

7007.1144 CAPPED PERMIT PUBLIC PARTICIPATION.

Subpart 1. **Notice of applications received.** The agency shall electronically post notice of receipt of an application for a capped permit at the Minnesota Pollution Control Agency Internet site www.pca.state.mn.us/air/permits/capped.html. A person may request to receive notification from the agency of applications received.

Subp. 2. **Contents of notice.** The notice must identify the name and location of the facility to be permitted; the facility's primary Standard Industrial Classification code and short title; whether it is an existing facility or a new facility; a brief description of the comment procedures required by this part including the dates on which the comment period commences and terminates; and the name, address, telephone number, and electronic mail address of a person from whom interested persons may obtain additional information, including copies of the application and information on facility emissions.

Subp. 3. **Length of comment period.** The agency shall provide 30 calendar days for comment.

Subp. 4. **Contents of written comments.** During the comment period established under subpart 3, an interested person may submit written comments on the eligibility of the applicant for the capped permit. A person who submits comments under this subpart shall include:

A. a statement of the person's interest in the permit application and any information related to a facility's eligibility for the capped permit;

B. a statement of the action the person wishes the agency to take; and

C. the reasons supporting the person's position, stated with sufficient specificity as to allow the commissioner to investigate the merits of the person's positions.

Subp. 5. **Petition for contested case hearing.** During the 30-day comment period, the person may also submit a petition for a contested case hearing on the application pursuant to part 7000.1800 or for placement of the permit on the agenda of an agency board meeting pursuant to part 7000.0650, subpart 3. The decision to grant or deny the petition for a contested case hearing shall be based on the criteria in part 7000.1900 and any hearing shall be held according to parts 7000.1750 to 7000.2200.

The public participation process requirements in this part do not apply to applications under part 7007.1142, subparts 2 and 5, in which a stationary source is transferring from one capped permit option to another or there is a change in name, mailing address, ownership, or control of the stationary source.

Statutory Authority: *MS s 116.07*

History: *29 SR 626*

Published Electronically: *November 29, 2007*