

7017.2015 INCORPORATION OF FEDERAL TESTING REQUIREMENTS BY REFERENCE.

Subpart 1. **Applicability.** Subparts 1 to 4 apply to the owner or operator of an emission facility, emissions unit, or stationary source subject to New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants.

Subp. 2. **New source performance standards.** The following are adopted and incorporated by reference:

A. Code of Federal Regulations, title 40, section 60.8, as amended, entitled "Performance Tests," except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.8(b)(2) and 60.8(b)(3), are not delegated to the commissioner and must be made by the administrator.

B. Code of Federal Regulations, title 40, section 60.11, as amended, entitled "Compliance with Standards and Maintenance Requirements," except that decisions made under Code of Federal Regulations, title 40, section 60.11(e), are not delegated to the commissioner and must be made by the administrator.

Subp. 3. **National Emission Standards for Hazardous Air Pollutants.** The following are adopted and incorporated by reference:

A. Code of Federal Regulations, title 40, section 63.7, as amended, entitled "Performance Testing Requirements."

B. Code of Federal Regulations, title 40, section 61.13, as amended, entitled "Emission Tests and Waiver of Emission Tests," except that decisions made by the administrator under Code of Federal Regulations, title 40, section 61.13(h)(1)(ii), are not delegated to the commissioner and must be made by the administrator.

Subp. 4. **Document submission.** All requests, reports, applications, submittals, and other communications to the administrator pursuant to subparts 2 and 3 must be submitted to the person identified in part 7017.2017, except that for those sections identified in this part as not delegated to the commissioner, the request, report, application, or submittal must be submitted to the EPA administrator.

Statutory Authority: *MS s 115.03; 116.07*

History: *18 SR 1412; 20 SR 2254(NO. 42); 23 SR 145; 41 SR 763*

Published Electronically: *January 27, 2017*