

1 Pollution Control Agency

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3 Adopted Rules Relating to Air Emission Facility Permits

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5 Rules as Adopted

6 6 MCAR S 4.4301 Scope.

7 Rules 6 MCAR SS 4.4301-4.4305 apply to the issuance of air  
8 emission facility permits and supplement the agency permit rules  
9 in 6 MCAR SS 4.4001-4.4021.

10 6 MCAR S 4.4302 Definitions.

11 The definitions in 6 MCAR SS 4.4001 and in 4.0001-4.0041  
12 (APC 1 to 41) apply to the terms in 6 MCAR SS 4.4301-4.4305.

13 6 MCAR S 4.4303 Permit requirement.

14 A. Permit required. Except as provided in B., no person may  
15 construct, modify, reconstruct, or operate an emission facility  
16 or control equipment without obtaining an air emission facility  
17 permit from the agency.

18 B. Exemptions. A person who constructs, modifies,  
19 reconstructs, or operates an emission facility that meets one or  
20 more of the following exclusions need not obtain an air emission  
21 facility permit from the agency:

22 1. a total emission facility with potential emissions of  
23 a single criteria pollutant of less than 25 tons per year,  
24 except:

25 a. a facility subject to Minnesota Rule APC 9, Control  
26 of Odors in the Ambient Air;

27 b. a facility subject to federal new source  
28 performance standards; and

29 c. a total emission facility with potential lead  
30 emissions of at least 1,000 pounds per year;

31 2. a fuel burning facility with heat inputs less than the  
32 following:

33 a. natural gas, 50 million BTU/hr.;

34 b. distillate oil, 10 million BTU/hr.;

35 c. wood alone, 5 million BTU/hr.;

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- 1 d. residual oil, 5 million BTU/hr.; and
- 2 e. coal, coke, and other solid fuels, 1 million
- 3 BTU/hr.;
- 4 3. a sand and gravel operation that produces less than
- 5 150,000 tons of product per year;
- 6 4. a pressurized storage tank for anhydrous ammonia,
- 7 liquid petroleum gas (LPG), liquid natural gas (LNG), or natural
- 8 gas;
- 9 5. a facility that uses less than 10,000 gallons of
- 10 solvent borne coating per year;
- 11 6. a storage tank for petroleum liquid with a capacity of
- 12 less than 40,000 gallons;
- 13 7. a dry bulk agricultural commodity facility with an
- 14 annual commodity throughput of less than 45,000 tons;
- 15 8. an incinerator with a maximum refuse burning capacity
- 16 of less than 1,000 pounds per hour, unless thermally treating
- 17 hazardous waste; and
- 18 9. a concrete batching facility that produces less than
- 19 200,000 cubic yards of concrete per year.

20 6 MCAR S 4.4304 Permit application.

21 In addition to the information required by 6 MCAR S 4.4005,  
22 a person who requests an emission facility permit shall submit  
23 the following information to the director:

24 A. the characteristics of the exhaust gas stream, before and  
25 after the emission control equipment, including emission rates,  
26 concentrations, volumetric flow rates, and temperature;

27 B. the physical characteristics of particulate emissions;

28 C. the type and design specifications of the control  
29 equipment; and

30 D. the location and elevation of the emission point and the  
31 relation of the emission point to nearby structures, window  
32 openings, and other information necessary to appraise the  
33 possible effects of the exhaust gas stream.

34 6 MCAR S 4.4305 Special conditions for air emission facility  
35 permits.

1 In addition to the special conditions in 6 MCAR S 4.4015 B.  
2 and if applicable to the circumstances, an air emission facility  
3 permit may contain special conditions including but not limited  
4 to the following:

5 A. standards of performance for air pollutants from an  
6 emission facility;

7 B. operational requirements for situations where a standard  
8 of performance is not applicable or the operational requirements  
9 are necessary to achieve compliance with a standard of  
10 performance;

11 C. testing and reporting requirements to ensure compliance  
12 with standards of performance; and

13 D. notification and reporting requirements for shutdowns and  
14 breakdowns.

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16 Repealer. APC 3 of the Pollution Control Agency rules is  
17 repealed.