 Harriet Avenue South
Bloomington, MN 55420
Attn: Radiation Protection Officer

Honeymead Products Company
25 Northeast 44th Avenue
Minneapolis, MN 55421
Attn: Radiation Protection Officer

Hosterman Junior High School
5530 Zealand
New Hope, MN 55428
Attn: Vernon Fischer

Humboldt/St. Vincent Public School
School District 352
Humboldt, MN 56731
Attn: Ed Belager

Hutchinson Area Vo-Tech Institute
200 Century Avenue
Hutchinson, MN 55350
Attn: Radiation Protection Officer

Hutchinson Industrial Corporation
40 West Highland Park
Hutchinson, MN 55350
Attn: Radiation Protection Officer

IBM Corporation
Highway 52 and 37th Street, Northwest
Rochester, MN 55901

Immanuel - St. Joseph's Hospital
325 Garden Boulevard
Mankato, MN 56001
Attn: Radiation Protection Officer

Immuno Nuclear Corp.
Post Office Box 285
Stillwater, MN 55082
Attn: Radiation Protection Officer

Independent School District 456
901 North Gilman
Litchfield, Mn 55355
Attn: Wayne Bonkrude

Independent School District 548
Pelican Rapids, MN 56572
Attn. R. B. MacGregor

Independent School District 657
Post Office Box 278
Morristown, MN 55052
Attn: James Losinski

Independent School District 709
44th Avenue West and 4th Street
Duluth, MN 55807

Independent School District 793
Staples, MN 56479
Attn: Ken LeVasseur

Independent School District 834
523 West Marsh Street
Stillwater, MN 55082

Inland Steel Mining Company
Post Office Box 1
Virginina, MN 55792
Attn: Radiation Protection Officer

Instant Testing Company
4000 Beau D'Rue Drive
Eagan, MN 55122
Attn: Gordon Kopacek

Interpoll, Inc.
4500 N.E. Ball Road
Blaine, MN 55014
Attn: Radiation Protection Officer

Israelson and Associates, Inc.
10100 Morgan Avenue South
Bloomington, MN 55431
Attn: Radiation Protection Officer

Itasca Memorial Hospital
126 Southeast First Avenue
Grand Rapids, MN 55744
Attn: Radiation Protection Officer

J. L. Leong and Associates, Inc.
2021 East Hennepin Avenue
Minneapolis, MN 55413
Attn: Radiation Protection Officer

Kallestad Laboratories
Radiology Department
Chaska, MN 55318
Attn: Radiation Protection Officer

Kenyon Public School
401 Forest
Kenyon, MN 55946
Attn: Allen Hoverstein

Koch Refining Company
Post Office Box 43596
St. Paul, MN 55164
Attn: Radiation Protection Officer

L. P. Medical Specialists Ltd.
820 North Ninth Street
Virginia, MN 55792

Laboratory of Clinical Medicine
310 Belle Avenue
Mankato, MN 55001

Lake Region Hospital
712 South Cascade
Fergus Falls, MN 56637
Attn: Radiation Protection Officer

Lakehead Testing Lab, Inc.
226 North Central Avenue
Duluth, MN 55807
Attn: Radiation Protection Officer

Lakeview Memorial Hospital Association
919 West Anderson Street
Stillwater, MN 55082
Attn: Dale Mattison, Administrator

Lakewood Community College
3401 Century Avenue
White Bear Lake, Minnesota 55110
Attn: James C. Zappa

Land O'Lakes, Inc.
4001 North Lexington
Arden Hills, MN 55112
Attn: Radiation Protection Officer

Lufkin Medical Labs
Post Office Box 629
Minneapolis, MN 55440
Attn: Radiation Protection Officer

M N Blumenthal MD Ltd
1453 Medical Arts Building
Minneapolis, MN 55402

Magnetic Peripherals, Inc.
7801 Computer Avenue
Minneapolis, MN 55435
Attn: Radiation Protection Officer

Mankato State University
Mankato, MN 56001
Attn: Radiation Protection Officer

Maplewood Public Works
1902 East County Road B
Maplewood, MN 55109

Mariner High School
3551 McKnight Road
White Bear Lake, MN 55110
Attn: Richard L. Slade

Mayer Lutheran High School Association
Mayer, MN 55360
Attn: Karl Lindeman

McLaughlin Gormley King Co.
8810 North Tenth Ave.
Minneapolis, MN 55427
Attn: Radiation Protection Officer

Medtronic, Inc.
1500 North Dale Boulevard
Physiol Research Lab
Minneapolis, MN 55433
Attn: Radiation Protection Officer

Memorial Hospital
725 Dellwood
Cambridge, MN 55008
Attn: Radiation Protection Officer

Mercy Medical Center
4005 Coon Rapids Boulevard
Radiology Department
Coon Rapids, MN 55433
Attn: Radiation Protection Officer

Methodist Hospital
6500 Excelsior Boulevard
Minneapolis, MN 55440
Attn: Radiation Protection Officer

Metropolitan Waste Control Commission
2400 Childs Road
St. Paul, MN 55106
Attn: Radiation Protection Officer

Micom Corporation
475 Northwest 8th Avenue
New Brighton, MN 55112
Attn: Arv Gafkjen

Midway Hospital
1700 University Avenue
St. Paul, MN 55104
Attn: Radiation Protection Officer

Midwest Finishing, Inc.
9289 Evergren Boulevard
Coon Rapids, MN 55433
Attn: David J. Halverson

Midwest Radiation Consultants, Inc.
10315 Boundary Creek Terrace
Maple Grove, MN 55369

Miller Dawn Hospital and Medical Center
502 East Second Street
Duluth, MN 55805
Attn: Radiation Protection Officer

Minneapolis City Paving Lab
1901 East 26th Street
Minneapolis, MN 55404

Minneapolis Health Department
250 South Fourth Street
Bureau of Laboratories
Minneapolis, MN 55415
Attn: Radiation Protection Officer

Minneapolis Institute of Arts
2400 Third Avenue South
Minneapolis, MN 55404
Attn: Radiation Protection Officer

Minnesota Bureau of Criminal Apprehension
1246 University Avenue
St. Paul, MN 55104

Minnesota Department of Agriculture
Lab Services
90 West Plato Boulevard
St. Paul, MN 55107

Minnesota Department of Civil Defense
Veterans Service Building
St. Paul, MN 55101

Minnesota Department of Natural Resources
Carlos Avery Game Farm
Fisheries Division
Forest Lake, MN 55025

Minnesota Dept. of Natural Resources
Minerals Division
Centennial Office Building
St. Paul, MN 55155

Minnesota Dept. of Public Safety
B-5 State Capitol
St. Paul, MN 55155

Minnesota Dept. of Transportation
John Ireland Boulevard
St. Paul, MN 55155

Minnesota Power Company
30 West Superior Street
Environmental Laboratory
Duluth, MN 55802
Attn: Radiation Protection Officer

Minnesota Rad Sys Maint. Program
MN-ANG.B#644-Area DMSPIAP
St. Paul, MN 55111

Minnesota Valley Testing
326 Center Street
New Ulm, MN 56073
Attn: Radiation Protection Officer

Moorhead State University
Moorhead, MN 56560
Attn: Radiation Protection Officer

Mora High School
400 East Maple
Mora, MN 55051
Attn: Robert Aas

Mounds Park Hospital
200 Earl Street
St. Paul, MN 55106
Attn: Radiation Protection Officer

Mount Sinai Hospital Association
2215 Park Avenue South
Radiology Department
Minneapolis, MN 55406
Attn: Radiation Protection Officer

Naeve Hospital
404 Fountain Street
Radiology Department
Albert Lea, MN 56007
Attn: Radiation Protection Officer

National Electric, Inc.
21400 Hamburg Avenue
Lakeville, MN 55044
Attn: Radiation Protection Officer

