

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 155

Pursuant to Minnesota Statutes 1986, Section 16B.37, the following administrative reorganization is made with the prior approval of the Governor.

In order to improve efficiency and avoid duplication in the operation of state government, the powers and duties of the Waste Management Board are transferred to the Pollution Control Agency and the Environmental Quality Board as set forth below.

The following powers and duties of the Waste Management Board are transferred to the Pollution Control Agency:

1. All powers necessary or convenient to discharge the duties transferred pursuant to this Order (Section 115A.06, subd. 1).
2. To promulgate rules (Section 115A.06, subd. 2).
3. To sue and be sued (Section 115A. 06, subd. 3).
4. To enter property for the purpose of obtaining information and to pay a reasonable estimate of the damages it believes will be caused (Section 115A. 06, subd. 5).
5. To acquire easements (Section 115A.06, subd. 5a).
6. To apply for and accept gifts, loans, or other property (Section 115A.06. subd. 6).
7. To own, use, or occupy property exempt from taxation except for special assessments (Section 115A. 06, subd. 7).
8. To enter into contracts (Section 115A.06, subd. 8).
9. To engage in joint cooperative action (Section 115A.06, subd. 9).
10. To conduct research studies and programs and other related activities in accordance with section 115A. 06, subd. 10.
11. To employ persons and contract for services (Section 115A.06, subd. 11).

12. To procure insurance and to require any employee to obtain and file with it an individual bond or fidelity insurance policy (Section 115A.06, subd. 12).
13. To use classified or nonpublic data in accordance with Section 115A.06, subd. 13.
14. To encourage improved management of nonhazardous and industrial waste (Section 115A.06, subd. 14).
15. To inform the Commissioner of Trade and Economic Development of the agency's activities (Section 115A.07, subd. 1).
16. To prepare and submit to the Legislative Commission on Waste Management a biennial report (Section 115A.07, subd. 2).
17. To provide for the development and implementation of general public education on waste management (Section 115A.072).
18. To provide the reports identified in Section 115A.08.
19. To prepare an inventory in accordance with Section 115A.09.
20. To encourage the development and operation of hazardous waste facilities by private enterprise in accordance with Section 115A.10.
21. To adopt, amend and implement a hazardous waste plan in accordance with Section 115A.11.
22. To establish advisory councils in accordance with Section 115A.12.
23. To establish a technical and research assistance program in accordance with Section 115A.152.
24. To make waste reduction grants to generators of hazardous waste (Section 115A.154).
25. To make development grants for waste processing and collection facilities (Section 115A.156).
26. To request proposals for the development and operation of commercial hazardous waste and processing facilities in accordance with Section 115A.158.
27. To request proposals for the development and operation of hazardous waste collection and transportation services in accordance with Section 115A.159.

28. To review and certify applications for hazardous waste processing facility loans (Section 115A.162).
29. To evaluate its programs in accordance with Section 115A.165.
30. To assist and encourage the development of specific facilities, services, and uses needed to provide markets for recyclable materials and compost generated in the state (Section 115A.48).
31. To administer a program to encourage and improve regional and local solid waste management planning activities (Sections 115A.42 to 115A.46).
32. To provide grants to develop waste reduction and separation projects (Section 115A.53).
33. To establish a solid waste management demonstration program in accordance with Sections 115A.49 to 115A.541.
34. To authorize disbursements from the waste management fund (Section 115A.57).
35. To request the Commissioner of Finance to sell waste management bonds (Sections 115A.58, subd. 2 and 115A.59).
36. To establish, alter and terminate solid waste management districts in accordance with Sections 115A.63 to 115A.72.
37. To approve solid waste designation plans, ordinances, and contracts, and to supervise implementation of such plans (Sections 115A.84, 115A.86, 115A.89).
38. To implement the waste tire management program in accordance with Sections 115A.912 to 115A.914.
39. To make loans to businesses for the purchase of used oil processing equipment (Section 115A.9162, subd. 1).
40. To make grants to counties for installation of storage tanks to collect used oil (Section 115A.9162, subd. 2).
41. To issue certificates of need for new capacity for disposal of mixed municipal solid waste (Section 115A.917).
42. To develop guidelines for counties to use to identify ways to meet the goals in Section 115A.97 (Section 115A.97, subd. 5).

43. To develop and propose statewide goals and timetables for the reduction of the noncombustible fraction of mixed municipal solid waste (Section 115A.97, subd. 5).

