

**STATE OF MINNESOTA  
DEPARTMENT OF ADMINISTRATION  
REORGANIZATION ORDER NO. 169**

Pursuant to Minnesota Statutes 1992, 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 Office of Waste Management's duties for solid waste management are transferred to the Commissioner of the Pollution Control Agency.

These duties include, but are not limited to:

1. Preparing the Hazardous Waste Assurance Plan as required by U.S. Code 9604 (c)(9);
2. Preparing a statewide hazardous waste management plan (Minnesota Statutes 1992, Section 115A.11) and the hazardous waste program evaluation report identified in Minnesota Statutes 1992, Section 115A.165;
3. Administering the hazardous waste grant program identified in Minnesota Statutes 1992, Section 115A.156;
4. Maintaining the establishment of the solid and hazardous waste management advisory councils (Minnesota Statutes 1992, Section 115A.12, subd. 1);
5. Preparing and presenting to the Legislative Commission on Waste Management, the Solid Waste Management Policy Report (Minnesota Statutes 1992, Section 115A.411);
6. Preparing the Problem Materials Reports identified under Minnesota Statutes 1992, Section 115A.956, subs. 1 and 2;
7. Reviewing grant applications for Used Oil Tank Grants and Loans (Minnesota Statutes 1992, Section 115A.9162);
8. Providing technical assistance for Major Appliances (Minnesota Statutes 1992, Section 115A.9561), Used Oil Tank Grants (Minnesota Statutes 1992, Section 115A.9162), Fluorescent Lamp Management (Minnesota Statutes 1992, Section 115A.932, subd. 1 (c)), and Problem Materials (Minnesota Statutes 1992, Section 115A.956, subs. 1 and 2) under the general technical assistance authorities listed in Minnesota Statutes 1992, Section 115A.45;
9. Providing technical assistance for county planning purposes (Minnesota Statutes 1992, Section 115A.45);

10. Administering the county solid waste management program established under Minnesota Statutes 1992, Section 115A.42;
11. Reviewing and approving or disapproving county solid waste management plans (Minnesota Statutes 1992, Section 115A.46, subd. 1(e));
12. Establishing and defining the powers of solid waste districts under Minnesota Statutes 1992, Section 115A.63;
13. Reviewing and approving or disapproving submittals for designation plans under Minnesota Statutes 1992, Section 115A.84, subd. 3 and Section 115A.86, subd. 2;
14. Supervising the implementation of designation by requiring the submittal of regular reports and by providing a periodic evaluation as to whether each designation ordinance is in the public interest and is in furtherance of the state policies and purposes expressed under Minnesota Statutes 1992, Section 115A.02, and to report the conclusions of an analysis of this information to the legislature (Minnesota Statutes 1992, Section 115A.89);
15. Administering the Capital Assistance Grant Program (Minnesota Statutes 1992, Section 115A.54, as amended) contingent upon the application requirements in Minnesota Statutes 1992, Section 115A.51 and using the general authorities identified in Minnesota Statutes 1992, Section 115A.49;
16. Administering the Low Tech Grant Program (Minnesota Statutes 1992, Section 115A.53) contingent upon the application requirements identified in Minnesota Statutes 1992, Section 115A.51 and using the general authorities identified in Minnesota Statutes 1992, Section 115A.49;
17. Providing technical assistance for solid waste management grant projects identified under Minnesota Statutes 1992, Sections 115A.54, as amended, and 115A.53 (Minnesota Statutes 1992, Section 115A.52); and
18. Requesting the issuance of Minnesota State Waste Management Bonds under Minnesota Statutes 1992, Section 115A.58, subd. 2, for the grant programs identified in Minnesota Statutes 1992, Sections 115A.53, 115A.554, and 115A.9162.

All powers and duties of the Office of Waste Management under Minnesota Statutes 1992, Section 115A.06 that are necessary or convenient to discharge the duties transferred pursuant to this order are hereby transferred to the Commissioner of the Pollution Control Agency.

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

<u>Position Number</u>	<u>Incumbent</u>	<u>Classification</u>
279380	Bruce L. Brasaemle	Pollution Control Specialist, Intermediate
193330	Kevin F. O'Donnell	Planner Principal State
285200	John R. Gilkeson	Pollution Control Specialist, Senior
310920	Emily Ray Moore	Pollution Control Specialist, Senior
196950	Julie E. MacKenzie	Pollution Control Specialist, Intermediate
320730	Mary Vandebosch	Planner Principal State
159820	Sigurd C. Scheurle	Pollution Control Specialist, Principal
202250	Richard L. Patraw	Planner Principal State
311040	Virginia K. Black	Pollution Control Specialist, Senior
278640	Vacancy	Pollution Control Specialist, Senior
278460	Vacancy	Pollution Control Specialist, Senior
278470	Kirk Rosenberger	Pollution Control Specialist, Senior
160840	Donald J. Kyser	Engineer Senior
277840	Mary S. Wenck	Pollution Control Specialist, Intermediate
190610	Diane K. Wanner	Pollution Control Specialist, Intermediate
190420	Richard S. Andre	Pollution Control Specialist
985170	Karen Harrington	Planner Senior State
281210	Mary L. James	Planning Grants Coordinator
151360	David J. Benke	Planner Principal State
214860	Vacancy	Clerk Typist 2

Nothing in this 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 1992, 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 Office of Waste Management shall give to the Commissioner of the Pollution Control Agency all contracts, books, maps, plans, papers, records, supplies, and equipment relating to the transferred duties.

The Office of Waste Management's rulemaking authority for the solid waste management activities is transferred to the Commissioner of the Pollution Control Agency. All rules adopted by the Office of Waste Management pursuant to these duties remain in effect and shall be enforced until amended or repealed in accordance with law by the Commissioner of the Pollution Control Agency.

The Commissioner of the Pollution Control Agency is the legal successor in all respects of the Office of Waste Management in regard to the transferred duties. The bonds, resolutions, contracts, and liabilities of the Office of Waste Management become the bonds, resolutions, contracts, and liabilities of the Commissioner of the Pollution Control Agency.

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 Commissioner of the Pollution Control Agency 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 Office of Waste Management.


The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 1992, Section 16B.37, subdivision 3.

In accordance with Minnesota Statutes 1992, Section 16B.37, subdivision 2, this order is effective upon filing with the Secretary of State and shall remain in effect until amended or repealed.

APPROVED:

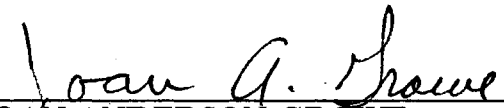
  
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ARNE H. CARLSON, GOVERNOR

Aug 18, 1993  
DATE

  
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DEBRA RAE ANDERSON, COMMISSIONER  
DEPARTMENT OF ADMINISTRATION

August 18, 1993  
DATE


FILED ACCORDING TO LAW:

  
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JOAN ANDERSON GROWE  
SECRETARY OF STATE

September 20, 1993  
DATE

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

SEP 20 1993

  
Secretary of State