National Poly Products
2111 Third Avenue
Mankato, MN 56001
Attn: Roger Carney

New Prague Senior High School
721 Central Avenue North
New Prague, MN 56071
Attn: Ed Schweitzer

New Ulm Medical Clinic Ltd.
1117 Center Street
New Ulm, MN 56073

North High School
2520 12th Avenue East
North St. Paul, MN 55109
Attn: Arnold Johnson

North Memorial Medical Center
3220 North Lowry Avenue
Radiology Department
Minneapolis, MN 55422
Attn: Radiation Protection Officer

North Star Steel Company
1678 Red Rock Road
St. Paul, MN 55164
Attn: Radiation Protection Officer

Northern Medical Imaging
102 West 26th Street
Bemidji, MN 56601
Attn: Radiation Protection Officer

Northland Community College
Thief River Falls, MN 56701
Attn: James D. Dalager

Northland Engineering Company
141 Hickory Street
Mahtomedi, MN 55155
Attn: Radiation Protection Officer

Northwest Airlines, Inc.
Overhaul Base
International Airport
St. Paul, MN 55111
Attn: Radiation Protection Officer

Northwestern Bell
100 Ninth Avenue S.W.
New Brighton, MN 5511[illegible]
Attn: J. S. Hansen

Northwood Panelboard Company
819 Midway Road
Bemidji, MN 56601
Attn: Radiation Protection Officer

Oakland Junior High School
820 Manning Avenue North
Lake Elmo, MN 55042
Attn: Chuck Nelson

Ordean Junior High School
105 South 40th Avenue East
Duluth, MN 55804
Attn: Robert Salmela

Orono High School
795 Old Crystal Bay Road
Long Lake, MN 55356
Attn: B. Vanhyk

Orr-Schelen-Mayeron and Assoc.
2021 East Hennepin Avenue
Minneapolis, MN 55413

Owatonna City Hospital
828 South Cedar Street
Owatonna, MN 55060
Attn: Howard Place, Adm.

Paynesville High School
West Highway 23
Paynesville, MN 56362
Attn: Norman Tigner

Pickands Mather and Company
Post Office Box 278
Hibbing, MN 55746
Attn: Radiation Protection Officer

Potlatch Corporation
Resource Center
Cloquet, MN 55720
Attn: Radiation Protection Officer

Precision Drilling, Inc.
15285 Minnetonka Boulevard
Minnetonka, MN 55343
Attn: T. Michael Frommes

Ramsey Engineering Company
1853 West County Road C
Roseville, MN 55113
Attn: Radiation Protection Officer

Raygo, Inc.
9401 - 85th Avenue North
Brooklyn Park, MN 55445

Regina High School
4225 - 3rd Avenue South
Minneapolis, MN 55409
Attn: Jan Lane

Reserve Mining Company
Silver Bay, MN 55614
Attn: Radiation Protection Officer

Rice County District 1 Hospital
631 Southeast First Street
Faribault, MN 55021

Rice Memorial Hospital
402 West Third
Radiology Department
Willmar, MN 56201
Attn: Radiation Protection Officer

Riverview Hospital
320 South Hubbard
Crookston, MN 56716
Attn: Radiation Protection Officer

Rochester Community College
Rochester
Minnesota 55901

Russell Tyler High School
Independent School District #409
Tyler, MN 56178
Attn: Curt Anderson

Samaritan Hospital
1515 Charles Avenue
Radiology Department
St. Paul, MN 55104
Attn: Radiation Protection Officer

Serco Labs
1931 West County Road C-2
Roseville, MN 55113
Attn: Radiation Protection Officer

Sherburn Dunnell Jr./Sr. High School
Sherburn, MN 56171
Attn: Diane Brudelie

Southern Minnesota Beet Sugar Coop.
Post Office Box 500
Renville, MN 56284

Southwest State University
Marshall, MN 56258
Attn: Cyndi Haecherl

Sperry Computers Systems
Post Office Box 43525
Defense Systems Division
St. Paul, MN 55164
Attn: Radiation Protection Officer

St. Ansgar Hospital
715 North 11th Street
Moorhead, MN 56560
Attn: Radiation Protection Officer

St. Catherine's College
2004 Randolph Avenue
St. Paul, MN 55105
Attn: F. Bud Kettley

St. Cloud Hospital
1406 North Sixth Avenue
Radiology Department
St. Cloud, MN 56301
Attn: Radiation Protection Officer

St. Cloud State University
Chemistry Department
St. Cloud, MN 56301
Attn: Radiation Protection Officer

St. Francis Hospital
415 Oak Street
Breckenridge, MN 5656[illegible]
Attn: Radiation Protection Officer

St. Francis Regional Medical Center
325 West Fifth Avenue
Radiology Department
Shakopee, MN 55379
Attn: Radiation Protection Officer

St. Gabriel's Hospital
812 Southeast Second Street
Little Falls, MN 56345
Attn: Radiation Protection Officer

St. James High School
10th Avenue North
St. James, MN 56081
Attn: Jerry Carstensen

St. John's Hospital
Fourth and Jackson Streets
Red Wing, MN 55066
Attn: Radiation Protection Officer

St. John's Hospital
403 Maria Avenue
St. Paul, MN 55106
Attn: Radiation Protection Officer

St. John's University
Physics Department
Collegeville, MN 56321
Attn: Radiation Protection Officer

St. Joseph's Hospital
69 West Exchange
Radioistope Laboratory
St. Paul, MN 55102
Attn: Radiation Protection Officer

St. Mary's College
Physics Department
Winona, MN 55987
Attn: Radiation Protection Officer

St. Mary's Hospital
407 East Third Street
Radiology Department
Duluth, MN 55805
Attn: Radiation Protection Officer

St. Mary's Hospital
2414 South Seventh Stre
Nuclear Medicine
Minneapolis, MN 55454
Attn: Radiation Protection Officer

St. Mary's Hospital and Nursing Center
Lincoln Avenue
Detroit Lakes, MN 56501
Attn: Radiation Protection Officer

St. Olaf Hospital
300 Northwest Eighth Avenue
Austin, MN 55912
Attn: Radiation Protection Officer

St. Paul Division of Public Health
555 Cedar Street
St. Paul, MN 55101

St. Paul Fire and Marine Insurance
385 Washington Street
Environmental Services Analysis Lab
St. Paul, MN 55102
Attn: Radiation Protection Officer

St. Paul Ramsey Medical Center
640 Jackson Street
Radiology Department
St. Paul, MN 55101
Attn: Radiation Protection Officer

St. Paul Technical Vocational
235 Marshall Avenue
St. Paul, MN 55102
Attn: Radiation Protection Officer

St. Regis Paper Company
100 East Sartell Street
Sartell, MN 56377
Attn: Radiation Protection Officer

St. Scholastica College
1200 Kenwood Avenue
Duluth, MN 55811
Attn: Dr. Margaret Clarke

St. Teresa College
Winona, MN 55987
Attn: Radiation Protection Officer

St. Thomas College
2115 Summit Avenue
St. Paul, MN 55105
Attn: Radiation Protection Officer

Stevens County Memorial Hospital
400 East First Street
Morris, MN 56267
Attn: Joseph Axtmann

STS Consultants Ltd.
2405 Annapolis Lane
Minneapolis, MN 55441
Attn: Radiation Protection Officer

Technical Plating, Inc.
7232 Boone Avenue North
Minneapolis, MN 55428
Attn: Mr. Thomas

3M Corporation
Health Physics Services
3M Center
St. Paul, MN 55101
Attn: Mr. Robert Wissink

Tooltech Inc.
3145 Northeast Columbia Avenue
Minneapolis, MN 55418
Attn: Radiation Protection Officer

