

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Air Emissions

4

5 Rules as Adopted

6 7005.0100 DEFINITIONS.

7 [For text of subs 1 to 10, see M.R.]

8 Subp. 10a. **Emission factor.** "Emission factor" means the  
9 most accurate and representative emission data available from  
10 one of the following sources:

11 A. For criteria pollutants, the emission factor  
12 listed in ~~AIRS-Facility-Subsystem-Source-Classification-Codes~~  
13 ~~and-Emission-Factor-Listing-for-Criteria-Air-Pollutants,-EPA,~~  
14 ~~450/4-90-003~~ the Compilation of Air Pollutant Emission Factors  
15 (AP-42), fourth edition, United States Environmental Protection  
16 Agency, Technical Support Division, Office of Air Quality  
17 Planning and Standards, Research Triangle Park, North Carolina  
18 27711, March 1990, which is incorporated by reference and is  
19 available at the Minnesota state law library and through the  
20 Minitex interlibrary loan system. It is not subject to frequent  
21 change.

22 B. For hazardous air pollutants (HAPs), the emission  
23 factor listed in Factor Information Retrieval (FIRE) Data  
24 System, EPA-454/C-94-032, United States Environmental Protection  
25 Agency, Technical Support Division, Office of Air Quality  
26 Planning and Standards, Research Triangle Park, North Carolina  
27 27111, October 1994, which is incorporated by reference and is  
28 available through the Minitex interlibrary loan system. Where  
29 more than one emission factor is listed, emission factor means  
30 the one approved by the commissioner using best engineering  
31 judgment and based on one or more of the considerations in item  
32 C, subitem (2). It is not subject to frequent change.

33 C. (1) Where no emission factor is available in ~~AIRS~~  
34 ~~or-FIRE~~ one of the documents described in item A or B, or where  
35 the agency has determined that a more representative emission

1 factor is available under this item, emission factor means an  
 2 emission factor developed or approved by the commissioner and  
 3 derived from the following sources:

4 (a) the AIRS Facility Subsystem Source  
 5 Classification Codes and Emission Factor Listing for Criteria  
 6 Air Pollutants, EPA, 450/4-90-003, United States Environmental  
 7 Protection Agency, Technical Support Division, Office of Air  
 8 Quality Planning and Standards, Research Triangle Park, North  
 9 Carolina 27711, March 1990, which is incorporated by reference  
 10 and is available at the Minnesota state law library and through  
 11 the Minitex interlibrary loan system; it is not subject to  
 12 frequent change;

13 (b) other EPA publications including, but  
 14 not limited to, ~~Compilation of Air Pollutant Emission Factors~~  
 15 ~~(AP-42)~~, Locating and Estimating documents, Control Technology  
 16 Center documents, the preamble and background information  
 17 documents for New Source Performance Standards or National  
 18 Emission Standards for Hazardous Air Pollutants;

19 (c) EPA databases and computer programs;  
 20 (d) engineering publications;  
 21 (e) performance test data from the same  
 22 or a similar emission unit at the same or a similar facility; or  
 23 (f) manufacturer's performance tests; or  
 24 (g) emission data developed by the regulated  
 25 party using the best engineering judgment criteria listed in  
 26 subitem (2).

27 (2) The commissioner shall develop or approve an  
 28 emission factor using best engineering judgment and based on one  
 29 or more of the following considerations:

30 (a) the precision and accuracy of the data;

31 (b) the design and operational similarity  
 32 between the emission units tested and the emission units to  
 33 which the emission factor is to be applied;

34 (c) the number of emission units tested in  
 35 developing the emission factor under consideration;

36 (d) the availability of emission data of

1 equal or greater quality;

2 (e) the emission unit operating conditions  
3 under which the tests were conducted; and

4 (f) the data analysis procedures.

5 [For text of subps 10b and 10c, see M.R.]

6 Subp. 10d. [See repealer.]

7 [For text of subps 11 to 45, see M.R.]

8 7007.0100 DEFINITIONS.

9 [For text of subps 1 to 8, see M.R.]

10 Subp. 8a. **Deviation.** "Deviation" means any noncompliance  
11 with a rule, regulation, or permit condition.

12 [For text of subps 9 to 24, see M.R.]

13 Subp. 25. **Title I condition.** "Title I condition" means  
14 one of the following types of permit conditions based on  
15 requirements of title I of the act:

16 [For text of item A, see M.R.]

17 B. any condition based on a source-specific  
18 determination of ambient impacts imposed for the purpose of  
19 achieving or maintaining attainment with a national ambient air  
20 quality standard and which was part of a state implementation  
21 plan approved by the EPA or submitted to the EPA and pending  
22 approval under section 110 of the act;

23 C. any condition for which there is no corresponding  
24 underlying applicable requirement and that the stationary source  
25 has assumed to avoid being subject to a new source review  
26 program under part C (Prevention of Significant Deterioration of  
27 Air Quality) or part D (Plan Requirements for Nonattainment  
28 Areas) of the act or implementing state rules or federal  
29 regulations; and

30 D. any condition which is part of a plan approved by  
31 the EPA or submitted to the EPA and pending approval under  
32 section 111(d) of the act.

