

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1447
DATE RECEIVED 2/01/88
REVIEW DATE 2/10/88
DUE DATE 2/15/88

APPROVED X 2/11/88 gpz
DISAPPROVED
WITHDRAWN

Docket No. 05.0009.0835
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED X
REVISOR DISAPPROVED
FIELD W/SEC.STATE
RETURNED TO AGENCY

X Rule as adopted (4 copies) ~~Waiting for 2~~
~~NA~~ Notice to Solicit Outside Information/Opinion
— Date published in State Register
— Comments
NA Petition for Adoption of a Rule
X Board's Authorizing Resolution
X Proposed rule
X Revisor's Certificate
X Notice of Intent to Adopt Rule
115A.04(2); 115A.154 Statutory Authority
X Small Business Statement
— Expenditure of public money statement
X Signature
X Statement of Need and Reasonableness
X Small Business Statement
N/A Fees - § 16A.128
X Affidavit of Mailing Notice of Intent to Adopt Rule
10/15/88 Date (30)/25 days before adoption
X Publication in State Register
10/19/87 Date (30)/25 days before adoption
X Resolution Adopting
X Findings of Fact, Conclusions & Order Adopting
10/19/87 Date
— Written requests, submissions or comments
X Declaration of attorney
Alan Williams Name of SAAG representing agency
NA Notice of Submission to Attorney General
NA Affidavit of Mailing Notice to Attorney General

ATTORNEY GENERAL

March 1, 1988

ALAN C. WILLIAMS
Special Assistant
Attorney General

JULIE A. LEPPINK
Special Assistant
Attorney General

6-9422

In the Matter of the Adopted Rule Relating to
Hazardous and Industrial Waste Reduction Grants

The above-referenced rule has been approved as to its legality by the Attorney General on February 11, 1988.

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

Also enclosed are any petitions, requests, submissions 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;nah
Enclosures

cc: Maryanne Hruby
Duane Harves

Waste Management Board

Adopted Permanent Rules Relating to Hazardous and Industrial Waste Reduction Grants

Rules as Adopted

9200.9501 DEFINITIONS.

Subpart 1. to 2. [Unchanged.]

Subp. 3. **Chair.** "Chair" means the chair of the board.

Subp. 5. **Generator.** "Generator" means a person or a local government unit who produces a hazardous or industrial waste in Minnesota.

Subp. 6. [Unchanged.]

Subp. 6a. **Industrial waste.** "Industrial waste" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 13a.

Subp. 7. to 9. [Unchanged.]

Subp. 10. **Recipient.** "Recipient" means an applicant who has received a grant under the hazardous and industrial waste reduction grants program.

Subp. 10a. **Recycling.** "Recycling" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 25b.

Subp. 11. **Reduction.** "Reduction" means action by a generator that:

A. decreases the total quantity of hazardous or industrial waste generated by the generator through abatement, minimization, reuse, or recycling; or

B. decreases the quantity of one or more types of hazardous or industrial waste that results in a decrease in risk to the public health and safety and the environment, but does not decrease the total quantity of hazardous or industrial wastes generated by the generator.

Subp. 12. [Unchanged.]

9200.9502 ELIGIBILITY CRITERIA.

Subpart 1. **Eligible applicants.** The following are

eligible to apply for a hazardous or industrial waste reduction grant:

A. a generator; or

B. an association that consists of or represents two or more generators generating similar hazardous or industrial wastes in Minnesota.

Subp. 2. **Eligible projects.** Projects designed to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous or industrial waste are eligible to receive a hazardous or industrial waste reduction grant. Eligible projects include projects to study the specific application of a method or technology already developed and projects to analyze a method or technology for which additional research is necessary to establish the feasibility of the method or technology.

Application or research projects currently under development by the applicant and new projects are eligible.

Subp. 3. and 4. [Unchanged.]

9200.9503 GRANT APPLICATION.

An applicant shall submit an application in the form specified by the chair. An application must include the following information:

A. A description of the applicant's managerial and technical ability to undertake a hazardous or industrial waste reduction feasibility study, including any consultant help that may be anticipated.

B. A statement outlining the method or technology that will be studied by the applicant and the waste reduction that may result from application of the method or technology. This statement must include a discussion of the following items:

(1) a description of the method or technology to be studied;

(2) whether the study involves the application of an existing method or technology, or original or continuing research on a method or technology for which additional research

is necessary to determine the feasibility of the method or technology;

(3) a description of the hazardous or industrial waste affected by the proposed project that is generated by the applicant, including the quantity generated in the previous calendar year;

(4) an estimate of the decrease in the quantity of hazardous or industrial waste generated; and

(5) the current method used to manage the hazardous or industrial waste generated by the applicant, and any anticipated change in management occurring after the reduction.

C. [Unchanged.]

9200.9506 EVALUATION OF PROPOSALS.

Subpart 1. **Evaluation schedule.** Within 45 days of the completion of the eligibility and documentation review, the board shall evaluate eligible proposals and set a deadline for action.

Subp. 2. **Evaluation factors.** In evaluating each proposal the board shall consider the following factors:

A. The relationship of the proposed hazardous or industrial waste reduction to the goals and policies of the Waste Management Board.

B. The significance of the proposed waste reduction measured by:

(1) the decrease in total hazardous or industrial waste generated in Minnesota as a result of the waste reduction and the potential future decrease as a result of application of the waste reduction method by other generators; and

(2) the decrease in risk to the public health and safety and the environment resulting from the waste reduction including:

(a) the decrease in the quantity of waste with a high degree of intrinsic hazard;

(b) the decrease in the quantity of

untreatable waste requiring land disposal; or

(c) the effect of waste reduction on the subsequent management of any remaining waste, including the need for further processing and disposal steps to properly manage the waste.

