

7009.1030 EPISODE DECLARATION.

Subpart 1. **Alert.** An air pollution alert shall be declared by the commissioner when the commissioner finds that the concentration of any air pollutant has reached the alert level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the alert level for 12 or more hours or, in the case of ozone, to recur the following day at the same or higher levels unless control actions are taken.

Subp. 2. **Warning.** An air pollution warning shall be declared by the commissioner when the commissioner finds that the concentration of any air pollutant has reached the warning level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the warning level for 12 or more hours or, in the case of ozone, to recur the following day at the same or higher levels unless control actions are taken. An air pollution warning shall also be declared by the commissioner when the commissioner finds that the alert level concentrations for any air pollutant have persisted in the area for 48 hours and are expected to continue for the subsequent 12 hours.

Subp. 3. **Emergency.** An air pollution emergency shall be declared by the commissioner when the concentration of any air pollutant has reached the emergency level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the emergency level for 12 or more hours or, in the case of ozone, to recur the following day at the same or higher levels unless control actions are taken. An air pollution emergency shall also be declared by the commissioner when the commissioner finds that the warning level concentrations for any air pollutant have persisted in the area for 48 hours and are expected to continue for the subsequent 12 hours.

Subp. 4. **Significant harm episode.** An air pollution significant harm episode shall be declared by the commissioner when the concentration of any air pollutant has reached the significant harm level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the significant harm level for 12 or more hours or, in the case of ozone, to recur the following day at the same or higher levels unless control actions are taken.

Subp. 5. **Geographical area.** The geographical area subject to episode levels of any air pollutant shall be delineated to the extent feasible and shall be identified in the commissioner's declaration.

Subp. 6. **End of episode.** The commissioner shall terminate the episode by declaration when:

A. the measured air pollutant concentrations no longer satisfy the criteria specified in part 7009.1020; and

B. the meteorological conditions indicate that there will not be a recurrence of episode levels of air pollutants within 24 hours of control actions are reduced or eliminated.

Statutory Authority: *MS s 116.07*

History: *L 1987 c 186 s 15; 18 SR 614*

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