The following powers and duties of the Waste Management Board are transferred to the Environmental Quality Board:

1. All powers necessary or convenient to discharge the duties transferred pursuant to this Order (Section 115A.06, subd. 1).
2. To promulgate rules (Section 115A.06, subd. 2).
3. To sue and be sued (Section 115A.06, subd. 3).
4. To direct the Commissioner of Administration to acquire property for sites and buffer areas surrounding sites for stabilization and containment facilities (Section 115A.06, subd. 4).
5. To enter property for the purpose of obtaining information and to pay a reasonable estimate of the damages it believes will be caused (Section 115A.06, subd. 5).
6. To acquire easements (Section 115A.06, subd. 5a).
7. To apply for and accept gifts, loans, or other property (Section 115A.06, subd. 6).
8. To own, use, or occupy property exempt from taxation except for special assessments (Section 115A.06, subd. 7).
9. To enter into contracts (Section 115A.06, subd. 8).
10. To engage in joint cooperative action (Section 115A.06, subd. 9).
11. To conduct research studies and programs and other related activities in accordance with section 115A.06, subd. 10.
12. To employ persons and contract for services (Section 115A.06, subd. 11).
13. To procure insurance and to require any employee to obtain and file with it an individual bond or fidelity insurance policy (Section 115A.096, subd. 12).

14. To use classified or nonpublic data in accordance with Section 115a.06, subd. 13.
15. To proceed with selection and evaluation of sites for stabilization and containment facilities in accordance with sections 115A.175 to 115.39.

Consistent with this transfer of powers and duties, the following positions and their incumbents, with all accrued benefits, are transferred from the Waste Management Board to the Pollution Control Agency.

<u>Position Number</u>	<u>Incumbent</u>	<u>Classification</u>
995890	Andrea Albrecht	Clerk Typist 1
958930	Katrina E. Allen	Student Worker Para Prof Sr.
190420	Richard S. Andre	Pollution Control Specialist
224380	David J. Benke	Planner
224950	John T. Betcher	Hydrologist 3
217320	Virginia K. Black	Planner
160660	Sheila A. Brunelle	Pollution Control Specialist Sr.
161400	David A. Cera	Planner Principal State
197850	Diane M. Commers	Clerk Typist 2
161620	Thomas D. Couling	Planner Senior State
173560	Linda P. Countryman	Planner Senior State
211260	Leallan J. Estrem	Planner Intermediate
224240	Cindy Lee Evenson	Personnel Aide Senior
221990	Janice L. Flesland	Planner Intermediate
211280	Norma L. Gillies	Planner Intermediate
222540	Jean E. Grover	Planner
221890	Suzanne E. Hanson	Planner Senior State
071320	John M. Helgeson	Pollution Control Spec Intern
214860	Eleanor F. Heyda	Word Processing Operator 2
239380	Scott Hvidsten	Information Officer 2
960290	Barbara A. Johnson	Student Worker Clerical
222000	Barbara J. Johnson	Planner Principal State
176820	Kevin D. Johnson	Administrative
211820	Daniel J. Knuth	Planning Dir St
193330	Daniel F. Krivit	Deputy Chair Waste Management Board
198030	Hal Kuntz	Planner Principal State
160840	Donald J. Kyser	Pollution Control Specialist
211270	Pamela Winthrop Lauer	Engineer Senior Planner Intermediate

176830	Sandra Leblanc	Clerk Typist 1
224390	Donald R. Lindstrom	Planner
196950	Julie E. Mackenzie	Planner
221980	Kevin J. McDonald	Planner
190720	Neal A. Miller	Information Officer 3
190610	Emily Ray Moore	Planner
216450	John W. Morley	Hydrologist 2
160850	Timothy M. Nolan	Planner Intermediate
215770	Kevin F. O'Donnell	Planner
157930	Joseph M. Pavelich	Chairperson Waste Management Board
224810	Stephen B. Platisha	Planner Senior State
171560	Terri Ann Port	Waste Mgmt Facility Devel Mgr
186720	Daniel P. Reinke	Engineer Senior
214920	Patricia D. Roles	Administrative Secretary
222240	Andrew E. Ronchak	Planner Principal State
200250	M. Louise Roseland	Clerk Typist 2
223870	Kirk E. Rosenberger	Planner Principal Comm Spec
161610	Wayne M. Sames	Planning & Tech Asstnc Mgr-WMB
159810	Sigurd C. Scheurle	Planner Senior State
197860	Connie J. Schultz	Clerk Typist 2
159840	June J. Seery	Clerk Typist 4 Supervisor
229610	Julie Shortridge	Information Officer 2
159820	Brett A. Smith	Administrative
189290	Johnna M. Spaeth	Planning Dir St
171510	Kenneth E. Stabler	Pollution Control Specialist
963940	Mary A. Stangler	Planner Principal State
159240	Dennis D. Taylor	Pollution Control Specialist
220900	Catherine L. Thayer	Administrative Mgt Director 2
224180	Barbara J. Thomas	Planner Senior State
959780	Susan R. Thomas	Planner
161460	Nancy Thorton	Administrative
	Susan Thorton	Planning Dir St
202250	Theodore W. Troolin	Pollution Control Spec Prin
963920	Mary B. Vandenbosch	Planner Intermediate
961490	Christine Vandervoort	Information Officer 1
239430	Susan K. Vikstrom	Accounting Officer Inter
159830	Edward A. Welsch	Administrative
212650	Susan C. Wiley	Planning Dir St
153980	Rita A. Yarrington	Information Officer 2 Executive 1