C. The merits of the specific method or technology proposed by the applicant which will be based on the following factors:

(1) the percentage decrease in the quantity of hazardous or industrial waste affected by the reduction;

(2) the percentage increase or decrease in the total quantity of hazardous or industrial wastes generated by the applicant;

(3) the general applicability of the hazardous or industrial waste reduction method or technology to other generators located in Minnesota; and

(4) the likelihood of the success of the specific method or technology to reduce hazardous or industrial wastes, the estimated reliability of the proposed method or technology, and capital, operating, and maintenance costs required to operate and maintain the proposed method or technology if it is implemented.

D. Other factors including:

(1) Whether an applicant is an association of two or more generators. In considering this factor, the board may give preference to an association of two or more generators if the board determines that the association significantly contributes to cooperation among generators in reducing hazardous or industrial waste generation.

(2) The recommendations of the board's hazardous waste management planning council.

(3) and (4) [Unchanged.]

9200.9508 GRANT AGREEMENT.

Subpart 1. **Contents of agreement.** The board and a grant recipient shall enter into a grant agreement. The grant

agreement must:

A. Establish the term of the grant. Unless otherwise determined by the board, all grants awarded under this part must have a maximum term of one year.

B. Provide that the recipient is authorized to enter into contracts to complete the work specified in the agreement.

C. Identify the product of the proposal and provide that the results of all studies or analyses performed under this agreement are made available to the board and to the general public. All information and techniques developed through a project assisted by a board grant will be made available to all hazardous and industrial waste generators in the state through the technical assistance program established by the board.

Subp. 2. to 4. [Unchanged.]

Subp. 5. **Audit.** Since this program involves the expenditure of public funds, the books, records, documents, and accounting procedures and practices of the recipient of grant funds that are only relevant to this program are subject to examination at any time by the chair of the board and other appropriate state officials. Any audit exceptions identified by the board must be reimbursed at the board's discretion.

Subp. 6. [Unchanged.]

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 17 1988

Joan Anderson Growe
Secretary of State

3:57
P.M.
M

APPROVED AS TO FORM AND LEGALITY

February 11 19 88

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Julie A. Segerstrom
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed Adoption of Amendments to Rules Governing the Waste Reduction Grant Program

CERTIFICATION OF AUTHORIZING RESOLUTION

I, Joseph M. Pavelich, do hereby certify that I am the Chairperson of the Minnesota Waste Management Board, 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 Waste Management Board duly and properly called and held on the 19th day of November, 1987, 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 Waste Management Board hereby approves and adopts the amendments to rules governing Waste Reduction Grant Program pursuant to the authority vested in the Board by Minn. Stat. § 115A.06, subd. 2 § 115A.154.(1986).

BE IT FURTHER RESOLVED, that prior to publishing the rules as adopted in the State Register, the Chairperson is authorized to make any form changes in the rules that the Revisor of Statutes requires the Board to make in order to obtain the Revisor's Certificate as required by Minn. Stat. § 14.28 (1986).

BE IT FURTHER RESOLVED, that the Board adopts the attached Findings of Fact, Conclusions, and Order Adopting Amendments and that the Chairperson is hereby authorized to sign the above-mentioned document on behalf of the Board and to perform the necessary acts to provide that the rule shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of November, 1987.

Dated: 11-19-1987

JOSEPH M. PAVELICH, CHAIRMAN
Minnesota Waste Management Board

Waste Management Board

Proposed Permanent Rules Relating to Hazardous and Industrial Waste Reduction Grants

Rules as Proposed

9200.9501 DEFINITIONS.

Subpart 1. to 2. [Unchanged.]

Subp. 3. **~~Chairperson~~ Chair**. "~~Chairperson~~ Chair" means the ~~chairperson~~ chair of the board.

Subp. 5. **Generator.** "Generator" means a person or a local government unit who produces a hazardous or industrial waste in Minnesota.

Subp. 6. [Unchanged.]

Subp. 6a. **Industrial waste.** "Industrial waste" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 13a.

Subp. 7. to 9. [Unchanged.]

Subp. 10. **Recipient.** "Recipient" means an applicant who has received a grant under the hazardous and industrial waste reduction grants program.

Subp. 10a. **Recycling.** "Recycling" ~~means~~ has the ~~reclamation-by-the-generator-of-usable-components-from-waste streams~~ meaning given in Minnesota Statutes, section 115A.03, subdivision 25b.

Subp. 11. **Reduction.** "Reduction" means action by a generator that:

A. decreases the total quantity of hazardous or industrial waste generated by the generator through abatement, minimization, reuse, or recycling; or

B. decreases the quantity of one or more types of hazardous or industrial waste that results in a decrease in risk to the public health and safety and the environment, but does not decrease the total quantity of hazardous or industrial wastes generated by the generator.

Approved by Revisor DSN

Subp. 12. [Unchanged.]

9200.9502 ELIGIBILITY CRITERIA.

Subpart 1. **Eligible applicants.** The following are eligible to apply for a hazardous or industrial waste reduction grant:

A. a generator; or

B. an association that consists of or represents two or more generators generating similar hazardous or industrial wastes in Minnesota.

Subp. 2. **Eligible projects.** Projects designed to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous or industrial waste are eligible to receive a hazardous or industrial waste reduction grant. Eligible projects include projects to study the specific application of a method or technology already developed and projects to analyze a method or technology for which additional research is necessary to establish the feasibility of the method or technology.

Application or research projects currently under development by the applicant and new projects are eligible.

Subp. 3. and 4. [Unchanged.]

9200.9503 GRANT APPLICATION.

An applicant shall submit an application in the form specified by the ~~board~~ chair. An application must include the following information:

A. A description of the applicant's managerial and technical ability to undertake a hazardous or industrial waste reduction feasibility study, including any consultant help that may be anticipated.