Tri-County Memorial Hospital
418 North Jefferson Street
Wadena, MN 56482
Attn: Radiation Protection Officer

TSI, Inc.
Post Office Box 43394
St. Paul, MN 55164
Attn: Radiation Protection Officer

Twin City Testing and Engineering
662 Cromwell Avenue
St. Paul, MN 55114
Attn: Radiation Protection Officer

Twin Ports Testing, Inc.
1816 North Road
Duluth, MN 55811
Attn: Radiation Protection Officer

U.S. DI - Bureau of Indian Affairs
Route 2, Box FC 200
Cass Lake, MN 56633
Attn: Radiation Protection Officer

U.S. DI - Bureau of Mines
5629 Minnehaha Avenue South
Research Center
Minnepaolis, MN 55417
Attn: Radiation Protection Officer

U.S. FDA
240 Hennepin Avenue
HHS/PHS Department
Minneapolis, MN 55401
Attn: Radiation Protection Officer

U.S. Steel Corporation
Post Office Box 417
Mountain Ore Operations
Mountain Iron, MN 55768
Attn: Radiation Protection Officer

U.S. Transformer, Inc.
Post Office Box 206
Jordan, MN 55352
Attn: Radiation Protection Officer

United Districts Hospital of Faribault Cty.
515 South Moore
Blue Earth, MN 56013
Attn: Larry Slaughter

United Hospitals, Inc.
333 North Smith Avenue
St. Paul, MN 55102
Attn: Radiation Protection Officer

Unity Medical Center
550 Osborne Road
Fridley, MN 55432
Attn: Radiation Protection Officer

University of Minnesota
Boynton Health Service W-168
410 Southeast Church Street
Minneapolis, MN 55455
Attn: Jerome Staiger

Veterans Administration Medical Center
54th Street and 48th Avenue South
Radioisotope Service Dept.
Minneapolis, MN 55417
Attn: Radiation Protection Officer

Virginia Regional Medical Center
901 North Ninth Street
Virginia, MN 55792
Attn: Radiation Protection Officer

Waconia Ridgeview Hospital
500 Maple Street
Waconia, MN 55387
Attn: Radiation Protection Officer

Waseca High School
1717 Second Street N.W.
Waseca, MN 56093
Attn: Clark Erickson

Wayzata Ridgemount Jr. High
12000 Ridgemount Avenue
Plymouth, MN 55441
Attn: Lowell Kleppe

West Bank Radiation Therapy Center
601 South 24th Avenue
Minneapolis, MN 55454
Attn: Radiation Protection Officer

Western Lake Superior Sanitary District
Waterfront and West 27th Avenue
Duluth, MN 55806
Attn: Radiation Protection Officer

Winona State University
Johnson and Sanborn Streets
Winona, MN 55987
Attn: Joanne Slock

Worthington Regional Hospital
1018 Sixth Avenue
worthington, MN 56187
Attn: Radiation Protection Officer

LAKE SUPERIOR
INDUSTRIAL BUREAU
828 FIRST NATIONAL BANK
DULUTH MN 55802 1

N S P LAW DEPT
ATTN JOSEPH D BIZZANO JR
414 NICOLLET MALL
MPLS MN 55401 1

NORTHERN STATES POWER CO
ATTN G V WELK MANAGER
REG COMPLIANCE AND SERV
414 NICOLLET MALL
MPLS MN 55401 1

MN MULTI HOUSING ASSOC
ATTN JOHN G HORNER
3100 W LAKE ST
MPLS MN 55416 1

HOLMES & GRAVEN
ATTN LARRY M WERTHEIM
470 PILLSBURY CENTER
MINNEAPOLIS MN 55402 1

POTLATCH CORPORATION
ATTN MR ARCHIE D CHELSETH
BOX 510
CLOQUET MN 55720 1

ANOKA CO COMM HEALTH &
SOCIAL SERV DEPT
ATTN GERTRUDE M JAMES
COURTHOUSE 4TH FL
ANOKA MN 55303 1

FEDERAL STATE REPORTS INC
ATTN STATE REG DIV
5203 LEESBURG PIKE
SUITE 1201
FALLS CHURCH VA 22041 1

LAKE MINNETONKA CONS DIST
402 E LAKE ST
WAYZATA MN 55391 1

Barbara L. Hughes P
Managing Director
Am. Lung Ass'n Ramsey Cty
214 Portland Ave.
St. Paul, MN 55102 1

U OF M PHYSICAL PLANT DEPT
ATTN ROBERT SILVAGNI
200 SHOPS BLDG
319 15TH AVE SE
MPLS MN 55455 1

GENERAL MILLS INC
ATTN J W HAUN
P O BOX 1113
MPLS MN 55440 1

HESSIAN MCKASY & SODERBERG
ATTN MR JOHN A KNAPP
1500 MIDWEST PLAZA BLDG
MPLS MN 55402 1

MN ASSOC HEALTH CARE FAC
ATTN RICK CARTER
2850 METRO DRIVE SUITE 429
MPLS MN 55420 1

PETERSEN, KNUTSON
FLYNN & HETLAND
345 CEDAR BLDG.
SUITE 800
ST. PAUL, MN 55101 1

JONES HAUGH & SMITH INC
515 SOUTH WASHINGTON
ALBERT LEA MN 56007 1

WILLIAM MITCHELL COLLEGE
OF LAW
ATTN PROF MARCIA GELPE
875 SUMMIT AVE
ST PAUL MN 55102 1

COLOR-AD PACKAGING INC
ATTN MICHAEL S KECKEISEN
3600 ALABAMA AVE
MPLS MN 55416 1

THE SHERWIN-WILLIAMS CO
ATTN D A COHAGAN
101 PROSPECT AVE NW
CLEVELAND OH 44115 1

MS. CYNTHIA L. WEBER
CONWED CORP., PATENT COR.
444 CEDAR ST.
P. O. BOX 64237
ST. PAUL MN 55164

MN RETAIL MERCHANTS ASS
ATTN JOHN E VAN DOORN
180 METRO SQUARE BLDG
ST PAUL MN 55101

IOWA DEPT ENVIRON QUALIT
ATTN STEVEN N WILLIAMS
HENRY A WALLACE BLDG
DES MOINES IA 50319 1

MPIRG
ATTN KENNETH PETERSON
2412 UNIVERSITY AVE SE
MPLS MN 55414 1

MPIRG
ATTN JAMES MILLER
2412 UNIVERSITY AVE SE
MPLS MN 55414 1

GEO A HORMEL & CO
ATTN KEVIN C JONES
BOX 800
AUSTIN MN 55912 1

ASHLAND PETROLEUM COMPAN
ATTN RICHARD HETLAND
P O BOX 9
ST PAUL PARK MN 55071 1

BLANDIN PAPER COMPANY
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Sys. Div. MN 11-1734
600 2nd St. NE
Hopkins, MN 55343
SHW

~~Phil Duff~~
~~Red Wing Rep. Eagle~~
~~P.~~

Phil Duff
Red Wing Rep. Eagle
P. O. Box 15
Red Wing, MN 55066
SHW

Don Paterick
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480 Cedar Ave.
St. Paul, MN 55101
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Kevin Proesholdt
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Suite O, Boyd Place
2929 4th Ave. S.
Minneapolis, MN 55408

John Kearney
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1519 A East Franklin AVE
Minneapolis, MN 55404
SHW

Bill Clausen
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Minneapolis, MN 55400
SHW

Al Baldus
Cenex
Box 43089
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SHW

BETSY KIMBALL
LEGAL ASSISTANT
GOODWIN, PROCTER & HOAR
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BOSTON MA 02109
SHW

