

7009.0030 ENFORCEMENT.

The requirement in part 7009.0020 applies without respect to whether emission rules stated in other air pollution control rules of the agency are also being violated. However, in enforcing the ambient air quality standards specified in parts 7009.0010 to 7009.0080, the agency shall not seek payment of a civil or criminal penalty from a person to or with whom a permit or stipulation agreement has been issued or entered into by the agency if and only if:

A. that permit or stipulation agreement establishes emission limitations or standards of performance for the pollutant or precursor thereof for which there is an ambient air quality standard which has been violated; and

B. the person to or with whom the permit or stipulation agreement has been issued or entered into by the agency was in compliance with the corresponding emission limitations and standards of performance at the time of the violation of the ambient air quality standard.

Statutory Authority: *MS s 116.07*

History: *18 SR 614*

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