B. A statement outlining the method or technology that will be studied by the applicant and the waste reduction that may result from application of the method or technology. This statement must include a discussion of the following items:

(1) a description of the method or technology to be studied;

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by Revisor _____

(2) whether the study involves the application of an existing method or technology, or original or continuing research on a method or technology for which additional research is necessary to determine the feasibility of the method or technology;

(3) a description of the hazardous or industrial waste affected by the proposed project that is generated by the applicant, including the quantity generated in the previous calendar year;

(4) an estimate of the decrease in the quantity of hazardous or industrial waste generated ~~and any decrease in risk that results from the application of the method or technology to be studied~~; and

(5) the current method used to manage the hazardous or industrial waste generated by the applicant, and any anticipated change in management occurring after the reduction~~; and~~

~~(6) estimated increased or decreased annual operating and maintenance costs that will be realized if the proposed method or technology is implemented~~.

C. [Unchanged.]

9200.9506 EVALUATION OF PROPOSALS.

Subpart 1. **Evaluation schedule.** Within 45 days of the completion of the eligibility and documentation review, the board shall evaluate eligible proposals and set a deadline for action.

Subp. 2. **Evaluation factors.** In evaluating each proposal the board shall consider the following factors:

A. The relationship of the proposed hazardous or industrial waste reduction to the goals and policies of the Waste Management Board.

B. The significance of the proposed waste reduction measured by:

(1) the decrease in total hazardous or industrial waste generated in Minnesota as a result of the waste reduction

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and the potential future decrease as a result of application of the waste reduction method by other generators; and

(2) the decrease in risk to the public health and safety and the environment resulting from the waste reduction including:

(a) the decrease in the quantity of waste with a high degree of intrinsic hazard;

(b) the decrease in the quantity of untreatable waste requiring land disposal; or

(c) the effect of waste reduction on the subsequent management of any remaining waste, including the need for ~~and-risk-associated-with~~ further processing and disposal steps to properly manage the waste.

C. The merits of the specific method or technology proposed by the applicant which will be based on the following factors:

(1) the percentage decrease in the quantity of hazardous or industrial waste affected by the reduction;

(2) the percentage increase or decrease in the total quantity of hazardous or industrial wastes generated by the applicant;

(3) the general applicability of the hazardous or industrial waste reduction method or technology to other generators located in Minnesota; and

(4) the likelihood of the success of the specific method or technology to reduce hazardous or industrial wastes, the estimated reliability of the proposed method or technology, and capital, operating, and maintenance costs required to operate and maintain the proposed method or technology if it is implemented.

D. Other factors including:

(1) Whether an applicant is an association of two or more generators. In considering this factor, the board may give preference to an association of two or more generators if the board determines that the association significantly contributes to cooperation among generators in reducing

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by Revisor _____

hazardous or industrial waste generation.

(2) The recommendations of the board's ~~technical assistance program advisory committee~~ hazardous waste management planning council.

(3) and (4) [Unchanged.]

9200.9508 GRANT AGREEMENT.

Subpart 1. **Contents of agreement.** The board and a grant recipient shall enter into a grant agreement. The grant agreement must:

A. Establish the term of the grant. Unless otherwise determined by the board, all grants awarded under this part must have a maximum term of one year.

B. Provide that the recipient is authorized to enter into contracts to complete the work specified in the agreement.

C. Identify the product of the proposal and provide that the results of all studies or analyses performed under this agreement are made available to the board and to the general public. All information and techniques developed through a project assisted by a board grant will be made available to all hazardous and industrial waste generators in the state through the technical assistance program established by the board.

Subp. 2. to 4. [Unchanged.]

Subp. 5. **Audit.** Since this program involves the expenditure of public funds, the books, records, documents, and accounting procedures and practices of the recipient of grant funds that are only relevant to this program are subject to examination at any time by the ~~chairperson~~ chair of the board and other appropriate state officials. Any audit exceptions identified by the board must be reimbursed at the board's discretion.

Subp. 6. [Unchanged.]

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Hazardous and Industrial Waste Reduction Grants

AGENCY: Waste Management Board

MINNESOTA RULES: Chapter 9200

The attached rules are approved for publication in the State Register

David S. Niss
Assistant Revisor

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed Amendments to Rules Governing Hazardous Waste Reduction Grants Minn. Rules Parts 9200.9500 to 9200.9508

NOTICE OF INTENT TO ADOPT AMENDMENTS TO RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Waste Management Board (Board) intends to adopt the above-entitled amendments to the rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minn. Stat. §§ 14.22 to 14.28 (1986). The Board's authority to adopt the rule is set forth in Minn. Stat. § 115A.06, subd. 2 and § 115A.154 (1986).

All persons have until 4:30 p.m. on November 18, 1987, to submit comments in support of or in opposition to the proposed amendments. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and change proposed. If a public hearing is required, the Board will proceed pursuant to Minn. Stat. §§ 14.131 to 14.20 (1986).

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

Prior to October 30, 1987	After October 30, 1987
Susan Thornton	Susan Thornton
Minnesota Waste Management Board	Minnesota Wast Mgmt. Bd.
7323 58th Avenue North	1350 Energy Lane
Crystal, Minnesota 55428	St. Paul, Minnesota 55108
(612) 536-0816	(612)649-5783

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

The proposed amendments, if adopted, will expand the Hazardous Waste Reduction Grant Program to include the eligibility of nonhazardous industrial waste streams. A copy of the proposed amendments is enclosed. One free copy of the rules is available upon request from the Board at the address and telephone number stated above.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Board upon request.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1986), "Small business considerations in rulemaking, "that the proposed rules will not have a direct effect on small businesses. The rules do not impose any requirements or standards on the operation of small businesses. The programs which these amendments are designed to modify will provide grants to persons seeking to develop and operate industrial and hazardous waste collection and processing facilities and services. Availability of these facilities and services to small businesses generating industrial and hazardous waste is an important goal of the Board.

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

Dated: 10/2/87

Joseph M. Pavelich
Chairman, Waste Management Board

WP/I&HG/G&LR/NOIA/LE:eh

STATE OF MINESOTA

WASTE MANAGEMENT BOARD

In the Matter of the Proposed Amendments of Rules Governing Hazardous Waste Reduction Grants

Statement of Need and Reasonableness (SONAR)

I. INTRODUCTION

The subject of this rulemaking procedure is a set of proposed amendments of the adopted rules governing the industrial and hazardous waste reduction grant program. Amendments to the grant rules are authorized by Minnesota Statutes, Section 115A.06, Subd. 2 and Section 115A.154, as amended by Minn. Laws 1987, Chapter 348, Section 8.