RUTH JOHNSON
129 RIVERVIEW BLVD
INT'L. FALLS, MN 56649
SHW

JOHN NASO JR
LEGGETTE BRASHEARS &
GRAHAM INC
PARAGON OFFICE CENTRE
SUITE 303

2780 SNELLING AVE NO
ST PAUL MN 55113
SHW

RICHARD O'HARA
DNR
P O BOX 7921
MADISON WI 53707
SHW

PCA HEARING NOTIFICATION
MAILING LIST
WATER QUALITY REQUESTS

STEVEN BUCHANAN
MPLS AUDUBON
4552 ALDRICH AVE S
MPLS MN 55409 WQ

METRO AIRPORTS COMM
ATTN DIR OF OPERATIONS
6040 28TH AVE S
MPLS MN 55450
WQ

MCRDC
119 SOUTH LAKE STREET
MORA MN 55051 WQ

WINONA DAILY NEWS
ATTN DON STUART
401 N FRANKLIN
WINONA MN 55987
OLMSTED
WINONA
COUNTIES

JOHN NORDENSON
35 JEWEL LANE
PLYMOUTH MN 55447
WQ

CHEMFIX INC
ATTN H HUDSON BUZBEE
1675 AIRLINE HWY
PO BOX 1572
KENNER LA 70063 WQ

INFORMATION NEWS SERVICE
854 NATIONAL PRESS BLDG
WASHINGTON DC 20045 WQ

UNIVERSITY OF MN
ATTN LASZLO FULOP
DIR OF PHYSICAL PLANNING
503 MORRILL HALL
MPLS MN 55455 WQ

UNION OIL COMPANY OF CA
ATTN DIANE DUNCAN
PO BOX 7600
LOS ANGELES CA 90051 WQ

BARBARA KNAPP
9508 BRUNSWICK CIRCLE
BLOOMINGTON MN 55438

DAVID MARQUETTE
MARSH & McLENNAN
1500 NORTHSTAR CENTER
MPLS MN 55402 WQ

ADHESIVE & SEALANT COUNCIL
SUITE 910
1600 NORTH WILSON BLVD
ARLINGTON VA 22209
WQ

ENV HYDROLOGY & ENG.
3416 UNIVERSITY AVE. S.E.
MPLS MN 55414
W&HZ

MAILING LIST
WATER OFFICE

DEPT OF EDUCATION
ATTN FREDRIK M CHRISTIANSEN
RM 911 CAPITOL SQ BLDG
ST PAUL MN 55101

METROPOLITAN COUNCIL
ATTN JOHN T HOEFT
300 METRO SQ BLDG
7TH ST & ROBERT ST
ST PAUL MN 55101

DEPT OF ENERGY & ECONOMIC DVLPMT.
ATTN: MARK DAYTON
480 CEDAR ST
ST PAUL MN 55101

LEGISLATIVE COMM ON WASTE MANAGEMENT
ATTN SUE ROBERTSON
B-46
STATE CAPITOL

PRESS/MN GOVT REPORT
ATTN JEAN DAWSON
RM B12 CAPITOL BLDG
ST PAUL MN 55155

ATTORNEY GENERAL'S OFFICE
ANTITRUST DIVISION
2ND FLOOR FORD BLDG
117 UNIVERSITY AVE

DEPT OF ECONOMIC DVLPMT
ATTN CHARLES SCHAFFER
480 CEDAR ST
ST PAUL MN 55101

DEPT OF AGRICULTURE
AGRONOMY SERVICES
ATTN GARY BRAUN
90 W PLATO BLVD
ST PAUL MN 55107

MEEB CENTRAL OFFICE
ATTN RAY QUINN
BOX 5 CENTENNIAL BLDG
ST PAUL MN

SENATE COUNCIL OFFICE
ATTN MARK J. HANSON
RM 480
STATE OFFICE BLDG
ST PAUL MN 55155

WATER RESOURCES BOARD
555 WABASHA RM 206
ST. PAUL MN 55102

BRD OF ARCH ENG LAND SURV
AND LANDSCAPE ARCHITECTURE
ATTN LOWELL E TORSETH
500 METRO SQUARE
ST PAUL MN 55101

LEGISLATIVE COMM TO REVIEW ADMIN RULES
ATTN KATHLEEN BUREK
ROOM B-46
CAPITOL

MN DEPT OF HEALTH
ATTN JAMES WITKOWSKI
717 Delaware St. SE
MPLS MN 55440

MN DEPT ECONOMIC SECURITY
ATTN F JAMES RYBAK PHD
690 AM CE 150 E KELLOGG
ST PAUL MN 55101

~~SCIENCE & TECH OFFICE~~
~~ATTN JOHN MALINKA~~
~~RM 49 STATE OFFICE BLDG~~
~~ST PAUL MN 55155~~

Jack Ditmore
State Planning Agency
Environmental Division
100 Capitol Square Bldg.
550 Cedar Street
St. Paul, Minnesota 55101

Honeywell, Incorporated
Honeywell Plaza
Minneapolis, MN 55408
Attn: Kenneth G. Ford, P.E.

3M
Health Physics Services
3M Center-220-2E-02
St. Paul, MN 55144
Attn: Robert G. Wissink, Manager

Mayo Clinic
Radiation Safety Officer
Rochester, Minnesota 55905
Attn: Richard Vetter, Ph.D.

Northern States Power
414 Nicollet Mall
Minneapolis, MN 55401
Attn: Mike Sellman

University of Minnesota
Environmental Health and Safety
410 Church Street, Southeast, W-140
Minneapolis, MN 55455
Attn: Jerome W. Staiger

United Hospitals
333 North Smith Avenue
St. Paul, MN 55102
Attn: John B. Marta, M.D.

Minnesota Hospital Association
2221 University Avenue Southeast
Minneapolis, MN 55414
Attn: Linda Sandvig

Central Mesabi Medical Center
750 East 34th Street
Hibbing, MN 55746
Attn: Radiation Protection Officer

St. Lukes Hospital
915 East First Street
Duluth, MN 55805
Attn: Radiation Protection Officer

Park Nicollet Medical Center
5000 West 39th Street
St. Louis Park, MN 55416
Attn: Radiation Protection Officer

St. Joseph's Hospital
523 North Third Street
Brainerd, MN 56401
Attn: Radiation Protection Officer

Syncor International Corporation
University Nuclear Pharmacy
2233 University Avenue
St. Paul, MN 55114
Attn: Radiation Protection Officer

United Hospitals, Inc.
333 North Smith Avenue
St. Paul, MN 55102
Attn: Radiation Protection Officer

Molecular Genetics
10320 East Bren Road
Minnetonka, MN 55343
Attn: Radiation Protection Officer

Sera, Inc.
1000 Lake Hazeltine Drive
Chaska, MN 55318
Attn: Radiation Protection Officer

St. Paul Ramsey Medical Center
640 Jackson Street
Radiology Department
St. Paul, MN 55101
Attn: Radiation Protection Officer

North Central Laboratories
6975 Saukview Drive
Post Office Box 1417
St. Cloud, MN 56302
Attn: Marian Severt

Northern Sun Products Company
Post Office Box 185
Gonvick, MN 56644
Attn: Robert W. Carlson

Thomas G. Briggs, M.D., President
Minnesota Medical Association
2221 University Ave. S.E., # 400
Minneapolis, MN 55414

Minnesota Department of Health
717 Delaware Street Southeast
Minneapolis, MN 55440
Attn: Mrs. Dolezal Hennigan

Wayne C. Wolsey
Professor of Chemistry
Macalaster College
St. Paul, MN 55105

Northern States Power
414 Nicollet Mall
Minneapolis, MN 55401
Attn: Ed Schentzel

Northern States Power
414 Nicollet Mall
Minneapolis, MN 55401
Attn: Gary Welk

(8) received agency approval of the final small, minority, and women's business enterprise report, which includes canceled checks or lien waivers as proof of payment; and

(9) submitted a final payment request and a copy of the final invoice and canceled check as proof of payment.

