

7011.1340 EMISSION LIMITS; EXCEEDANCE REQUIREMENTS.

Subpart 1. **Applicability.** The owners or operators of an emissions unit subject to parts 7011.1291, 7011.1292, 7011.1293, 7011.1294, 7011.1295, 7011.1350, 7011.1355, 7011.1360, and 7011.1370 must comply with this part.

Subp. 2. **Definitions.** The terms used in this part have the meanings given them in this subpart.

A. "Accurate and valid data" means data that provides the measurement of emissions of an air contaminant from the incinerator or of operating parameters of a component of the incinerator. For continuously monitored emissions, data is accurate and valid immediately upon recording. For emissions for which a performance test is conducted, data is accurate and valid 14 days after the incinerator owners or operators receive the performance test report, unless the incinerator owners or operators notify the commissioner in writing within the same 14 days that the owners or operators can show reason for rejecting the data.

B. "Normal start-up" means the period of time between the initial start-up of a new, modified, retrofitted, or reconstructed emissions unit of an incinerator or an emissions unit of an incinerator that is modified, retrofitted, or reconstructed to meet the requirements of parts 7011.1360 to 7011.1370 and the lesser of 60 days after achieving the maximum production rate at which the emissions unit will operate or 180 days after initial start-up.

Subp. 3. **Exceeding continuously monitored emission limits.** If, after normal start-up, accurate and valid data results collected from continuous emission monitors exceed emission limits established in part 7011.1350, item B; 7011.1355, subpart 2; 7011.1365; or 7011.1370, subpart 1, or in the permit for the incinerator, the incinerator owner or operator must:

A. report the exceedance to the commissioner as soon as reasonably possible, giving consideration to matters of plant or worker safety or access to communications;

B. commence appropriate repairs or modifications to return the incinerator to compliance within 72 hours of the exceedance;

C. shut down the incinerator if the modification or repairs cannot be completed within 72 hours of the exceedance; and

D. when repairs or modifications have been completed, demonstrate to the commissioner that the incinerator is in compliance. The incinerator may be started up after the owner or operator has notified the commissioner in writing of the date the owner or operator plans to start up the incinerator. Notification must be given at least 24 hours before resuming operation. Compliance is demonstrated by providing to the commissioner written results from the continuous monitor showing compliance with the emission limits.

Subp. 4. **Exceedance determined by performance testing.**

A. If, after normal start-up, accurate and valid data results of a performance test demonstrate an exceedance of an emissions limit established in part 7011.1355, subpart 2; 7011.1365; or

7011.1370, subpart 1, or in the facility air emissions permit, the owners or operators of an incinerator must:

- (1) report the exceedance to the commissioner according to part 7019.1000;
- (2) undertake appropriate steps to return the incinerator to compliance and demonstrate compliance within 60 days of the initial report to the commissioner of the exceedance; and
- (3) shut down the incinerator if the commissioner determines that compliance has not been achieved within 60 days of the initial report of exceedance.

B. If shutdown was required under item A, subitem (3), the owner or operator may restart the incinerator under the conditions specified by the commissioner. The owners or operators must notify the commissioner in writing of the date on which the owners or operators plan to start up and to begin compliance testing. Notification must be received at least ten days in advance of the compliance test date.

Statutory Authority: *MS s 116.07*

History: *39 SR 386; 46 SR 1209*

Published Electronically: *May 16, 2022*