The adopted grant rules are proposed to be amended in provisions of scope and authority, definitions, eligibility criteria, grant application and evaluation of proposals, grant agreement.

II. NEED FOR PROPOSED AMENDMENTS

A. Grant Rules

The Waste Management Board (Board) is authorized by Minnesota Statutes, Section 115A.154 (1986) as amended by Minn. Laws 1987, Ch. 348, Section 8 to make grants to eligible recipients for studies to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous and industrial waste.

III. REASONABLENESS OF PROPOSED AMENDMENTS

9200.9500 Scope and Authority

An amendment is proposed to change the citation of the laws governing the reduction grant program from Laws of Minnesota 1984 chapter 644, Section 10 to Minnesota Statutes, Section 115A.154. This proposal is necessary in order to cite the appropriate statute governing the reduction grant program.

9200.9501 Definitions

Six amendments are proposed for the section addressing definitions. An amendment is proposed to include the statutory definition of industrial waste because industrial waste generators will be potentially eligible for grants under the Board's reduction grant program.

The second amendment is proposed to expand the definition of generator to include the waste stream of industrial waste. This amendment is reasonable because it fulfills a statutory obligation of the Board to include the eligibility of industrial waste generators in the Board's reduction grant program.

The third amendment is proposed to expand the definition of recipient to include the waste stream of industrial waste. This amendment is reasonable because if

fulfills a statutory obligation of the Board to allow industrial waste generators to receive a reduction grant.

The other three amendments are proposed to expand the definition of reduction to include the waste stream of industrial waste. These amendments are reasonable because they fulfill the statutory obligation of the Board to include industrial wastes as wastes which can be reduced.

9200.9502 Eligibility Criteria

Four amendments are proposed for the section addressing eligibility criteria. These amendments are proposed to facilitate the inclusion of industrial waste streams into the grant program and thereby fulfill a statutory obligation of the Board. The language of this section is proposed to be amended to include the eligibility of industrial waste generators in the reduction grant program. These amendments are reasonable because they clarify language in the rules regarding the eligibility of generators of industrial waste.

9200.9503 Grant Application

Eight amendments are proposed for the section addressing grant application. An amendment is proposed to transfer grant application responsibilities from the Board to the Board's chair. This amendment is proposed to reflect existing procedures at the Waste Management Board.

A second amendment is proposed to remove the requirement that the applicant estimate any decrease in risk that results from the application of the method or technology to be studied. This amendment is proposed to reflect the subjective nature of this requirement and the difficulty it poses to potential applicants.

A third amendment is proposed to remove the requirement that the applicant estimate the increased or decreased annual operating and maintenance costs that will be realized if the proposed method or technology is implemented. This amendment is reasonable because an estimate of the increased or decreased annual operating and maintenance costs is often the purpose of the waste reduction grant and therfore it is unrealistic to expect the applicant to provide this information in the grant application.

A fourth amendment is proposed to eliminate ", and" and insert a period in subpart 5. This is necessary because of the proposed elimination of subpart 6.

The four other amendments are proposed to facilitate the inclusion of industrial waste streams into the grant application and thereby fulfill a statutory litigation of the Board.

9200.9506 Evaluation of Proposals

Nine amendments are proposed for the section addressing evaluation of proposals. An amendment is proposed to remove the requirement that the Board evaluate the significance of a proposal for the effect of reducing the risk associated with further processing and disposal steps to properly manage a waste. This proposal is reasonable because of the cost of such a risk assessment may often exceed the amount of the grant.

The second amendment is proposed to remove the requirement that the Board consider the recommendations of the Board's technical assistance program advisory committee and provides that the hazardous waste management planning

council provide such recommendations. This proposal is reasonable since the technical assistance program advisory committee no longer exists and its authority has been absorbed by the Board's hazardous waste management planning council.

The seven other amendments are proposed to facilitate the inclusion of industrial waste streams into the reduction grant program and thereby fulfill a statutory obligation of the Board. The language of this section is proposed to be amended to allow the evaluation of industrial waste reduction proposals.

9200.9508 Grant Agreement

An amendment is proposed that waste reduction information and techniques developed using reduction grants must be made available to all hazardous and industrial waste generators in the state. This amendment is reasonable because if fulfills a statutory obligation of the Board to clarify that all generators in the state eligible to receive information and techniques shall mean all hazardous and industrial waste generators.

IV. EFFECT OF PROPOSED AMENDMENTS ON SMALL BUSINESS

The proposed amendments do not directly affect small businesses and therefore do not require the Board to address the requirements of Minnesota Statutes Section 14.115. The rules or amendments do not impose any requirements or standards on the operation of small businesses. The programs which these amendments are designed to modify will provide grants to persons seeking to study the feasibility of applying specific methods and technologies to reduce the generation of industrial and hazardous waste. The availability of the information produced by these studies to small businesses generating industrial and/or hazardous waste is an important goal of the Board.

WP/IW/IHRGrants/Sonar/LE

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed Amendments to Rules Governing Hazardous Waste Reduction Grants, Minn. Rules Parts 9200.9500 to 9200.9508

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT AMENDMENTS TO RULES WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) s.s.
COUNTY OF HENNEPIN)

Diane Commers, being duly sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 (1986) that their names be placed on the Minnesota Waste Management Board's rulemaking mailing list is accurate, complete, and current as of this 15 day of October, 1987.