901670	Vacant	Clerk Steno 3
964300	Vacant	Clerk Typist 1
159790	Vacant	Executive Assistant
196940	Vacant	Pollution Control
		Specialist Sr
190580	Vacant	Pollution Control
		Specialist
960600	Vacant	Pollution Control
		Specialist Sr
927880	Vacant	Research Analyst
246290	Vacant	Planner

The General Fund complement of the Waste Management Board as provided by Laws 1987, Ch. 404, Sec. 24 is decreased by 32 positions; the General Fund complement of the Pollution Control Agency as provided by Laws 1987, Ch. 404, Sec. 24, is increased by 32 positions.

The Special Revenue Fund complement of the Waste Management Board as provided by Laws 1987, Ch. 348 and Laws 1988, Ch. 68, is decreased by 5 positions; the Special Revenue Fund complement of the Pollution Control Agency as provided by Laws 1987, Ch. 404, Sec. 24, is increased by 5 positions.

The Motor Vehicle Transfer Fund complement of the Waste Management Board as provided by Reorganization Order 144, and Laws 1987, Ch. 404, Sec. 25, and Laws 1988, Ch. 685, is decreased by 8 positions; the Motor Vehicle Transfer Fund complement of the Pollution Control Agency as provided by Laws 1987, Ch. 404, Sec. 24, is increased by 8 positions.

The Building Fund complement of the Waste Management Board as provided by Laws 1987, Ch. 404, Sec. 25, and Laws 1987, Ch. 400, Section 6, and Laws 1988, Ch. 685 is decreased by 18 positions; the Building Fund complement of the Pollution Control Agency as provided by Laws 1987, Ch. 404, Sec. 24, is increased by 18 positions.

The board, composed of nine permanent members and other temporary members pursuant to Section 115A.05, is abolished except that the complement position of chair is transferred to the Pollution Control Agency.

Nothing in this reorganization order shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the managerial or commissioner's plan under Minnesota Statutes 1986, Section 43A.18 or the terms of an agreement between an exclusive representative of public employees and the state or one of its appointing authorities.

The Waste Management Board shall give to the Pollution Control Agency and the Environmental Quality Board all contracts, books, maps, plans, papers, records, supplies, and equipment relevant to their respective duties and powers imposed by this order.

The rules promulgated by the Waste Management Board shall continue in force and effect under the jurisdiction of the Environmental Quality Board and the Pollution Control Agency, as applicable. However, the rules relating to the operating procedures of the Environmental Quality Board and Pollution Control Agency shall supersede the rules relating to operating procedures promulgated by the Waste Management Board.

Any proceeding, court action, prosecution, or other business or matter pending on the effective date of the transfer may be conducted and completed by the Pollution Control Agency or the Environmental Quality Board, as the case may be, in the same manner under the same terms and conditions, and with the same effect, as though it involved or were commenced and conducted or completed prior to the transfer by the Waste Management Board.

All Powers and duties conferred on the chair of the Waste Management Board shall transfer to the Commissioner of the Pollution Control Agency and the Chair of the Environmental Quality Board, as applicable.

The Environmental Quality Board and the Pollution Control Agency shall adhere to all applicable legislative policies in carrying out the powers and duties transferred by this Order.

The primary intent of this Order is to transfer to the Environmental Quality Board the powers and duties necessary to carry out the selection, evaluation, and development of sites for stabilization and containment facilities and transfer all other powers and duties to the Pollution Control Agency. The Environmental Quality Board and the Pollution control Agency shall cooperate with each other to facilitate and carry out the intent of this Order. The two agencies shall jointly report to the governor on the progress of the transfer of powers and duties and recommend any necessary adjustments needed to further improve efficiency and avoid duplication.

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 1986, Section 16B.37, Subdivision 3.

The effective date of this order is October 7, 1988, the order is herewith filed with the Secretary of State and shall remain in effect until amended or repealed.

APPROVED:

Rudy Perpich
RUDY PERPICH GOVERNOR

07 October 1988
Date

Sandra J. Hale
SANDRA J. HALE, COMMISSIONER
DEPARTMENT OF ADMINISTRATION

October 7 1988
Date

FILED ACCORDING TO LAW:

Joan Anderson Growe
JOAN ANDERSON GROWE
SECRETARY OF STATE

10/7/88
Date

STATE OF MINNESOTA
FILED

OCT 7 1988

Joan Anderson Growe
Secretary of State