33 [For text of subps 26 to 28, see M.R.]

34 7007.0150 PERMIT REQUIRED.

35 [For text of subps 1 to 4, see M.R.]

1 Subp. 5. Variances from federal requirements. The agency  
2 shall not issue variances from any federal requirement to obtain  
3 an air quality permit, unless explicitly authorized to do so in  
4 writing by the administrator. Nothing in parts 7007.0100 to  
5 7007.1850 shall allow a variance from federal applicable  
6 requirements as defined in part 7007.0100, subpart 7, items A to  
7 K.

8 7007.0200 SOURCES REQUIRED OR ALLOWED TO OBTAIN A PART 70 PERMIT.

9 Subpart 1. Part 70 permit required. The emission  
10 facilities, emission units, and stationary sources described in  
11 subparts 2 to 5 must obtain a part 70 permit from the agency.  
12 All provisions of parts 7007.0100 to 7007.1850 apply to part 70  
13 permits unless the provision states that it applies only to  
14 state permits, registration permits, or general permits. If the  
15 owner or operator of a stationary source is required to obtain a  
16 part 70 permit by subpart 2, item B or C, the owner or operator  
17 shall also separately determine under subpart 2, item A, if the  
18 stationary source is a major source subject to major source  
19 requirements under section 112 of the act.

20 [For text of subps 2 to 6, see M.R.]

21 7007.0250 SOURCES REQUIRED TO OBTAIN A STATE PERMIT.

22 [For text of subps 1 to 4, see M.R.]

23 Subp. 5. Part 70 permits. Part 7007.0250 does not apply  
24 to a stationary source that is required to or chooses to obtain  
25 a part 70 permit under part 7007.0200. However, a stationary  
26 source that would otherwise be required to obtain a part 70  
27 permit under part 7007.0200 may avoid that requirement by  
28 obtaining a state permit under this part which contains  
29 federally enforceable conditions to limit its emissions to  
30 levels below those that would trigger the requirement to obtain  
31 a part 70 permit.

32 Subp. 6. Waste combustors. A waste combustor, as defined  
33 in part 7011.1201, must obtain a permit under this part unless  
34 it is:

35 A. a Class IV waste combustor located at a hospital;

1 or

2 B. a waste combustor subject to the exemptions in  
3 part 7011.1215, subpart 3.

4 Notwithstanding the exemptions in items A and B, a Class IV  
5 waste combustor that does not comply with the stack height  
6 requirements of part 7011.1235, subpart 1, but uses alternative  
7 techniques to achieve equivalent ambient pollution  
8 concentrations, must obtain a permit under this part. The  
9 permit obtained shall not be a registration permit under parts  
10 7007.1110 to 7007.1130.

11 [For text of subp 7, see M.R.]

12 7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

13 Subpart 1. No permit required. The following stationary  
14 sources are not required to obtain a permit under parts  
15 7007.0100 to 7007.1850:

16 [For text of item A, see M.R.]

17 B. notwithstanding parts 7007.0200 and 7007.0250, any  
18 stationary source that would be required to obtain a permit  
19 solely because it is subject to one or more of the following new  
20 source performance standards:

21 [For text of subitems (1) to (3), see M.R.]

22 (4) Code of Federal Regulations, title 40, part  
23 60, subpart Dc, Standards of Performance for Small

24 Industrial-Commercial-Institutional Steam Generating Units  
25 (incorporated by reference at part 7011.0570), if all steam  
26 generating units subject to this standard at the stationary  
27 source are only capable of combusting natural gas or propane;

28 [For text of items C and D, see M.R.]

29 [For text of subp 2, see M.R.]

30 7007.0350 EXISTING SOURCE APPLICATION DEADLINES AND SOURCE  
31 OPERATION DURING TRANSITION.

32 Subpart 1. Transition applications under this part;  
33 deadline based on SIC code. Initial permit applications under  
34 parts 7007.0100 to 7007.1850 for an emission unit, emission  
35 facility, or stationary source in operation on October 18, 1993,

1 shall be considered timely if they meet the requirements of this  
2 part.

3 [For text of items A to C, see M.R.]

4 D. An application date for a stationary source or  
5 group of stationary sources may be deferred by the commissioner  
6 under the following circumstances: a source or sources will  
7 soon be subject to a new federal requirement that will affect  
8 the source's application or the commissioner finds that it will  
9 reduce the agency's administrative burden by deferring the  
10 application deadline for sources required to obtain a state  
11 permit. The application dates for sources required to submit a  
12 part 70 permit application shall be deferred to a date no later  
13 than one year after the administrator grants part 70 program  
14 approval to Minnesota, and the application dates for sources  
15 required to submit a state permit application may not be  
16 deferred more than two years after EPA program approval. The  
17 source or sources are required to submit the permit application  
18 by the new date specified by the commissioner under this item.

19 E. The owner or operator of a stationary source must  
20 comply with the applicable deadline in this part, even though  
21 the stationary source may be operating under a permit issued by  
22 the agency under parts 7001.1200 to 7001.1220 (the permit rules  
23 in effect before October 18, 1993), and the permit is not due to  
24 expire until after the applicable deadline in this part. If a  
25 stationary source is operating under a permit issued by the  
26 agency under parts 7001.1200 to 7001.1220, and the permit  
27 expires after October 18, 1993, but before the applicable  
28 deadline, the owner or operator need not reapply before  
29 expiration of the permit, but shall comply with the applicable  
30 deadline in this part.

