

7007.1050 DURATION OF PERMITS.

Subpart 1. **Part 70 permits.** A part 70 permit shall expire five years after issuance, except for title I conditions as provided in subpart 4. The agency may issue part 70 permits for stationary sources, other than affected sources, that expire in less than five years but not less than three years if necessary to evenly distribute the rate of reissuance applications in subsequent years and if the permittee consents.

Subp. 2. **State permits and capped permits.** A state permit or capped permit shall not automatically expire unless the agency makes the permit an expiring one under subpart 5.

Subp. 3. **General permits.** A general permit that applies to any stationary sources that would otherwise be required to have a part 70 permit shall expire five years after the date it is issued under part 7007.1100, subpart 4. A general permit that only applies to stationary sources that would otherwise be required to have a state permit shall not automatically expire unless the agency makes the permit an expiring one under subpart 5.

Subp. 3a. **Registration permits.** A registration permit shall not expire.

Subp. 4. **Title I conditions.** Title I conditions, and the permittee's obligation to comply with them, shall not expire, regardless of the expiration of the other conditions of the permit.

Subp. 5. **Expiring state, capped, and general permits.** The agency may elect to make state permits, capped permits, and general permits (except general permits that apply to stationary sources otherwise required to have a part 70 permit) expire five years or more after issuance if the permittee requests an expiring permit or if the agency determines that an expiring permit would significantly improve the likelihood of continuing compliance with applicable requirements and the terms of the permit. Grounds for such a determination include, but are not limited to, the following:

A. the stationary source has a history of noncompliance with applicable requirements or with an air emissions permit;

B. the applicable requirements to which the stationary source is currently subject are expected to change substantially within the next five years; or

C. the owners and operators of the stationary source are likely to make substantial changes within the next five years making the stationary source subject to additional applicable requirements.

This subpart does not apply to any title I condition.

Subp. 6. **Effect of permit expiration.** Except as provided in part 7007.0450, subpart 3, permits issued under parts 7007.0100 to 7007.1850 shall expire at the expiration date

stated in the permit. Permit expiration terminates the stationary source's right to operate, even if the permit contains title I conditions which do not expire.

Subp. 7. **Voiding an existing permit.** The agency shall void a permit issued under parts 7001.1200 to 7001.1220 or 7007.0050 to 7007.1850, if it determines that the stationary source no longer requires the permit under existing law. A permittee may request the agency to void a permit. An agency determination to void a permit under this subpart must be in writing and shall explicitly identify the permit in question and state why the permit is no longer required. The agency shall send any such determination to the permittee.

Statutory Authority: *MS s 116.07*

History: *18 SR 1059; 19 SR 1345; 23 SR 2224; 29 SR 626; 37 SR 991*

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