That on the 15 day of October, 1987, at the City of Crystal, County of Hennepin, State of Minnesota, I mailed the attached Notice of Intent to Adopt Amendments to Rules Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States Mail or in the United States mail a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Diane Commers

Subscribed and sworn to before me
this 15th day of October, 1987

June J. Seery
Notary Public

JUNE J. SEERY
NOTARY PUBLIC — MINNESOTA
HENNEPIN COUNTY
My commission expires Nov 28, 1990

DISTRIBUT LIST FOR NOTIFICATION OF RULE NG:
...W. REDUCTION GRANT RULES

Joseph D. Bizzano, Jr.
Jo[illegible] McGuire
Jo. [illegible]ates Power Law Dept.
414 Nicollet Mall
Minneapolis, MN 55401

Robert R. Distad
Assist. Co. Attorney
Dakota Co. Government Center
1560 W. Highway 55
Hastings, MN 55033

Robert S. Burk
4344 IDS Center
Minneapolis, MN 55402

Ms. Leslie Smith
Env. Research Group, Inc.
135 State Street
St. Paul, MN 55107

R.G. Kirkham, Exec. Dir.
MN Municipal Utilities
10 Central Ave.-PO Box B
Buffalo, MN 55313

Diane L. Jensen
Clean Water Action Project
Suite 306/2395 University Ave.
St. Paul, MN 55114

Bernard L. Brommer
Exec. Vice President
Minnesota AFL-CIO
175 Aurora Ave.
St. Paul, MN 55103

F. A. Heinbaugh
Mgr. Environmental Control
American Crystal Sugar Co.
101 North Third St.
Moorhead, MN 56560

Joseph S. Hensel
Rochester Public Utilities
506 First Ave. NE
Box 6057
Rochester, MN 55901

Charles A. Schaffer
MN Dept. of Economic Dev.
480 Cedar Street
St. Paul, MN 55101

Kevin C. Jones
George A. Hormel & Co.
P. O. Box 800
Austin, MN 55912

Metro Inter-County Assoc.
114 Metro Square Bldg.
7th. & Robert Streets
St. Paul, MN 55101

Broeker, Hartfelt, Hedges & Grant
28[illegible]etro Dr. Suite 800
Bl[illegible]ngton, MN 55420

Norma Schumacker,
Legal Consultant
O'Connor & Hannan
38th. Floor-IDS Tower
Minneapolis, MN 55402

Becky A. Comstock
2200 1st. Bank Place East
Minneapolis, MN 55402

Dr. Daryl A. Thingvold
Serco Laboratories
1931 West County Rd. C2
Roseville, MN 55113

Archie D. Chelseth
Mgr. Public Affairs
Potlatch Corporation
Box 510
Cloquet, MN 55720

Governor's Office
Room 130
State Capitol Bldg.
St. Paul, MN 55155

Scott Schuler
Environmental Specialist
Cooperative Power Assoc.
3020 Mitchell Road
Eden Prairie, MN 55344

Dr. J. W. Haun-45W
General Mills, Inc.
P. O. Box 1113
Minneapolis, MN 55440

Ms. Mary Richardson
Suite 316
Ramsey Co. Courthouse
St. Paul, MN 55102

Carol Propotvik
MPRIG
2412 University Ave. SE
Minneapolis, MN 55414

Ms. Cheryl Heide
MN Dept. of Transportation
Rm. 807 Transportation Bldg.
John Ireland Blvd.
St. Paul, MN 55155

Zack Hansen
Washington Co. Public Health
14900 N. 61st. Street
P. O. Box 6
Stillwater, MN 55082

Forrest D. Nowlin
Larkin, Hoffman, Daly & Lindgren
7900 Xerxes Ave. S.
Minneapolis, MN 55431

John A. Knapp
Hessian, McKasy & Soderberg
4700 IDS Center
Minneapolis, MN 55402

G. Robert Johnson
4344 IDS Center
Minneapolis, MN 55402

N nal Electric, Inc.
2) Hamberg Ave.
Lakeville, MN 55044

MRC
6101 Baker Road
Minnetonka, MN 55345

Met Council
Rm. 300 - Metro Square Bldg.
7th. & Robert Streets
St. Paul, MN 55101

Hennepin County
Dept. Environment & Energy
822 South 3rd. St.-Suite 300
Minneapolis, MN 55416

Scott County P.I.E.
Scott Co. Courthouse A102
Shakopee, MN 55379

Thomas Von Kuster, Jr.
Vice President
Water Technologies, Inc.
7180 Shady Oak Road
Eden Prarie, MN 55344

Rohn Industries
P.O. Box 464
Minneapolis, MN 55440

J.C. Gay
North Star Steel Minnesota
1678 Red Rock Rd. Box 64189
St. Paul, MN 55164

Robert Kaiser
Control Data Corp.
8100 34th Ave. S.
Minneapolis, MN 55440

E Swanson
C zens for a Better Environment
1515 E. Lake St.
Minneapolis, MN 55406

State Planning Agency-EQB
100 Capitol Square Bldg.
550 Cedar Street
St. Paul, MN 55101

MPCA
Steve Reed
520 Lafayette Rd.
St. Paul, MN 55155

MN Chamber of Commerce
Suite 300
480 Cedar Street
St. Paul, MN 55101

Anoka County
Dept. of Environmental Health
325 E. Main Street
Anoka, MN 55303

Carver County
Zoning & Env. Services
600 East 4th. Street
Chaska, MN 55318

E. P. Rahe
Environmental Tech. Division
Westinghouse Electric Corp.
Box 286
Madison, PA 15663

Steven S. Ahlschlager
ACE
Route 2 Box 87AA
Underwood, MN 56586

LCWM
Kim Austrian
Rm. 86 - State Office Bldg.
St. Paul, MN 55155

3M Company
Russ Susag
900 Bush Avenue
St. Paul, MN 55144

Dept. of Natural Resources
500 Lafayette Road
St. Paul, MN 55155

Ramsey County
Environmental Health Dept.
1910 W. Co.Rd.B, Rm. 209
Roseville, MN 55113

Michael Costello
IT Corporation
3570 N. Lexington
Suite 200
St. Paul, Minnesota 55126

Rod McGillivray
MN. Waste Research and Control, In
Northland Office Center
P.O.Box 944
Virginia, MN. 55792

Terry Hoffman
Consulting and Governmental
Relations Services
Suite 1334, Conwed Tower
St. Paul, MN 554101

Na al Electric, Inc.
21 Hamberg Avenue
Lakeville, MN 55044

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8100 34th Avenue South
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Steven S. Ahlschlager
ACE
Route 2
Box 87AA
Underwood, MN 56586

~~termination of the work under a grant agreement~~ the grant recipient shall return the state's share of the unspent funds. The procedure for determining the amount of funds to be returned shall be specified in the grant agreement.