Subp. 6. Step 3 grants. The agency shall make periodic payments of a Step 3 grant in accordance with the procedures and requirements in subpart 5.

Subp. 7. Step 3 grant with allowance. The agency shall pay 50 percent of the estimated allowance for facilities planning and design immediately after the grant is awarded provided the municipality has submitted a payment request indicating the amount of costs incurred for facilities planning and design. The agency shall pay the final payment of the allowance when the municipality has awarded all subcontractors for construction, purchased all eligible land, and submitted a payment request and a copy of the final invoice and canceled check as proof of payment.

The agency shall make periodic payments of the Step 3 grant in accordance with the procedures and requirements in subpart 5.

7075.0431 PAYMENT OF ADVANCES OF ALLOWANCE.

Subpart 1. Sewered communities. The agency shall pay Step 1 advances of allowance for sewered communities upon submittal of a payment request by the municipality.

Subp. 2. Unsewered communities. The agency shall pay Step 1 advances of allowance for unsewered communities in accordance with the following schedule:

A. Twenty-five percent of the allowance upon submittal of a payment request by the municipality. If the agency determines that the municipality does not need to do additional planning for wastewater treatment, this will constitute final payment.

B. The remaining 75 percent shall be paid by the agency when the agency determines that the municipality needs to do additional planning for wastewater treatment and the municipality has submitted a payment request.

Subp. 3. Step 2 advances of allowance. The agency shall pay Step 2 advances of allowance upon submittal of a payment request by the municipality.

7075.0432 GENERAL REQUIREMENTS.

Subpart 1. EPA payment. The agency shall not make any payments of a state matching grant until the Environmental Protection Agency has paid the corresponding federal grant payment.

Subp. 2. Reduction in state grant payments. For all state grants, including allowances, if the actual costs are less than the amount on which the grant was based, the agency shall reduce the grant proportionately.

Subp. 3. Payment request. The agency shall not make any grant payments unless the municipality submits a written payment request.

REPEALER. Minnesota Rules, parts 7075.0422; and 7075.2200, subparts 2, 3, and 4, are repealed.

Pollution Control Agency
Solid and Hazardous Waste Division

Proposed Rules Relating to Low Level Radioactive Waste Generator Fees

Notice of Intent to Adopt Rules Without A Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) intends to adopt without a public hearing, in accordance with the provisions of Minn. Stat. § 16A.128 (1984), Minn. Rules Parts 7042.0010 through 7042.0060, Low-Level Radioactive Waste Generator Fee Rules. In accordance with Minn. Stat. § 16A.128 (1984), the Agency will follow the procedure for non-controversial rules set out in Minn. Stat. §§ 14.22 to 14.28 (1984), with the exception that no public hearing will be held in the event that twenty-five or more requests for hearing are received.

The proposed rule amendments are authorized by Minn. Stat. §116C.834 (1984). The proposed rules are published below. One free copy of the rules is available on request from the Agency. Please contact the person whose name and address appears below.

The Agency has prepared a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon by the Agency to support the proposed rules.

Copies of the Statement of Need and Reasonableness and of the proposed rules are available and may be obtained by contacting:

Melba Hensel
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113
Telephone: (612) 296-7776

Interested persons have until 4:30 p.m. on March 13, 1985, to submit comments on the proposed rules. Comments should be submitted to Melba Hensel at the address stated above. The proposed rules may be modified if the data and views received by the Agency before the end of the comment period warrant modification and the modification does not result in a substantial change in the proposed rules.

Upon adoption of the rules by the Agency Board, the rules as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rule as adopted will be sent to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Melba Hensel at the address previously stated.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1984), "Small business considerations in rulemaking," that the proposed rules may have an impact on some small businesses in Minnesota. There may be some small businesses who ship 100 cubic feet or more but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal. These small businesses would be subject to a fee of $100 per year.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. §10A.01, subd. 11 (1984) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250 not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Thomas J. Kalitowski
Executive Director

Rules as Proposed (all new material)

7042.0010 SCOPE OF RULES.

Parts 7042.0020 to 7042.0060 levy fees on the generators of low-level radioactive waste as required by Minnesota Statutes, section 116C.834.

7042.0020 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 7042.0010 to 7042.0060 have the meanings given them in this part.

Subp. 2. Agency. "Agency" means the Minnesota Pollution Control Agency.

Subp. 3. Compact. "Compact" means the Midwest Interstate Low-Level Radioactive Waste Compact as provided by Minnesota Statutes, section 116C.831.

Subp. 4. Director. "Director" means the executive director of the agency.

Subp. 5. Disposal. "Disposal" means the isolation of low-level radioactive waste from the biosphere in a permanent facility designed for that purpose.

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

Subp. 6. Facility. "Facility" means a parcel of land or site, together with the structures, equipment, and improvements on or appurtenant to the land or site which is used or is being developed for the treatment, storage, or disposal of low-level radioactive waste.

Subp. 7. Generator. "Generator" means any person who produces or possesses low-level radioactive waste in the course of, or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity, and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission or is a state party to the compact, to produce or possess such waste. "Generator" does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes.

Subp. 8. Low-level radioactive waste or waste. "Low-level radioactive waste" or "waste" means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined in United States Code, title 42, section 2014(e)(2).

Subp. 9. Person. "Person" means any individual, corporation, business enterprise or other legal entity either public or private and any legal successor, representative, agent or agency of the individual, corporation, business enterprise, or legal entity.

Subp. 10. Storage. "Storage" means the temporary holding of low-level radioactive waste for treatment or prior to treatment or disposal.

Subp. 11. Treatment. "Treatment" means any method, technique, or process, including storage for radioactive decay, designed to change the physical, chemical, or biological characteristics or composition of any low-level radioactive waste in order to render the low-level radioactive waste safer for transport or management, amenable to recovery, convertible to another usable material, or reduced in volume.

7042.0030 LOW-LEVEL RADIOACTIVE WASTE GENERATOR FEES.

Subpart 1. Basis of fees. The fees paid are based upon volume of waste shipped for disposal during the previous calendar year. Data on the volume of waste shipped shall be provided to the director with payment as described in part 7042.0040.

Subp. 2. Amount of fees. A generator of low-level radioactive waste is subject to the following fees:

A. A generator who ships 1,000 cubic feet or more of low-level radioactive waste per year to a facility for disposal is subject to a fee of 85 cents per cubic foot of low-level radioactive waste shipped per year.

B. A generator who ships at least 100 cubic feet but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal is subject to a fee of $100 per year.

7042.0040 PAYMENT OF FEES.

A generator must submit to the director the fees and appropriate documentation of the volume of waste shipped no later than June 10 of each year. Fees for wastes shipped in calendar year 1984 are payable by June 10, 1985. Checks shall be made payable to the state treasurer.

7042.0050 EXEMPTIONS.

Low-level radioactive waste generated as a result of a spill or accident and sealed sources which are returned to a vendor or manufacturer are not subject to the fees in parts 7042.0030 and 7042.0040.

7042.0060 PENALTY PROVISIONS.

If the generator fails to pay the generator fee by the due date, a penalty will be assessed. The penalty is five percent of the fee due for each month or fraction of month that the fee payment is late.

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

FINDINGS OF FACT
AND CONCLUSIONS

The above-entitled matter came on for decision before the Minnesota Pollution Control Agency (Agency) on the 26th day of March, 1985. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Agency, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering the Statement of Need and Reasonableness and the written comments submitted to the Agency, after considering all of the evidence adduced upon the records, files and proceedings herein, the Agency, being fully advised in the premises, hereby adopts the following Findings of Fact and Conclusions.

FINDINGS OF FACT

1. The Agency published its notice of intent to adopt the above-captioned rules, together with the proposed rules, in the State Register on February 11, 1985 (9 S.R. 1812).

