

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Acid Deposition Control

4

5 Rules as Adopted

6 7005.4010 DEFINITIONS.

7 Subpart 1. Scope. The definitions in part 7005.0100 apply  
8 to the terms used in parts 7005.4010 to 7005.4050 unless the  
9 terms are defined in this part.

10 Subp. 2. Electric utility. "Electric utility" means  
11 persons, corporations, or other legal entities, their lessees,  
12 trustees, and receivers operating, maintaining, or controlling  
13 in Minnesota facilities used for the generation of electricity.

14 Subp. 3. Offsets. "Offsets" means any documented  
15 reductions in actual emissions of sulfur dioxide that are  
16 legally enforceable.

17 Subp. 4. Reasonably available control technology  
18 (RACT). "Reasonably available control technology" (RACT) means  
19 the lowest emission limit that a particular source is capable  
20 of meeting by the application of control technology that is  
21 reasonably available considering technological and economic  
22 feasibility.

23 Subp. 3 5. Sensitive areas. "Sensitive areas" means the  
24 areas listed by the agency pursuant to Minnesota Statutes,  
25 section 116.44 because the agency has determined these areas  
26 contain natural resources sensitive to the impacts of acid  
27 deposition.

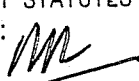
28 7005.4020 APPLICABILITY.

29 The acid deposition standard established in part 7005.4030  
30 applies only in sensitive areas.

31 7005.4030 ACID DEPOSITION STANDARD.

32 The acid deposition standard is an annual average of 11  
33 kilograms of wet sulfate deposition per hectare.

34 7005.4040 MEASUREMENT METHODOLOGY FOR SULFATE.

APPROVED IN THE  
REVISOR OF STATUTES  
OFFICE BY: 

1 Subpart 1. Incorporation by reference. Quality Assurance  
 2 Handbook for Air Pollution Measurement Systems (EPA-600/4-82-042  
 3 a & b), as amended, is incorporated by reference. This  
 4 publication is available from the United States Environmental  
 5 Protection Agency, Office of Research and Development, 26 West  
 6 St. Clair, Cincinnati, Ohio 45268 and can be found at the  
 7 offices of the agency, 1935 West County Road B-2, Roseville,  
 8 Minnesota 55113, the Government Documents Section, Room 409,  
 9 Wilson Library, University of Minnesota, 309 19th Avenue South,  
 10 Minneapolis, Minnesota 55454, and the State of Minnesota Law  
 11 Library, Ford Building, 117 University Avenue, St. Paul,  
 12 Minnesota 55155. This document is not subject to frequent  
 13 change.

14 Subp. 2. Measurement procedure. For sulfate, measurements  
 15 made to determine compliance with the standard contained in part  
 16 7005.4030 shall be performed in accordance with the Quality  
 17 Assurance Handbook for Air Pollution Measurement Systems:  
 18 Volume V, Manual for Precipitation Measurement Systems  
 19 (EPA-600/4-82-042 a & b). A person seeking to make measurements  
 20 to determine compliance with the acid deposition standard shall  
 21 develop and submit to the director for approval a quality  
 22 assurance plan containing equipment specifications and  
 23 procedures for operation, maintenance, and internal quality  
 24 control of the measurement system.

25 7005.4050 ACID DEPOSITION CONTROL REQUIREMENTS IN MINNESOTA.

26 Subpart 1. Specific Emission limitations. ~~The owners and~~  
 27 ~~operators listed below may not emit from their emission~~  
 28 ~~facilities within Minnesota total emissions of sulfur dioxide in~~  
 29 ~~excess of the amount of emissions listed below. These~~  
 30 ~~limitations shall apply beginning January 17, 1990.~~

31 -----Owner/Operator-----Sulfur Dioxide Emissions  
 32 -----Northern States Power Company--917,000 tons per year  
 33 -----Minnesota Power Company-----397,000 tons per year

34 Any electric utility whose electric generating facilities  
 35 located in Minnesota have a total combined net generating

APPROVED IN THE  
 REVISOR OF STATUTES  
 OFFICE BY:

1 capacity greater than 1,000 megawatts may not emit from the  
2 emission facilities which it owns, operates, maintains, or  
3 controls in Minnesota total emissions of sulfur dioxide in  
4 excess of 130 percent of the number of tons of sulfur dioxide  
5 emitted from the electric utility's emissions facilities in  
6 1984. This limitation shall apply beginning January 1, 1990.  
7 The determination as to the number of tons emitted by an  
8 electric utility's emission facilities shall be made by the  
9 director based on emission information obtained from the  
10 electric utility pursuant to Minnesota Rules, part 7005.1870.