9200.6010 EVALUATION OF LOAN APPLICATIONS.

Subpart 1. [Unchanged.]

Subp. 2. **Certification factors.** In addition to determining whether the requirements of part 9200.6011, subpart 2, have been satisfied, the board shall consider the following factors in evaluating whether a loan application will be certified and in determining the share of capital costs that must be provided by the applicant:

A. to H. [Unchanged.]

I. the availability of funds from the lending authority.

Subp. 3. [Unchanged.]

Waste Management Board

Proposed Permanent Rules Relating to Hazardous and Industrial Waste Reduction Grants

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Minnesota Waste Management Board (Board) intends to adopt the above-entitled amendments to the rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1986). The Board's authority to adopt the rules is set forth in *Minnesota Statutes* § 115A.06, subd. 2 and § 115A.154 (1986).

All persons have until 4:30 p.m. on November 18, 1987, to submit comments in support of or in opposition to the proposed amendments. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed.

If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1986).

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

Prior to October 30, 1987

Susan Thornton
Minnesota Waste Management Board
7323 58th Avenue North
Crystal, Minnesota 55428
(612) 536-0816

After October 30, 1987

Susan Thornton
Minnesota Waste Management Board
1350 Energy Lane
St. Paul, Minnesota 55108
(612) 649-5783

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

The proposed amendments, if adopted, will expand the Hazardous Waste Reduction Grant Program to include the eligibility of nonhazardous industrial waste streams. The proposed rules are published below. One free copy of the rules is available upon request from the Board at the address and telephone number stated above.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Board upon request.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1986), "Small business considerations in rulemaking," that the proposed amendments to the rules will not have a direct effect on small businesses. The rules do not impose any requirements or standards on the operation of small businesses. The programs which these amendments are designed to modify will provide grants to persons seeking to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous or industrial waste. Availability of these facilities and services to small businesses generating hazardous or industrial waste is an important goal of the Board.

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

Joseph M. Pavelich
Chairman, Waste Management Board

Rules as Proposed

9200.9501 DEFINITIONS.

Subpart 1. to 2. [Unchanged.]

Subp. 3. **~~Chairperson~~ Chair.** "~~Chairperson~~ Chair" means the ~~chairperson~~ chair of the board.

Subp. 5. **Generator.** "Generator" means a person or a local government unit who produces a hazardous or industrial waste in Minnesota.

Subp. 6. [Unchanged.]

Subp. 6a. **Industrial waste.** "Industrial waste" has the meaning given in Minnesota Statutes, section 115A.03, subdivision 13a.

Subp. 7. to 9. [Unchanged.]

Subp. 10. **Recipient.** "Recipient" means an applicant who has received a grant under the hazardous and industrial waste reduction grants program.

Subp. 10a. **Recycling.** "Recycling" ~~means~~ has the ~~reclamation by the generator of usable components from waste streams~~ meaning given in Minnesota Statutes, section 115A.03, subdivision 25b.

Subp. 11. **Reduction.** "Reduction" means action by a generator that:

A. decreases the total quantity of hazardous or industrial waste generated by the generator through abatement, minimization, reuse, or recycling; or

B. decreases the quantity of one or more types of hazardous or industrial waste that results in a decrease in risk to the public health and safety and the environment, but does not decrease the total quantity of hazardous or industrial wastes generated by the generator.

Subp. 12. [Unchanged.]

9200.9502 ELIGIBILITY CRITERIA.

Subpart 1. **Eligible applicants.** The following are eligible to apply for a hazardous or industrial waste reduction grant:

A. a generator; or

B. an association that consists of or represents two or more generators generating similar hazardous or industrial wastes in Minnesota.

Subp. 2. **Eligible projects.** Projects designed to determine the feasibility of applying specific methods and technologies to reduce the generation of hazardous or industrial waste are eligible to receive a hazardous or industrial waste reduction grant. Eligible projects include projects to study the specific application of a method or technology already developed and projects to analyze a method or technology for which additional research is necessary to establish the feasibility of the method or technology.

Application or research projects currently under development by the applicant and new projects are eligible.

Subp. 3. and 4. [Unchanged.]

9200.9503 GRANT APPLICATION.

An applicant shall submit an application in the form specified by the ~~board~~ chair. An application must include the following information:

A. A description of the applicant's managerial and technical ability to undertake a hazardous or industrial waste reduction feasibility study, including any consultant help that may be anticipated.

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.

B. A statement outlining the method or technology that will be studied by the applicant and the waste reduction that may result from application of the method or technology. This statement must include a discussion of the following items:

(1) a description of the method or technology to be studied;

(2) whether the study involves the application of an existing method or technology, or original or continuing research on a method or technology for which additional research is necessary to determine the feasibility of the method or technology;

(3) a description of the hazardous or industrial waste affected by the proposed project that is generated by the applicant, including the quantity generated in the previous calendar year;

(4) an estimate of the decrease in the quantity of hazardous or industrial waste generated ~~and any decrease in risk that results from the application of the method or technology to be studied~~; and

(5) the current method used to manage the hazardous or industrial waste generated by the applicant, and any anticipated change in management occurring after the reduction~~; and~~

~~(6) estimated increased or decreased annual operating and maintenance costs that will be realized if the proposed method or technology is implemented~~.