2. On February 11, 1985, the Agency gave the same notice by United States mail to all persons who have registered their names with the Agency pursuant to Minn. Stat. §14.14 (1984).

3. The notice of the Agency's intent to amend the rules afforded all interested persons 30 days to submit data and views

on the proposed rules. The notice was in all respects in compliance with the requirements of Minn. Stat. §14.22 (1984).

4. The Agency prepared a Statement of Need and Reasonableness and made it available to the public upon the date of mailing of the notice of intent to adopt the rules.

5. The 30 day comment period, as set out in the notice, expired on March 13, 1985.

6. During the comment period, the Agency received no written comments.

7. The Agency adopts the Statement of Need and Reasonableness, in its entirety, as the factual basis for the amendments to the rules. The Agency hereby incorporates the Statement of Need and Reasonableness into these findings.

CONCLUSIONS

1. The Minnesota Pollution Control Agency duly acquired and has jurisdiction over this proceeding.

2. The Agency published and served due, timely and adequate notice of the intent to adopt amendments to the rules without a public hearing.

3. All relevant legal and procedural requirements of statute and rule have been complied with.

Dated: March 26, 1985

MINNESOTA POLLUTION CONTROL AGENCY

Duane Dahlberg
Chairperson

Thomas J. Kalitowski
Executive Director

CERTIFICATE OF AGENCY'S RESOLUTION ADOPTING RULES

I, Thomas J. Kalitowski, do hereby certify that I am the Executive Director of the Minnesota Pollution Control Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of a resolution adopted at a meeting of the Minnesota Pollution Control Agency duly and properly called and held on the 26th day of March, 1985, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified.

BE IT RESOLVED, that the Minnesota Pollution Control Agency (MPCA) hereby approves and adopts Minnesota Rules, parts 7042.0010 to 7042.0060 pursuant to the authority vested in the MPCA by Minnesota Statutes, Section 116C.834.

BE IT FURTHER RESOLVED, that prior to publishing the rules as adopted in the State Register, the Executive Director is authorized to make any form changes in the rules that the Revisor of Statues requires the MPCA to make in order to obtain the Revisor's Certificate as required by Minnesota Statutes, Section 14.28 (1984).

BE IT FURTHER RESOLVED, that the MPCA adopts the attached Findings of Fact and Conclusions and attached Order Adopting Rules and that the chairperson and Executive Director are hereby authorized to execute the above-mentioned documents on behalf of the MPCA.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of March, 1985.

Thomas Kalitowski

THOMAS J. KALITOWSKI
Executive Director

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

STATEMENT OF NEED
AND REASONABLENESS

I. INTRODUCTION

The Minnesota Pollution Control Agency (hereinafter "MPCA" or "Agency") was directed by the 1983 Minnesota Legislature to assess fees for costs incurred by the MPCA in carrying out its responsibilities under the Midwest Low-Level Radioactive Waste Compact (hereinafter "Compact") and its companion legislation. The Compact was established pursuant to Minn. Stat. §116C.831 (Supp. 1983) and its companion legislation is codified as Minn. Stat. §§116C.833 - 116.843 (Supp. 1983).

Under the proposed rules, all generators of low-level radioactive waste shipping 100 cubic feet or more of low-level radioactive waste for disposal per calendar year shall be subject to fees. The rules establish the amount of the fees and describe the method of payment.

The MPCA proposes to adopt these rules according to the procedure for rulemaking provided in Minn. Stat. §§14.21 through 14.28, except that no hearing will be held in the event that 25 or more persons request a public hearing. The legislature has specifically provided that no public hearing may be held on these proposed rules. Minn. Stat. §116C.834 provides: "The agency shall assess the fees in the manner provided in section 16A.128." Minn. Stat. §16A.128, recently amended by Minn. Laws 1984, art.

2, section 1, requires these fees to be set by rule. The manner in which they are to be set by rule is found in subdivision 2a of the statute, which provides:

> Procedure. Other fees not fixed by law must be fixed by rule. The procedure for noncontroversial rules in sections 14.21 to 14.28 may be used except that no public hearing may be held. The notice of intention to adopt the rules must state that no hearing will be held. This procedure may be used only when the total fees estimated for the biennium do not exceed the sum of direct appropriations, indirect costs, transfers in, and salary supplements for that purpose. A public hearing is required for adjustments of fees spent under open appropriations of dedicated receipts.

(Emphasis supplied.)

A Notice of Intent to Solicit Outside Opinion regarding development of the rules was published in the State Register on August 13, 1984 (9 S.R. 339). The notice was mailed to 260 persons who are known to be licensed by the United States Nuclear Regulatory Commission (NRC) to possess and use radioactive materials, or who are registered with the Minnesota Department of Health as generators or users of low-level radioactive waste. As a result of this notice, a meeting was held with the major generators/shippers on September 21, 1984. Draft rules were prepared and sent to the affected generators and other persons who had indicated an interest in the rules. The proposed rules were brought before the MPCA Rules Committee on January 9, 1985. During the entire rulemaking process the MPCA staff has attempted to keep the regulated parties informed of developments.

A part of the statutory requirement for the rulemaking process is review and approval of the fee schedules in the rules by the Minnesota Commissioner of Finance. The approval, Exhibit 1, is hereby incorporated by reference into this Statement of Need and Reasonableness.

II. STATEMENT OF THE AGENCY'S STATUTORY AUTHORITY

The Agency's statutory authority to adopt the proposed rules is set forth in Minn. Stat. §116C.834 (Supp. 1983), which provides:

> Subdivision 1. Costs. All costs incurred by the state to carry out its responsibilities under the compact and under sections 116C.833 to 116C.943 shall be paid by generators of low-level radioactive waste in this state through fees assessed by the pollution control agency. The agency shall assess the fees in the manner provided in section 16A.128. Fees may be reasonably assessed on the basis of volume or degree of hazard of the waste produced by a generator. Costs for which fees may be assessed include, but are not limited to:
>
> (a) the state contribution required to join the compact;
>
> (b) the expenses of the Commission member and costs incurred to support the work of the interstate commission;
>
> (c) regulatory costs, including but not limited to costs of adopting and enforcing regulations if the state enters into a limited agreement with the U. S. Nuclear Regulatory Commission to assume state regulation of transportation and packaging, or disposal, low-level radioactive wastes; and
>
> (d) any liability the state may incur as a party state to the compact.
>
> Subd. 2. Collection and deposit. Fees assessed under

> subdivision 1 shall be collected by the commissioner of revenue. All money received pursuant to this subdivision shall be deposited in the general fund.

The rationale behind the legislature's enactment of the statute was that persons generating low-level radioactive waste should pay the costs incurred to carry out the State's responsibilities under the Compact and any costs of regulating low-level radioactive waste.

The appropriation which the fees are intended to cover was in the amount of $75,000. This appropriation was intended to cover:

1. The payment required by Article III.j. of the Compact, which provides:

   > Each state, upon becoming a party state, shall pay $50,000 or $1,000 per cubic meter of waste shipped from that state in 1980, whichever is lower, to the Commission, which shall be used for the administrative costs of the Commission.

   Under this provision, Minnesota's share was $50,000.

2. Costs incurred by the MPCA Director and his staff to attend Compact Commission meetings and participate in Compact Commission activities. Pursuant to Minn. Stat. §116C.833, the Director of the MPCA is Minnesota's voting member of the Compact Commission.

Based on the provisions of Minn. Stat. §116C.834 and the 1983 legislature's appropriation, the Agency has the statutory authority to adopt fees which would result in the collection of $75,000.

III. STATEMENT OF NEED

The need to adopt the proposed rules arises as a result of Congress' enactment of the National Low-Level Radioactive Waste Policy Act of 1980 (42 United States Code §§2021a - 2021d). The Act encourages the establishment of regional compacts for the management of low-level radioactive waste.