11 Subp. 2. Offsets required. In the event that an ~~owner-or~~  
12 ~~operator-listed~~ electric utility described in subpart 1 intends  
13 to increase emissions of sulfur dioxide from its emission  
14 facilities in Minnesota after January 1, 1990, beyond the  
15 limitations specified in subpart 1, ~~such-owner-or-operator~~ the  
16 electric utility shall obtain sulfur dioxide emission offsets  
17 equal to the amount to be emitted in excess of the limitation  
18 specified.

19 Subp. 3. Transfer requiring reduced emissions. ~~In-the~~  
20 ~~event-of-the-sale-or-other-transfer-of-ownership-of~~ If any of  
21 the emission facilities facility owned by ~~Northern-States-Power~~  
22 ~~Company-on-July-1, 1985, or-of-any-of-the-emission-facilities~~  
23 ~~owned-by-Minnesota-Power-Company~~ an electric utility described  
24 in subpart 1 on July 1, 1985, is sold or transferred to any  
25 person other than another electric utility described in subpart  
26 1, and if the transfer results in the operation of the  
27 transferred emission facility by a person other than the seller,  
28 the amount of sulfur dioxide emissions allowed by ~~Northern~~  
29 ~~States-Power-Company-or-Minnesota-Power-Company~~ the seller under  
30 subpart 1 shall be reduced by the amount of sulfur dioxide  
31 emissions emitted by the transferred emission facility in 1984  
32 or the maximum SO<sub>2</sub> emissions allowed under the permit issued to  
33 the new owner or operator whichever is greater. If any emission  
34 facility owned by an electric utility described in subpart 1 on  
35 July 1, 1985, is sold or transferred to another electric utility  
36 described in subpart 1, and if the transfer results in the

1 operation of the transferred emission facility by a person other  
 2 than the seller, the amount of sulfur dioxide emissions allowed  
 3 by the seller under subpart 1 shall be reduced by the maximum  
 4 amount of sulfur dioxide emissions allowed under the permit  
 5 issued to the new operator, and the amount of emissions allowed  
 6 by the buyer under subpart 1 shall be increased by the maximum  
 7 amount of sulfur dioxide emissions allowed under the permit  
 8 issued to the new operator.

9 Subp. 4. 1990 recommendations required. On or before  
 10 February 1, 1988, the director shall make a recommendation to  
 11 the agency as to what, if any, additional regulatory  
 12 requirements need to be imposed on emission facilities in  
 13 Minnesota in order to maintain or achieve a statewide sulfur  
 14 dioxide emission limitation of 224,000 tons per year on and  
 15 after January 1, 1990.

16 Subp. 5. ~~King-facility-limitation~~ Requirement for  
 17 application of reasonably available control technology. On and  
 18 after January 1, 1990, the owner or operator of the ~~Allen-S-~~  
 19 ~~King~~ any electric generating facility that contains indirect  
 20 heating equipment with a rated heat input of greater than 5,000  
 21 million BTU per hour shall limit-the-emissions-of reduce sulfur  
 22 dioxide ~~from emissions at~~ the facility to ~~an-annual-average-of~~  
 23 ~~1.2-pounds-per-million-BTU~~ a level consistent with RACT.

24 Subp. 6. ~~Boswell-facility-limitation.--On-and-after~~  
 25 ~~January-17-1990,-the-owner-or-operator-of-the-Clay-Boswell~~  
 26 ~~electric-generating-facility,-units-1-through-4,-shall-limit-the~~  
 27 ~~emissions-of-sulfur-dioxide-from-the-facility-to-an-annual~~  
 28 ~~average-of-0.75-pounds-per-million-BTU.~~

29 Subp. 7. 1994 recommendations required. On or before  
 30 February 1, 1992, the director shall make a recommendation to  
 31 the agency as to what, if any, additional regulatory  
 32 requirements need to be imposed on emission facilities in  
 33 Minnesota in order to maintain or achieve a statewide sulfur  
 34 dioxide emission limitation of 194,000 tons per year on and  
 35 after January 1, 1994.