31 F. Except as provided in subitems (1) and (2), the  
32 agency waives its authority to take enforcement action against  
33 the owner or operator of a stationary source for failure to  
34 obtain a permit authorizing operation under parts 7001.1200 to  
35 7001.1220, if the owner or operator files a timely and complete  
36 permit application under this part. This waiver does not apply

1 to:

2 [For text of subitems (1) and (2), see M.R.]

3 [For text of subps 2 and 3, see M.R.]

4 Subp. 4. Preservation of enforcement authority. The  
5 agency reserves its authority to take enforcement action against  
6 any source that violated the permitting requirements of parts  
7 7001.1200 to 7001.1220 prior to their repeal or that violates  
8 any permit issued under those parts, except as provided under  
9 subpart 1, item E. Nothing in parts 7007.0100 to 7007.1850  
10 shall be read to limit the administrator's authority to enforce  
11 parts 7001.1200 to 7001.1220 prior to their repeal or permits  
12 issued under those parts.

13 [For text of subp 5, see M.R.]

14 7007.0500 CONTENT OF PERMIT APPLICATION.

15 [For text of subpart 1, see M.R.]

16 Subp. 2. Information included. Applicants shall submit  
17 the following information as required by the standard  
18 application form:

19 [For text of items A and B, see M.R.]

20 C. The following emissions-related information:

21 (1) A permit application shall provide the  
22 information required by this part for every emissions unit  
23 within the stationary source, except as provided otherwise in  
24 subitems (2) to (11). Notwithstanding the first sentence, if a  
25 stationary source is not a major source and the sole reason it  
26 is required to have a permit is because it is subject to federal  
27 standards described under part 7007.0250, subpart 2, then the  
28 application need only provide information for the emissions  
29 units regulated by those federal standards. All permit  
30 applications shall include information about fugitive emissions  
31 in the same manner as stack emissions, regardless of whether the  
32 stationary source category in question is included in the list  
33 of stationary sources contained in the definition of major  
34 source in part 7007.0200, subpart 2.

35 [For text of subitem (2), see M.R.]

1           (3) A permit application shall identify and  
2 describe each emission point in sufficient detail to verify the  
3 applicability of all applicable requirements. This shall  
4 include the location of all emission points, and the location of  
5 all emissions units and processes venting through each emission  
6 point. In addition, if the exhaust gas flow rate and  
7 temperature, and the stack height and diameter of an emission  
8 point are needed to determine applicability of or show  
9 compliance with any applicable requirement, this information  
10 shall be provided. For stationary sources that are major  
11 sources of sulfur dioxide, particulate matter less than ten  
12 microns, or nitrogen oxides according to part 7007.0200, subpart  
13 2, items B and C, the exhaust gas flow rate and temperature, and  
14 stack height and diameter shall be provided for all emission  
15 points of the pollutant or pollutants for which the source is  
16 major.

17           (4) The permit application shall specify the  
18 potential emissions, as defined in part 7005.0100, subpart 35a,  
19 in tons per year from the stationary source as a whole. These  
20 potential emissions shall be specified for each regulated air  
21 pollutant and each hazardous air pollutant that is not yet a  
22 regulated air pollutant, as defined in part 7007.0100, subparts  
23 12a and 19, except that pollutants which are regulated solely  
24 under section 112(r) of the act need not be included and  
25 pollutants regulated solely under section 602 of the act need  
26 not be included. In addition, for each emissions unit subject  
27 to an applicable requirement, the permit application shall  
28 specify, in tons per year, the potential emissions of the same  
29 pollutants referenced in the previous sentence. If the  
30 applicable requirement contains a standard reference test method  
31 which is to be used to establish compliance, the permit  
32 application shall specify the potential emissions in the same  
33 units as are used in the test method.

34           (5) The permit application shall also include the  
35 emission limits that will be imposed on the stationary source by  
36 applicable requirements.



1 (6) A permit application shall provide the  
2 information on actual emissions for the preceding calendar year  
3 required in this subitem. Notwithstanding the previous  
4 sentence, if actual emission data are not available for the  
5 preceding calendar year, the application shall provide an  
6 estimate of actual annual emissions required in this subitem.

7 [For text of units (a) and (b), see M.R.]

8 (7) A permit application shall include the  
9 following information to the extent it is emissions-related:  
10 fuels, fuel use, raw materials, production rates, and operating  
11 schedules.

12 (8) A permit application shall identify and  
13 describe all air pollution control equipment and compliance  
14 monitoring devices or activities. A permit application shall  
15 also contain the design operating efficiency of the air  
16 pollution control equipment. The permit application shall  
17 identify all air pollution control equipment located at the  
18 stationary source which the stationary source elects not to  
19 operate.

20 (9) A permit application shall describe any work  
21 practice or physical limitation on stationary source operation  
22 that affects emissions of regulated air pollutants.