C. [Unchanged.]

9200.9506 EVALUATION OF PROPOSALS.

Subpart 1. **Evaluation schedule.** Within 45 days of the completion of the eligibility and documentation review, the board shall evaluate eligible proposals and set a deadline for action.

Subp. 2. **Evaluation factors.** In evaluating each proposal the board shall consider the following factors:

A. The relationship of the proposed hazardous or industrial waste reduction to the goals and policies of the Waste Management Board.

B. The significance of the proposed waste reduction measured by:

(1) the decrease in total hazardous or industrial waste generated in Minnesota as a result of the waste reduction and the potential future decrease as a result of application of the waste reduction method by other generators; and

(2) the decrease in risk to the public health and safety and the environment resulting from the waste reduction including:

(a) the decrease in the quantity of waste with a high degree of intrinsic hazard;

(b) the decrease in the quantity of untreatable waste requiring land disposal; or

(c) the effect of waste reduction on the subsequent management of any remaining waste, including the need for ~~and risk associated with~~ further processing and disposal steps to properly manage the waste.

C. The merits of the specific method or technology proposed by the applicant which will be based on the following factors:

(1) the percentage decrease in the quantity of hazardous or industrial waste affected by the reduction;

(2) the percentage increase or decrease in the total quantity of hazardous or industrial wastes generated by the applicant;

(3) the general applicability of the hazardous or industrial waste reduction method or technology to other generators located in Minnesota; and

(4) the likelihood of the success of the specific method or technology to reduce hazardous or industrial wastes, the estimated reliability of the proposed method or technology, and capital, operating, and maintenance costs required to operate and maintain the proposed method or technology if it is implemented.

D. Other factors including:

(1) Whether an applicant is an association of two or more generators. In considering this factor, the board may give preference to an association of two or more generators if the board determines that the association significantly contributes to cooperation among generators in reducing hazardous or industrial waste generation.

(2) The recommendations of the board's ~~technical assistance program advisory committee~~ hazardous waste management planning council.

(3) and (4) [Unchanged.]

9200.9508 GRANT AGREEMENT.

Subpart 1. **Contents of agreement.** The board and a grant recipient shall enter into a grant agreement. The grant agreement must:

A. Establish the term of the grant. Unless otherwise determined by the board, all grants awarded under this part must have a maximum term of one year.

B. Provide that the recipient is authorized to enter into contracts to complete the work specified in the agreement.

C. Identify the product of the proposal and provide that the results of all studies or analyses performed under this agreement are made available to the board and to the general public. All information and techniques developed through a project assisted by a board grant will be made available to all hazardous and industrial waste generators in the state through the technical assistance program established by the board.

Subp. 2. to 4. [Unchanged.]

Subp. 5. **Audit.** Since this program involves the expenditure of public funds, the books, records, documents, and accounting procedures and practices of the recipient of grant funds that are only relevant to this program are subject to examination at any time by the ~~chairperson~~ chair of the board and other appropriate state officials. Any audit exceptions identified by the board must be reimbursed at the board's discretion.

Subp. 6. [Unchanged.]

Department of Labor and Industry

Proposed Permanent Rules Relating to Employee Termination Notice

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Labor and Industry, Labor Standards Division, proposes to adopt the above-captioned Rule part 5200.0280 without a public hearing. The Department has determined that the proposed adoption of the rule will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, Section 14.21-14.28 (1984).

Persons or groups interested in this rule shall have 30 days to submit comments on the proposed rule. Comments in support of or in opposition to the proposed rule are encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change in the proposed language.

A public hearing will be held if 25 or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period. If a public hearing is required, the Department will proceed according to the provisions of *Minnesota Statutes*, Section 14.131-14.20 (1984). Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

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

Ray Bohn
Commissioner, Department of Labor and Industry
5th Floor, Space Center Building
444 Lafayette Road
St. Paul, Minnesota 55101
(612) 296-2342

Authority for the adoption of this rule is contained in *Minnesota Statutes* 181.934. A Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed rule identifies the data and information relied upon to support the proposed rule and assesses the impact of the proposed rule on small business and on local public bodies has been prepared and is available from the Commissioner upon request at the above address.

The qualitative, quantitative impact on small business after the adoption of the rule will have no greater effect on small business than already placed on small business by the Legislature under *Minnesota Statutes* 181.931 through 181.935.

Upon adoption of the final rule without a public hearing, all jurisdictional documents, the Statement of Need and Reasonableness, all written amendments and requests for hearing received, and the final rule as adopted, will be delivered to the Attorney General. The rule will then be reviewed by the Attorney General as to legality and form as it relates to legality, including the issues of substantial change, the agency's authority to adopt the rule and the existence of a rational basis for the need for and reasonableness of the proposed rule. Persons who wish to be notified of the submission of this material to the Attorney General, including modifi-

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.

STATE OF MINNESOTA

WASTE MANAGEMENT BOARD

IN THE MATTER OF THE PROPOSED)
AMENDMENTS OF RULES GOVERNING) CERTIFICATE OF
HAZARDOUS WASTE REDUCTION GRANTS) BOARD'S RESOLUTION

I, Joseph M. Pavelich, do hereby certify that I am a member and the Chairperson of the Waste Management Board, a board 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 Waste Management Board duly and properly called and held on the 24th day of September 1987, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

RESOLVED, that the Waste Management Board determines that the adoption of the proposed amendments to the rules governing Hazardous Waste Reduction Grants will not be controversial in nature and authorizes and directs the Chairperson of the Board to sign and to give notice, by publication and by mail, of the Board's intent to adopt the rules without public hearing. The Chairperson may perform any and all acts incidental to signing and giving notice, and may make changes in the form of the proposed rules prior to giving notice to the extent required to obtain the approval of the Revisor of Statutes under Minn. Stat. § 14.07, subd. 2 (1986). In the event a public hearing on these rules is required, the Chairperson is authorized and directed to call a public hearing for this purpose, to sign a notice of hearing, and to perform all acts necessary and incidental to the hearing.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this 24th day of September, 1987.