In 1983 the Minnesota Legislature enacted Minn. Stat. §116.831 (Supp. 1983) by which Minnesota joined the Midwest Interstate Low-Level Radioactive Waste Compact. As previously noted, the terms of the Compact require each party state to contribute a sum of money in order to fund the Commission's activities. Minnesota's share was $50,000. The Legislature appropriated $75,000 to cover this cost and to cover the other expenses of the Agency Director and his staff in participating in the Commission's activities. In order to comply with the Legislature's direction in Minn. Stat. §116C.834 (Supp. 1983) to collect these expenses from generators, there is a need to adopt rules establishing fees to collect these costs.

The Agency does not expect that the entire appropriation of $75,000 will be spent by the end of the biennium for which it was appropriated. The following disbursements have been made during fiscal years 1984 and 1985:

Contribution to Compact:	$50,000
Travel and Expenses	2,500
Total	$52,500

The Agency estimates that five to six thousand dollars will be spent during the remainder of fiscal year 1985 for travel and expenses. Therefore, the Agency only needs to use $60,000 to cover all expenses for the biennium. Therefore, in order to collect the amounts actually needed, there is a need to adopt rules which will result in the collection of $60,000. The funds remaining from the appropriation will be returned to the general fund.

IV. STATEMENT OF REASONABLENESS

The proposed rules are reasonable because they are directed toward the Legislature's objective that the MPCA assess fees to support costs incurred as a result of Minnesota's membership in the Midwest Interstate Low-Level Radioactive Waste Compact. The fees are to be collected from generators of low-level radioactive waste. The primary goal of these rules is to set forth the requirements for payment of fees to recover the money appropriated by Legislature and used by the MPCA to fund the Commission's activities, including the expenses for MPCA staff to attend Commission meetings.

Before calculating the fees to be established in this rule the Agency sought information on how much low level radioactive waste is generated and shipped, or managed by other methods, in Minnesota. The Agency sent out a questionnaire to holders of

U. S. Nuclear Regulatory Commission licenses and to generators/users registered with the Minnesota Department of Health. It was learned that there are four entities which generate and ship the vast majority, in terms of volume, of low-level radioactive waste in Minnesota. These entities are Honeywell, Northern States Power Company (hereinafter "NSP"), the University of Minnesota (hereinafter "U of M") and Minnesota Mining and Manufacturing (hereinafter "3M"). There are also many other generators who generate and ship much smaller amounts of low-level radioactive waste.

After gathering this information it was decided to base the Agency's fees on the volume of low-level radioactive wastes shipped to disposal facilities. The highest rate is imposed upon those who ship 1,000 cubic feet or more per year of low level radioactive waste. The only generators who fall into this category at the present time are the four largest generators listed above. This means that most of the financial burden of the fee program will be placed on these four entities. However, the Agency staff has met with representatives of these four entities, and they have not expressed opposition to the approach of basing fees on volume.

Basing the fees on volume and placing most of the financial burden on the largest generators is reasonable because those who generate and ship the larger volumes of low-level radioactive

wastes are contributing the most to the need to manage, dispose of, and regulate these wastes. In addition, basing the fees on volume is consistent with the current practice of shippers, whose charges are also based on volume. It is also reasonable to expect that, once a regional management/disposal facility is established by the Compact, that the charges for accepting wastes will be based on volume. The Agency's approach to setting fees is therefore consistent with other fee structures with which generators and shippers are familiar.

The proposed rules would impose a lesser fee upon persons who ship low-level radioactive waste if the waste shipped during the previous calendar year was 100 cubic feet or more and less than 1,000 cubic feet. Imposing fees on shippers in this volume range is reasonable because they are a part of the national dilemma regarding sound disposal of low-level radioactive waste and would be considered in making decisions as to the size of a disposal facility sited by the Compact Commission.

The proposed rules would not impose fees on persons who generate and ship less than 100 cubic feet of low-level radioactive waste per year. Limiting fee assessments to larger generators/shippers is reasonable because the Agency does not expect that tracking these generators and collecting fees from them will be cost effective. The fees collected might not exceed

the cost of such tracking and collection.

The Agency estimates that the proposed fees will generate $60,487 by June 30, 1985. The breakdown of the revenue estimate is as follows:

Table 1: Estimated Revenues

Major Generators/Shippers	Reported Volume Shipped*	Estimated Fee
Honeywell	12,700	$10,795
NSP	46,500	39,525
U of M	5,985	5,087
3M	4,800	4,080
Total:	69,985	Total: $59,487
Ten small quantity shippers (shipping 100 cubic feet or more but less than 1,000 cubic feet per year) at $100 each		1,000
Total estimated revenues:		$60,487

*Volume of waste shipped in calendar year 1984 as reported in a telephone survey conducted by the Agency's Division of Solid and Hazardous Waste.

These fees are sufficient to recover the costs of the initial contribution to the Compact and the Agency's expenses for participating in the Compact's activities for the first year of the fees. In succeeding years the fees will cover the costs incurred as a result of membership in the Compact as well as costs incurred in the administration of the fee program.

The following discussion addresses the specific provisions of Minn. Rules Parts 7042.0010 - 7042.0060.

Part 7042.0010 Scope

This rule states that Parts 7042.0010 - 7042.0060 levy fees on generators of low-level radioactive waste as required by Minn. Stat. §116C.834. This rule is necessary and reasonable because it notifies the reader of the general scope and purpose of the rules which follow.

Part 7042.0020 Definitions

This rule sets forth eleven definitions of words or phrases used within the rules.

"Agency" is defined as the Minnesota Pollution Control Agency. It is reasonable to define this term in order to clarify which state agency is meant by this term.

"Compact" is defined as the Midwest Interstate Low-Level Radioactive Waste Compact. It is reasonable to define this term to clarify which compact is meant by this term.

"Director is defined as the Executive Director of the Agency. It is reasonable to clarify to whom this term refers.

"Disposal," "facility," "generator," "low-level radioactive waste," "person," "storage," and "treatment" are defined in the same manner as they are defined in Minn. Stat. §116C.831, Article II, Definitions. It is reasonable to define these terms, as they are critical to understanding when fees are imposed and upon whom. It is necessary and reasonable to use the same definitions

set forth in the statute because the Legislature has already decided the meaning it wishes those terms to have.

Part 7042.0030 Low-Level Radioactive Waste Generator Fees

This rule is divided into two subparts. Subpart 1 provides that fees are based upon volume of waste which was shipped for disposal during the previous calendar year and requires that the data on the volume of waste shipped be provided to the Director with payment as described in Part 7042.0040. As previously discussed at pages 7-8, it is reasonable to base fees on volume due to the correlation between producing wastes and the need to manage, dispose of and regulate this waste and due to the consistency of this approach with the practices of shippers and disposal facilities. In addition, using volume as a basis for fees is reasonable because calculating fees is a simple matter of multiplication. Shippers/generators must already keep records and report shipments to comply with NRC regulations on low-level radioactive waste transportation. Therefore, the information is readily available, and shippers/generators need only forward a copy to the Director. The requirement to provide this existing information is not burdensome and is thus reasonable.

Subpart 2 establishes the amount of the fees. Item A provides that a generator who ships 1,000 cubic feet or more of a low-level radioactive waste per year to a facility for

disposal is subject to a fee of $0.85 per cubic foot of low-level radioactive waste shipped per year. This is a reasonable level since it should generate the necessary revenue, based on 1983 shipping data. Item B provides that a generator who ships 100 cubic feet or more but less than 1,000 cubic feet of low-level radioactive waste per year to a facility for disposal is subject to a fee of $100 per year. Levying a fee for smaller generators is reasonable since they produce waste which will have to be disposed of in a facility, but due to the disparity in size between the small generators and the four major generators/shippers, a per unit fee would be unreasonable. At this time it is reasonable to limit the collection of fees to wastes shipped to a facility for disposal because most waste generated is being disposed. However, in the future, as waste management shifts from disposal to long-term storage, it may be necessary to re-evaluate the basis for the fees.