23 (10) A permit application shall include  
24 additional information if required by any applicable  
25 requirements (such as information related to stack height  
26 limitations developed pursuant to section 123 of the act).

27 (11) A permit application must explain the means  
28 by which the emissions information in subitems (1) to (10) is  
29 gathered, and provide the calculations on which they are based.

30 [For text of items D to J, see M.R.]

31 K. For part 70 permit applications only, a compliance  
32 plan that contains the following:

33 (1) A description of the compliance status of the  
34 stationary source at the time of application submittal with  
35 respect to all applicable requirements and the requirements of  
36 parts 7007.0100 to 7007.1850, and a description of the methods

1 used to determine compliance, including a description of  
2 monitoring, record keeping, and test methods. The applicant  
3 shall identify in the description of compliance status any past  
4 modifications at the stationary source for which preconstruction  
5 review was required under parts C and D of the act but was not  
6 done.

7 [For text of subitems (2) to (4), see M.R.]

8 [For text of items L to N, see M.R.]

9 [For text of subps 3 to 5, see M.R.]

10 7007.0800 PERMIT CONTENT.

11 [For text of subps 1 to 4, see M.R.]

12 Subp. 5. **Record keeping.** The permit shall incorporate all  
13 applicable requirements related to record keeping and require  
14 the permittee to maintain adequate records, including at least  
15 the following:

16 [For text of items A to C, see M.R.]

17 D. A requirement that the permittee retain copies of  
18 deviation reports required by subpart 6 for a period of five  
19 years, or longer if requested by the commissioner, from the date  
20 of submittal of the report to the agency.

21 Subp. 6. **Reporting.** The permit shall require the  
22 permittee to submit to the agency the reports described in this  
23 subpart. The permit shall require that all reports be certified  
24 by a responsible official consistent with part 7007.0500,  
25 subpart 3.

26 A. The permit shall require the permittee, in the  
27 event of any deviation from permit conditions which could  
28 endanger human health or the environment, to orally notify the  
29 commissioner within 24 hours of discovering the deviation.  
30 Within two working days of the discovery of such a deviation,  
31 the permittee shall submit to the commissioner a written  
32 description of the deviation; the cause of the deviation; the  
33 exact dates of the period of the deviation; if the deviation has  
34 not been corrected, the anticipated time it is expected to  
35 continue; and steps taken or planned to reduce, eliminate, and

1 prevent reoccurrence of the deviation. The permit shall require  
2 the permittee, in the event of any other type of deviation from  
3 permit conditions, to report the deviation semiannually in a  
4 midyear report and an end-of-year report. The midyear report,  
5 covering deviations which occurred during the period from  
6 January 1 to June 30, is due by July 30 of each year. The  
7 end-of-year report, covering deviations which occurred during  
8 the period from July 1 to December 31, is due by January 30 of  
9 each year.

10 B. All part 70 permits shall require the permittee to  
11 submit progress reports at least every six months for any  
12 stationary source required to have a compliance schedule under  
13 part 7007.0500, subpart 2, item K, subitem (4). Such progress  
14 reports shall contain the deadlines for achieving the  
15 activities, milestones, or compliance required in the compliance  
16 schedule and dates when such activities, milestones, or  
17 compliance were actually achieved. If any deadlines in the  
18 schedule of compliance were not or will not be met, the report  
19 shall note that, explain why, and include any preventive or  
20 corrective measures that have been or will be adopted as a  
21 result.

22 [For text of items C and D, see M.R.]

23 E. For deviations caused by emergencies, as defined  
24 in part 7007.1850, the permittee may assert an affirmative  
25 defense only if it meets all the requirements of part 7007.1850,  
26 which includes notifying the agency within two working days of  
27 when the emission limitations were exceeded due to the emergency.

28 [For text of subps 7 to 9, see M.R.]

29 Subp. 10. **Emissions trading.**

30 A. If requested by a permit applicant, the agency  
31 shall include provisions allowing the permittee to trade  
32 emissions increases and decreases that occur within the  
33 permitted facility. No title I modification may be made using  
34 this provision, and the trade may not result in the exceedance  
35 of any facility-wide emission limit in the permit. The agency  
36 shall make such trading available to the permittee only if it

1 determines that all of the following are true:

2 [For text of subitems (1) to (3), see M.R.]

3 [For text of item B, see M.R.]

4 [For text of subp 11, see M.R.]

5 Subp. 12. **Operation in more than one location.** If  
6 requested by the applicant, the permit may allow a stationary  
7 source to be operated in more than one location during the  
8 course of the permit. No affected source shall be allowed this  
9 option. If more than one location is authorized, the permit  
10 shall include the following:

11 [For text of items A and B, see M.R.]

12 C. requirements that the owner or operator notify the  
13 agency at least ten days in advance of each change in location,  
14 providing the exact location where the source will operate for  
15 all part 70 permits and at least 48 hours in advance of each  
16 change in location for all other state permits; and

17 [For text of item D, see M.R.]

18 [For text of subp 13, see M.R.]

19 Subp. 14. **Operation of control equipment.** If the  
20 commissioner determines that such provisions would substantially  
21 improve the likelihood of future permit compliance, the permit  
22 may specify operating and maintenance requirements for each  
23 piece of control equipment located at the stationary source or  
24 require the permittee to maintain an operation and maintenance  
25 plan on site.

