

**7011.0920 PERFORMANCE TESTS.**

Subpart 1. **Methods and procedures.** Performance tests shall be conducted according to the requirements of this part and parts 7017.2001 to 7017.2060.

Subp. 2. **Performance test frequency for hot mix asphalt plants using fabric filters.** If an owner or operator of a hot mix asphalt plant uses a fabric filter, including, but not limited to, EPA ID No. 016 listed in part 7011.0917, subpart 7, as the primary or secondary control equipment to remove particulate matter, then the owner or operator shall conduct performance testing for particulate matter and opacity as required by part 7017.2020, subpart 1.

Subp. 3. **Performance test frequency for hot mix asphalt plants with control equipment that uses liquid to remove pollutants.** If an owner or operator operates a hot mix asphalt plant that has only control equipment that uses liquid to remove pollutants or has a secondary control device that uses liquid to remove pollutants, including, but not limited to, EPA ID Nos. 052, 053, 055, and 085 listed in part 7011.0917, subpart 7, then the owner or operator shall conduct performance testing for particulate matter and opacity as described in items A to E.

A. If the hot mix asphalt plant produced no more than 35,000 tons in each of the three previous calendar years and has a manufacturer's rated capacity of 100 tons per hour or less at five percent moisture, then the owner or operator shall conduct performance testing as required by part 7017.2020, subpart 1.

B. Except as provided in item A, if the hot mix asphalt plant produced no more than 100,000 tons in any of the three previous calendar years, then the owner or operator shall conduct performance testing every three calendar years.

C. If the hot mix asphalt plant produced greater than 100,000 tons, but no more than 200,000 tons in any of the three previous calendar years, then the owner or operator shall conduct performance testing every two calendar years.

D. If the hot mix asphalt plant produced more than 200,000 tons in the previous calendar year, then the owner or operator shall conduct performance testing within 60 days of start-up in the following calendar year.

E. The owner or operator of a hot mix asphalt plant shall conduct additional performance testing as required by part 7017.2020, subpart 1.

Subp. 4. **Performance test required for all hot mix asphalt plants.** If the owner or operator of a hot mix asphalt plant has not conducted a performance test for particulate matter and opacity approved by the commissioner under parts 7017.2001 to 7017.2060 since January 1, 1991, the owner or operator must conduct such a performance test:

A. in 1996, for hot mix asphalt plants that are operated in the state in 1996; or

B. within 60 days after the hot mix asphalt plant begins operation in the state.

**Statutory Authority:** *MS s 116.07*

**History:** *18 SR 614; 18 SR 1412; 20 SR 2253(NO. 42)*

**Published Electronically:** *February 25, 2008*