Part 7042.0040 Payment of Fees

Minn. Stat. §116C.834, subd. 2 (Supp. 1983) provides that fees assessed shall be collected by the Commissioner of Revenue. The proposed rule provides that a generator must submit the fees and appropriate documentation to the Director no later than June 10 of each year and that fees for waste shipped in calendar year 1984 are payable by June 10, 1985. It is reasonable to require that the fees be submitted to the Director and then

transferred to the Commissioner of Revenue because it is necessary for the Agency to to be able to conduct a prompt review of the amount of fees generated. It is also appropriate for the Agency to have a mechanism for evaluating the basis of the fees so that they may be modified as necessary. The routing of the fees through the Agency before they are submitted to the Commissioner of Revenue provides a valuable review mechanism for the Agency, does not impose any additional burden on generators, and is not inconsistent with the statute.

The rule also provides that checks should be made payable to the State Treasurer. The June 10 due date is reasonable because it provides sufficient time for the State to process the payment before the end of the fiscal year. The requirement to make checks payable to the State Treasurer reflects the requirement of Minn. Stat. §116C.834, subd. 2 that all moneys collected should go to the general fund.

Part 7042.0050 Exemptions

The proposed rule provides that low-level radioactive waste generated as a result of a spill or accident and sealed sources which are returned to a vendor or manufacturer are not subject to fees. It is reasonable to exempt from fees those wastes generated as a result of a spill or accident because the most important responsibility of the generator is to get the waste

cleaned up and properly disposed of. The generator may have to pay significant charges for the clean-up, transportation and disposal of the waste, and additional charges would not be reasonable or necessary. It is reasonable to exempt from fees sealed sources which are returned to a vendor or manufacturer because users of sealed sources are not true "generators" due to the fact that these sources are packed according to shipping requirements and are shipped to the manufacturer or vendor.

Part 7042.0060 Penalty Provisions

The proposed rule provides that if a generator fails to pay the generator fee by the due date, a penalty will be assessed. The penalty is five percent of the fee due for each month or fraction of a month that the fee payment is late. It is reasonable to charge a late fee to encourage payment of the fee on or before the due date.

V. SMALL BUSINESS CONSIDERATIONS IN RULEMAKING

Minn. Stat. §14.115, subd. 2 (Supp. 1983) requires the Agency, when proposing rules which may affect small businesses, to consider the following methods for reducing the impact on small businesses:

(a) the establishment of less stringent compliance or reporting requirements for small businesses;

(b) the establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

(c) the consolidation or simplification of compliance or reporting requirements for small businesses;

(d) the establishment of performance standards for small businesses to replace design or operational standards required in the rule; and

(e) the exemption of small businesses from any or all requirements of the rule.

There are two exemptions in the rule which may provide relief for some small businesses: 1) the exemption from fees for all generators who ship less than 100 cubic feet of low-level radioactive waste per year; and (2) the exemption for generators who use sealed sources and return them to the vendor or manufacturer. Under these exemptions, small businesses who generate wastes within these categories (e.g., small hospitals) will pay no fees. These exemptions also benefit small educational institutions which frequently have small sealed sources for teaching and demonstration.

VI. CONCLUSION

Based on the foregoing, the proposed Minn. Rules Parts 7042.0010 - 7042.0060 are both needed and reasonable.

Thomas Kalitowski

Dated: January 7, 1985

THOMAS J. KALITOWSKI
Executive Director

Low-Level Radioactive Waste Generator Fees
January 1985

Review and Approval

Description

Pursuant to Minnesota Statutes 1983, Section 116C.834, the Minnesota Pollution Control Agency (MPCA) is establishing administration fee schedules for low-level radioactive waste generators. As provided by law, these fees will be established by rule without public hearing. However, when the rule is placed on public notice, the approval of the Commissioner of Finance will be included as an exhibit into the statement of need and reasonableness.

Generators of low-level radioactive waste shall pay a fee. Fees are based upon the volume of waste shipped for disposal by the generator. The volume figure is based on shipping data for the previous calendar year.

All fees collected by the MPCA under this rule will be deposited in the State's general fund as non-dedicated receipts. It is the intent of the MPCA to use the fees to recover the direct costs incurred by membership in the Midwest Low-Level Radioactive Waste Compact including expenses for attending meetings and one staff position. Salary and fringe of senior MPCA staff for time involved in administering the compact will not be included.

In evaluating the low-level radioactive waste shipped from Minnesota for out-of-state disposal it became clear that four generators were shipping the major portion of the waste. The smallest of these four is approximately ten times larger than the next largest. Because of this size disparity, four generators will bear the major burden of the fees.

Purpose

The purpose of these fees is to recover a portion of the MPCA's fund appropriation for expenses incurred by Minnesota's membership in the Midwest Low-Level Radioactive Waste Compact authorized by Minnesota Statutes, 1983 Section 116C.331. The Legislature appropriated $75,000 to the MPCA through fiscal year 1985 for costs incurred by Minnesota's membership in the compact. However, the MPCA does not anticipate spending the entire appropriation and estimates that no more than $60,000 will be needed to support the program's expenses through June 30, 1985.

Current estimates indicate that $60,487 will be received through the fee program as required by statute. The fees shall be reviewed at least once every six months and adjusted if necessary.

Reviewed and Approved - to be included in the MPCA's statement of need and reasonableness for the proposed rule.

Gordon M. Donhowe, Commissioner
Department of Finance

1-25-85
Date

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Adoption of Minnesota Rules Parts
7042.0010 - 7042.0060, Low-Level
Radioactive Waste Generator Fee Rules

STATEMENT OF COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Special Assistant Attorney General Jocelyn F. Olson, do hereby declare that I have examined the proposed rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed.

Jocelyn F. Olson

JOCELYN F. OLSON
Special Assistant
Attorney General

Dated: March 26, 1985

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules

AFFIDAVIT REGARDING COMMENTS RECEIVED PURSUANT TO NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Melba Hensel, being duly sworn on oath deposes and says:

1. That she is the person named in the Notice of Intent to Adopt Rules Without a Public Hearing (9 S.R. 1812, February 11, 1985) as the person to receive comments on the Agency's intent to adopt rules concerning the above-entitled subject.

2. That the comment period set forth in the notice terminated at 4:30 p.m. on March 13, 1985.

3. That during the public comment period no comments were received by the Agency.

Melba Hensel

Subscribed and sworn to before me
this 27th day of March, 1985.

Betty McCain
Notary Public

BETTY McCAIN
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES AUGUST 13, 1990

STATE OF MINNESOTA
MINNESOTA POLLUTION CONTROL AGENCY

In the Matter of the Proposed Adoption of Minnesota Rules Parts 7042.0010 - 7042.0060, Low-Level Radioactive Waste Generator Fee Rules

AFFIDAVIT REGARDING REQUESTS RECEIVED FOR NOTIFICATION AS TO SUBMISSION OF RULES TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Melba Hensel, being duly sworn on oath deposes and says:

1. That she is the person named in the Notice of Intent to Adopt Rules Without a Public Hearing (9 S.R. 1812, February 11, 1985) as the person to receive requests for notification of the date that the Agency submits the above-captioned rules to the Attorney General.

2. That no person has requested notification of the date on which the Agency submitted to the Attorney General.

Melba Hensel

Subscribed and sworn to before me
this 27th day of March, 1985.

Betty McCain
Notary Public

BETTY McCAIN
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES AUGUST 13, 1990