26 [For text of subps 15 and 16, see M.R.]

27 7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

28 [For text of subpart 1, see M.R.]

29 Subp. 2. **Stationary sources that may not obtain a**  
30 **registration permit.**

31 [For text of item A, see M.R.]

32 B. A stationary source may not obtain a registration  
33 permit if air quality specific conditions or limits not  
34 contained in parts 7007.1110 to 7007.1130 were assumed:

35 (1) as a mitigation measure in an environmental

1 impact statement; or

2 (2) in obtaining a negative declaration in an  
3 environmental assessment worksheet.

4 C. A stationary source may not obtain a registration  
5 permit if it is subject to a new source performance standard  
6 other than the following:

7 [For text of subitems (1) to (10), see M.R.]

8 [For text of subps 3 to 6, see M.R.]

9 Subp. 7. **Registration permit compliance requirements.** The  
10 owner and operator of the stationary source issued a  
11 registration permit, shall:

12 A. comply with this part including the general  
13 conditions in subpart 21;

14 B. comply with part 7007.1115 (Option A), 7007.1120  
15 (Option B), 7007.1125 (Option C), or 7007.1130 (Option D),  
16 whichever applies;

17 C. comply with all applicable requirements; and

18 D. if a stationary source qualifies for a  
19 registration permit, but has less than 12 months of emissions  
20 data, determine compliance during normal operation for the first  
21 12 months under registration permit option B, C, or D on a form  
22 provided by the commissioner which uses the following formula:

23 
$$N = .95 (\text{annual limit in option B, C, or D}) + .0045 (\text{annual}$$
  
24 
$$\text{limit in option B, C, or D})(n-1)$$

25 Where: n = number of months in operation.

26 [For text of subp 8, see M.R.]

27 Subp. 9. **Record retention, access to records, and**  
28 **inspections for stationary sources issued registration permits.**

29 A. The owner or operator of a stationary source  
30 issued a registration permit under parts 7007.1110 to 7007.1130  
31 must maintain at the stationary source, or at the main office  
32 for an unattended stationary source, for a period of five years  
33 from the date the record was made all information required to be  
34 recorded under applicable state and federal rules, and part  
35 7007.1115, 7007.1120, 7007.1125, or 7007.1130, whichever part  
36 applies to the stationary source. The owner or operator must

1 make these records available for examination and copying upon  
2 request of the commissioner, and must upon request submit these  
3 records to the commissioner by the time specified by the  
4 commissioner in the request. A stationary source with a  
5 registration permit may maintain records at an office of the  
6 owner or operator of the stationary source for all years prior  
7 to the current calendar year of operation.

8 [For text of item B, see M.R.]

9 Subp. 10. **Changes or modifications at stationary sources**  
10 **issued registration permits that trigger certain new source**  
11 **performance standards.** If a change or modification made at a  
12 stationary source issued a registration permit results in the  
13 stationary source being subject to a new source performance  
14 standard listed under subpart 2, item C, or if the change or  
15 modification adds an emissions unit subject to the standards  
16 listed in part 7007.0300, the owner or operator must submit to  
17 the commissioner:

18 [For text of items A to C, see M.R.]

19 [For text of subps 11 to 19, see M.R.]

20 Subp. 20. **Operation in more than one location.** If  
21 requested by the applicant, the registration permit may allow a  
22 stationary source to be operated in more than one location. If  
23 more than one location is proposed by the permittee, the  
24 permittee shall:

25 A. include in the application an identification of  
26 all geographic areas where the stationary source is authorized  
27 to operate during the course of the permit; and

28 B. notify the commissioner at least 48 hours in  
29 advance of each change in location, providing the exact location  
30 where the source will operate.

31 [For text of subps 21 and 22, see M.R.]

32 7007.1115 REGISTRATION PERMIT OPTION A.

33 Subpart 1. **Eligibility.** The owner or operator of a  
34 stationary source may apply for a registration permit under this  
35 part if the stationary source is required to obtain a permit

1 solely because it is subject to a new source performance  
2 standard listed in part 7007.1110, subpart 2, item C, and the  
3 owner or operator does not anticipate making changes in the next  
4 year which will cause the stationary source to require a permit  
5 for other reasons. Insignificant activities at the stationary  
6 source listed in part 7007.1300 are not considered in the  
7 eligibility determination under this subpart.

8       **Subp. 2. Application content.** An application for a  
9 registration permit under this part must contain the following:

10               [For text of items A and B, see M.R.]

11       C. a copy of the applicable new source performance  
12 standards (NSPS) listed in part 7007.1110, subpart 2, item C,  
13 with the applicable portions of the standards highlighted,  
14 including applicable parts of Code of Federal Regulations, title  
15 40, part 60, subpart A, General Provisions, or an NSPS checklist  
16 form provided by the commissioner, for each affected facility as  
17 defined in Code of Federal Regulations, title 40, section 60.2.

18       Insignificant activities at the stationary source listed in  
19 part 7007.1300 are not required to be included in the  
20 application.

21               [For text of subp 3, see M.R.]

