

**7007.1150 WHEN A PERMIT AMENDMENT IS REQUIRED.**

A. Parts 7007.1150 to 7007.1500 describe changes at a permitted stationary source that require a permit amendment or notice to the agency. Item C requires notice to the agency before pollution control equipment or replacement units with lower emissions are installed at a permitted stationary source. Parts 7007.1250 and 7007.1350 describe the two categories of modifications that may be made without obtaining a permit amendment, and the procedures that apply. Part 7007.1400 establishes the process for getting an administrative amendment to a permit. Part 7007.1450 establishes the process for getting a minor permit amendment, needed to make certain modifications resulting in emission increases below listed thresholds, and for getting moderate permit amendments, needed to make certain modifications resulting in emissions increases above the minor threshold levels. Part 7007.1500 establishes the process for getting major permit amendments, needed to make modifications that are not allowed under the other parts. Any modification that constitutes a title I modification, as defined in part 7007.0100, subpart 26, may only be made under part 7007.1500. Part 7007.1200 describes how emission changes should be calculated under parts 7007.1250 to 7007.1500.

B. No modification, as defined in part 7007.0100, subpart 14, may be made to a stationary source that is required to have a permit under parts 7007.0100 to 7007.1850 unless the modification is allowed under part 7007.1250 or 7007.1350, or an amendment is obtained under part 7007.1450 or 7007.1500. Administrative changes to a permit issued under parts 7007.0100 to 7007.1850 shall be made under part 7007.1400. If a change at a facility does not constitute a modification, no permit amendment is required unless the change is described under part 7007.1500, subpart 1. If a change does not constitute a modification, notification may still be required under item C.

C. A written notice to the agency shall be sent by any person who, at a permitted stationary source, makes a change that: (i) does not increase emissions of any regulated air pollutant; (ii) does not constitute a title I modification; and (iii) does not constitute any other type of modification, if the change is one of the following:

- (1) installing air pollution control equipment;
- (2) replacing a unit identified in the permit; and
- (3) replacing air pollution control equipment with listed control equipment, as defined in part 7011.0060, subpart 4, which has an equivalent or better removal efficiency of regulated pollutants previously controlled with the control equipment being replaced.

The written notice must be received by the agency seven working days prior to the installation or replacement. The permittee and the agency shall attach the notice to the stationary source's permit. If the agency finds that the installation or replacement triggers new monitoring, record keeping, or reporting requirements under applicable requirements

or parts 7007.0100 to 7007.1850, the agency shall initiate an amendment under part 7007.1400 or 7007.1500 to include the new requirements. If the installation or replacement constitutes a title I modification or other type of modification, this item does not apply, and the permittee shall follow the applicable procedures of part 7007.1250, 7007.1350, 7007.1450, or 7007.1500. If notice is provided as required by this item, the installation and operation of the additional equipment shall not be considered a violation of the permit.

D. Nothing in parts 7007.1150 to 7007.1500 shall be read to allow a modification to a stationary source that would violate an applicable requirement or, except as provided in part 7007.1350 or 7007.1450, subpart 8, to allow any activity that would violate any permit condition. The agency shall not issue any permit amendments which would result in the violation of an applicable requirement.

E. If a modification or other change at a stationary source would make the source subject for the first time to the requirement to obtain a state permit or a part 70 permit, the owners and operators shall obtain the appropriate permit before beginning actual construction of the modification or other change, notwithstanding parts 7007.1250 to 7007.1500. Nothing in this item shall be read to limit the agency's ability to issue permits authorizing installation and operation of a modification under part 7007.0750, subpart 5, or to limit a permittee's ability to obtain a major permit amendment restricting emissions to levels that would prevent the source from becoming subject to the requirement to obtain a part 70 permit.

F. The owners and operators of a stationary source that are required to have a permit under parts 7007.0050 to 7007.1850, and that have submitted a timely application as required under part 7007.0350, subpart 1, or 7007.0400, subpart 4 or 5, but do not yet have a permit, may make changes and modifications at the stationary source in compliance with parts 7007.1150 to 7007.1500, notwithstanding any reference to a permit in those parts. Any requirement for such a permittee to obtain an amendment under parts 7007.1150 to 7007.1500 shall be read as a requirement for owners and operators to obtain a permit from the agency under part 7007.0750, subpart 5.

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

**History:** *18 SR 1059; 19 SR 1345; 20 SR 2316; 23 SR 2224; 37 SR 991*

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