Joseph M. Pavelich, Chairman

Lawrence E. Hunter
Attest by one other Board member

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed Amendments to Rules Governing the Waste Reduction Grant, Program Minn. Rules Parts 9200.9500 - 9200.9508

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING AMENDMENTS TO RULES

The above-entitled matter came on for decision before the Minnesota Waste Management Board (Board) on the 19th day of November, 1987. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Board, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering the Statement of Need and Reasonableness, after considering all of the evidence adduced upon the records, files and proceedings herein, the Board, being fully advised in the premises, hereby adopts the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. Notice of the Minnesota Waste Board's intent to adopt the above-entitled rules without a public hearing was published in the State Register on October 19, 1987, and was sent by mail to all persons on the list maintained by the Board pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 (1986) on October 15, 1987.

2. The Statement of Need and Reasonableness was prepared prior to mailing and publication of the notice and was made available to the public.

3. All persons were given the opportunity to submit comments on the rule for 30 days after notice of proposed rulemaking. The 30 day comment period, as set out in the notice, expired on November 18, 1987.

4. No requests for public hearing were received during the comment period.

5. No requests for notice of submission to the Attorney General were received by the Board.

6. During the comment period the Board did not receive any written comments.

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

8. The above-captioned rule in needed and reasonable.

CONCLUSIONS

1. The Minnesota Waste Management Board duly acquired and has jurisdiction over this proceeding.

2. The Board 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.

ORDER

NOW, THEREFORE, IT IS ORDERED, that the attached Minn. Rules pts. 9200.9500-9200.9508 governing the Waste Reduction Grant Program is adopted pursuant to the authority vested in the Minnesota Waste Management Board by Minn. Stat. § 115A.154 (1987)

MINNESOTA WASTE MANAGEMENT BOARD

Dated: 11/19/87

JOSEPH M. PAVELICH,
CHAIR
Waste Management Board

STATE OF MINNESOTA
WASTE MANAGEMENT BOARD

In the Matter of the Proposed Amendments to Rules Governing the Waste Reduction Grant, Program Minn. Rules Parts 9200.9500 - 9200.9508

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING AMENDMENTS TO RULES

The above-entitled matter came on for decision before the Minnesota Waste Management Board (Board) on the 19th day of November, 1987. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Board, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering the Statement of Need and Reasonableness, after considering all of the evidence adduced upon the records, files and proceedings herein, the Board, being fully advised in the premises, hereby adopts the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. Notice of the Minnesota Waste Board's intent to adopt the above-entitled rules without a public hearing was published in the State Register on October 19, 1987, and was sent by mail to all persons on the list maintained by the Board pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 (1986) on October 15, 1987.

2. The Statement of Need and Reasonableness was prepared prior to mailing and publication of the notice and was made available to the public.

3. All persons were given the opportunity to submit comments on the rule for 30 days after notice of proposed rulemaking. The 30 day comment period, as set out in the notice, expired on November 18, 1987.

4. No requests for public hearing were received during the comment period.

5. No requests for notice of submission to the Attorney General were received by the Board.

6. During the comment period the Board did not receive any written comments.

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

8. The above-captioned rule in needed and reasonable.

CONCLUSIONS

1. The Minnesota Waste Management Board duly acquired and has jurisdiction over this proceeding.

2. The Board 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.

ORDER

NOW, THEREFORE, IT IS ORDERED, that the attached Minn. Rules pts. 9200.9500-9200.9508 governing the Waste Reduction Grant Program is adopted pursuant to the authority vested in the Minnesota Waste Management Board by Minn. Stat. § 115A.154 (1987)

MINNESOTA WASTE MANAGEMENT BOARD

Dated: 11/19/88

JOSEPH M. PAVELICH,
CHAIR
Waste Management Board

STATE OF MINNESOTA
POLLUTION CONTROL AGENCY

In the Matter of the Proposed
Rules Governing Hazardous and
Industrial Waste Reduction Grants,
Minn. Rules Parts 9200.9501 to 9200.9508

DECLARATION OF COUNSEL

I, Alan C. Williams, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules ch. 2010 have been followed. For Attorney General billing purposes, the four-digit docket client code is 75.F233.0835.

Alan C. Williams

ALAN C. WILLIAMS
Special Assistant
Attorney General

RECEIVED

FEB 0 1 1988

ATTORNEY GENERAL'S OFFICE
515 TRANSPORTATION BLDG.
ST. PAUL, MN 55155

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
ST. PAUL 55155

January 27, 1988

ADDRESS REPLY TO:
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155
TELEPHONE: (612) 297-1075

RECEIVED
FEB 01 1988
ATTORNEY GENERAL'S OFFICE
515 TRANSPORTATION BLDG.
ST. PAUL, MN 55155

Ms. Christie Eller
Assistant Attorney General
Office of the Attorney General
204 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155

Re: In the Matter of Proposed Rules Governing Hazardous and Industrial Waste Reduction Grants, Minn. Rules Parts 9200.9501 to 9200.9508.

Dear Ms. Eller:

On November 19, 1987, the Waste Management Board adopted the above-captioned rules governing Hazardous and Industrial Waste Reduction Grants. Enclosed for your review are the following:

1. Rules as adopted (original and three copies).

2. Findings of Fact, Conclusions, and Order Adopting Rules (two copies).

3. Certificate of Resolution Adopting Rules.

4. Certificate of Authorizing Resolution.

5. Notice of Intent to Adopt Rules Without a Public Hearing and rules as proposed (12 S.R. 822, October 19, 1987

6. Notice of Intent to Adopt Rules Without a Public hearing, as mailed.

7. Affidavit of Mailing the Notice of Intent to Adopt Rule Without a Public Hearing and Certificate of Mailing List.

8. Rules as proposed.

9. Statement of Need and Reasonableness

10. Declaration of Counsel.

Very truly yours,

Alan C. Williams

ALAN C. WILLIAMS
Special Assistant
Attorney General

cc: Kevin McDonald
Hazardous Waste Planner, WMB