22 7007.1120 REGISTRATION PERMIT OPTION B.

23               [For text of subpart 1, see M.R.]

24       **Subp. 2. Application content.** An application for a  
25 registration permit under this part must contain the following:

26               [For text of items A and B, see M.R.]

27       C. a copy of the applicable new source performance  
28 standards (NSPS) listed in part 7007.1110, subpart 2, item C,  
29 with the applicable portions of the standards highlighted,  
30 including applicable parts of Code of Federal Regulations, title  
31 40, part 60, subpart A, General Provisions, or an NSPS checklist  
32 form provided by the commissioner, for each affected facility as  
33 defined in Code of Federal Regulations, title 40, section 60.2;

34               [For text of items D and E, see M.R.]

35       **Subp. 3. Compliance requirements.** The owner or operator

1 of a stationary source issued a registration permit under this  
2 part shall:

3 [For text of items A and B, see M.R.]

4 C. purchase or use (whichever was stated in the  
5 permit application) a 12-month rolling sum of less than 2,000  
6 gallons of VOC-containing materials;

7 [For text of item D, see M.R.]

8 E. comply with part 7007.1100; and

9 [For text of item F, see M.R.]

10 7007.1125 REGISTRATION PERMIT OPTION C.

11 [For text of subpart 1, see M.R.]

12 Subp. 2. **Application content.** An application for a  
13 registration permit under this part must contain the following:

14 [For text of items A and B, see M.R.]

15 C. a copy of the applicable new source performance  
16 standards (NSPS) listed in part 7007.1110, subpart 2, item C,  
17 with the applicable portions of the standards highlighted,  
18 including applicable parts of Code of Federal Regulations, title  
19 40, part 60, subpart A, General Provisions, or an NSPS checklist  
20 form provided by the commissioner, for each affected facility as  
21 defined in Code of Federal Regulations, title 40, section 60.2;

22 [For text of items D and E, see M.R.]

23 Subp. 3. **Compliance requirements.** The owner or operator  
24 of a stationary source issued a registration permit under this  
25 part shall comply with all of the requirements in items A to J.

26 A. If the stationary source qualified in the permit  
27 application, in whole or in part, by calculating VOC actual  
28 emissions from VOC-containing materials purchased or used  
29 (whichever was stated in the permit application) in calculation  
30 3 in subpart 4, the owner or operator must:

31 (1) record each month, the amount of each  
32 VOC-containing material purchased or used (whichever was stated  
33 in the permit application);

34 [For text of subitems (2) and (3), see M.R.]

35 [For text of items B to G, see M.R.]



1 H. The owner or operator must comply with part  
2 7007.1110.

3 [For text of item I, see M.R.]

4 J. The owner or operator shall keep the following  
5 information on site for emission points venting emission units  
6 included in subpart 4, calculation 1, which burn coal, coke,  
7 wood, bark, number 5 or 6 residual oil, or number 4 distillate  
8 oil:

9 [For text of subitems (1) to (3), see M.R.]

10 [For text of subp 4, see M.R.]

11 7007.1130 REGISTRATION PERMIT OPTION D.

12 [For text of subpart 1, see M.R.]

13 Subp. 2. **Application content.** An application for a  
14 registration permit under this part must contain all of the  
15 following requirements:

16 [For text of items A and B, see M.R.]

17 C. a copy of the applicable new source performance  
18 standards (NSPS) listed in part 7007.1110, subpart 2, item C,  
19 with the applicable portions of the standards highlighted,  
20 including applicable parts of Code of Federal Regulations, title  
21 40, part 60, subpart A, General Provisions, or an NSPS checklist  
22 form provided by the commissioner, for each affected facility as  
23 defined in Code of Federal Regulations, title 40, section 60.2;

24 [For text of item D, see M.R.]

25 E. the calculations required by subpart 4, and the  
26 total actual emissions per pollutant that result from those  
27 calculations. A stationary source in which the only hazardous  
28 air pollutant (HAP) emissions are VOC emissions and that has  
29 actual VOC emissions less than five tons per year, ~~and~~  
30 ~~combustion-sources-with-a-total-heat-input-less-than-30-MMBtu/hr~~  
31 ~~burning-fuel-oil-and-burning-gas-(natural-gas-or-propane)~~ are  
32 not required to calculate emissions of HAPs. If the stationary  
33 source has not been operated, the owner or operator shall  
34 estimate actual emissions during normal operation in performing  
35 the calculations required by subpart 4. If the stationary

1 source has been operated less than 12 months on the date of  
2 application under this part, the owner or operator shall  
3 estimate actual emissions by multiplying by 12 the larger of the  
4 following:

5 [For text of subitems (1) and (2), see M.R.]

6 [For text of item F, see M.R.]

7 Subp. 3. **Compliance requirements.** The owner or operator  
8 of a stationary source issued a permit under this part shall  
9 comply with all of the requirements in items A to J.

10 [For text of item A, see M.R.]

11 B. If the stationary source qualified in the permit  
12 application, in whole or in part, by using fuel burned in the  
13 calculations in subpart 4, the owner or operator must:

14 [For text of subitem (1), see M.R.]

15 (2) recalculate and record each month the  
16 12-month rolling sum of emissions, the date the calculation was  
17 made, and the calculation itself.

18 C. If the stationary source qualified in the permit  
19 application, in whole or in part, by using hours of operation in  
20 the calculations in subpart 4, the owner or operator must:

21 [For text of subitem (1), see M.R.]

22 (2) recalculate and record each month the  
23 12-month rolling sum of emissions, the date the calculation was  
24 made, and the calculations itself.

25 [For text of item D, see M.R.]

26 E. The owner or operator must recalculate and record  
27 each month, pursuant to subpart 4, the 12-month rolling sum of  
28 actual emissions from the stationary source, the date the  
29 calculation was made, and the calculation itself. This  
30 calculation must include all emissions units at the stationary  
31 source, except for insignificant activities under part  
32 7007.1300, and the information required by subpart 4, item B,  
33 subitem (3), if continuous emissions monitor (CEM) data is used  
34 in the calculation.

35 [For text of items F and G, see M.R.]

36 H. Comply with part 7007.1110.

1 I. Comply with all applicable requirements including  
2 new source performance standards.

3 J. If the calculation of actual emissions required by  
4 subpart 2, item E, for the application or by subpart 3, item E,  
5 for compliance verification exceeds five tons per year of sulfur  
6 dioxide or particulate matter less than ten microns, the owner  
7 or operator shall keep the following at the stationary source  
8 for all emission units venting to these emission points:

9 [For text of subitems (1) to (3), see M.R.]

10 Subp. 4. Calculation of actual emissions. The owner or  
11 operator of a stationary source may use a calculation worksheet  
12 provided by the commissioner for calculating actual emissions  
13 under this part, or may use the calculation methods under items  
14 A to E. The owner or operator must calculate actual emissions  
15 for each emissions unit, except that similar emissions units may  
16 be aggregated for emission calculation purposes. The owner or  
17 operator of a stationary source shall use the calculation method  
18 in item B instead of the calculation method in item A if the  
19 data described in item B are available for the stationary  
20 source. The alternative methods described in items C, D, and E  
21 may be used by the owner or operator without advance  
22 notification to the commissioner. The commissioner shall reject  
23 data submitted using the methods described in items B to E if  
24 the conditions set forth for the method are not fully met. To  
25 prevent double counting of emissions, the owner or operator must  
26 select one calculation method under this subpart for each  
27 emissions unit at the stationary source. Fugitive dust  
28 emissions must be included in the calculations under this  
29 subpart, if the stationary source is a category listed in part  
30 7007.0200, subpart 2, item B, subitems (1) to (27).

31 A. All calculations of actual emissions required  
32 under this part shall be based on the stationary source's  
33 operating parameters, and must use the following equation:

34  $E = OP \times EF \times [1 - CE]$ , where

35 E = Actual Emissions in tons per year

36 OP = Operating Parameter as required by the Emission Factor

1 (hours of operation or units produced)

2 EF = Emission Factor (pounds of pollutant per hour of  
3 operation or units produced) as defined in part 7005.0100,  
4 subpart 10a-

5 CE = Control Efficiency (percent expressed as a decimal  
6 fraction of 1.00) determined according to part 7011.0070.

7 B. If the owner or operator of the stationary source  
8 has collected emissions data through use of a continuous  
9 emission monitor (CEM) in compliance with the preconditions in  
10 subitems (1) and (2), the owner or operator shall use the CEM  
11 data to calculate actual emissions, the calculation shall be  
12 based on all of the CEM data, and the following requirements  
13 shall be met:

14 (1) the CEM has been certified by the  
15 commissioner;

16 (2) the CEM data have not been rejected by the  
17 commissioner due to failure by the owner or operator to comply  
18 with all requirements of parts 7017.1000, 7019.1000, and  
19 7019.2000; all applicable permit conditions; and any other  
20 applicable state or federal laws pertaining to CEM operation;

21 (3) the total operating time of the applicable  
22 emissions unit and the total operating time of the CEM for the  
23 previous 12 consecutive months must be included in the permit  
24 application and in the monthly records required in subpart 3;  
25 and

26 (4) an explanation of how the emissions were  
27 calculated based on the CEM data must be included in the permit  
28 application and in the monthly records required in subpart 3.  
29 In calculating actual emissions, the owner or operator must use  
30 the rated capacity of the flow unless the CEM provides actual  
31 data on the flow rate. For periods when the CEM is down and the  
32 emission unit is operating, the CEM data shall be substituted  
33 with emission data calculated using data obtained from the CEM.  
34 The CEM must have recorded data for at least 90 percent of the  
35 hours the emission unit was operated for the calendar year. The  
36 substitute CEM data must be representative of emission unit

1 operation and, if applicable, of the control equipment operation  
2 during the period of CEM downtime. If substitute CEM data  
3 meeting these conditions is not available, emissions during  
4 periods of CEM downtime shall be calculated using emission  
5 factors as specified in item A or performance test data as  
6 specified in item C.

7 [For text of items C to E, see M.R.]

8 [For text of subp 5, see M.R.]

9 7007.1150 WHEN A PERMIT AMENDMENT IS REQUIRED.

10 [For text of items A and B, see M.R.]

11 C. A written notice to the agency shall be sent by  
12 any person who, at a permitted stationary source, makes a change  
13 that: (i) does not increase emissions of any regulated air  
14 pollutant; (ii) does not constitute a title I modification; and  
15 (iii) does not constitute any other type of modification, if the  
16 change is one of the following:

17 [For text of subitems (1) and (2), see M.R.]

18 (3) replacing air pollution control equipment  
19 with listed control equipment, as defined in part 7011.0060,  
20 subpart 4, which has an equivalent or better removal efficiency  
21 of regulated pollutants previously controlled with the control  
22 equipment being replaced.

23 The written notice must be received by the agency seven  
24 working days prior to the installation or replacement. The  
25 permittee and the agency shall attach the notice to the  
26 stationary source's permit. If the agency finds that the  
27 installation or replacement triggers new monitoring, record  
28 keeping, or reporting requirements under applicable requirements  
29 or parts 7007.0100 to 7007.1850, the agency shall initiate an  
30 amendment under part 7007.1400 or 7007.1500 to include the new  
31 requirements. If the installation or replacement constitutes a  
32 title I modification or other type of modification, this item  
33 does not apply, and the permittee shall follow the applicable  
34 procedures of part 7007.1250, 7007.1350, 7007.1450, or  
35 7007.1500. If notice is provided as required by this item, the

1 installation and operation of the additional equipment shall not  
2 be considered a violation of the permit.

3 [For text of items D to F, see M.R.]

4 7007.1200 CALCULATING EMISSION CHANGES FOR PERMIT AMENDMENTS.

5 [For text of subps 1 and 2, see M.R.]

6 Subp. 3. Calculation method for modifications that are not  
7 title I modifications. Emissions changes for a modification  
8 must be calculated by comparing the hourly emission rate of the  
9 stationary source, at maximum physical capacity, before and  
10 after the proposed physical or operational change. The emission  
11 rate shall be expressed as pounds per hour of any regulated air  
12 pollutant. Items A to C shall be used to determine emission  
13 changes for modifications that are not title I modifications.

14 [For text of item A, see M.R.]

15 B. In cases where use of emission factors or related  
16 calculation methods clearly demonstrates whether or not the  
17 change will increase the emission level, the following emission  
18 factors or methods shall be used:

19 (1) emission factors as defined in part  
20 7005.0100, subpart 10a; or

21 [For text of subitem (2), see M.R.]

22 [For text of item C, see M.R.]

23 7007.1250 INSIGNIFICANT MODIFICATIONS.

24 Subpart 1. When an insignificant modification can be  
25 made. The permittee may make a modification described in either  
26 item A or B at a permitted stationary source without getting a  
27 permit amendment, unless the modification is prohibited by  
28 subpart 2.

29 [For text of item A, see M.R.]

30 B. Any modification that will:

31 (1) result in an increase of an air pollutant  
32 which is not listed in table 1 and is not a hazardous air  
33 pollutant;

34 (2) result in an increase of an air pollutant  
35 which is listed below in table 1, but in an amount less than the

1 corresponding threshold; or  
 2 (3) result in an increase of a hazardous air  
 3 pollutant, at a major source as defined in Code of Federal  
 4 Regulations, title 40, section 63.2, in an amount less than 25  
 5 percent of the de minimis emission rates established in the  
 6 rules promulgated by the administrator under section 112(g) of  
 7 the act. This subitem becomes effective when the rules  
 8 promulgated by the administrator under 112(g) of the act become  
 9 effective.

10 Table 1

11	Pollutant	Threshold
12		
13	NO <sub>x</sub>	2.28 pounds per hour
14	SO <sup>2</sup>	2.28 pounds per hour
15	VOCs	2.28 pounds per hour
16	PM-10	.855 pounds per hour
17	CO	5.70 pounds per hour
18	Lead	.025 pounds per hour

19 For purposes of this subpart, whether or not the modification  
 20 will cause an increase in emissions shall be calculated as  
 21 described in part 7007.1200. An owner or operator may not use  
 22 control equipment efficiencies for listed control equipment  
 23 determined by part 7011.0070 to qualify for an insignificant  
 24 modification, unless the specifications for the control  
 25 equipment are from a control equipment manufacturer, as defined  
 26 in part 7011.0060, subpart 3. Modifications which would  
 27 otherwise be insignificant under this part may be title I  
 28 modifications, for which a major amendment is required, using  
 29 the methods of calculation required under title I of the act.  
 30 Permittees are reminded to review the definition of title I  
 31 modifications and the requirements of title I of the act.

32 [For text of subps 2 to 6, see M.R.]

33 7007.1300 INSIGNIFICANT ACTIVITIES LIST.

34 [For text of subpart 1, see M.R.]

35 Subp. 2. Insignificant activities not required to be

1 listed. The activities described in this subpart are not  
2 required to be listed in a permit application under part  
3 7007.0500, subpart 2, item C, subitem (2).

4 [For text of items A to C, see M.R.]

5 D. Finishing Processing operations:

6 [For text of subitems (1) and (2), see M.R.]

7 (3) equipment venting particulate matter (PM) or  
8 particulate matter less than ten microns (PM-10) inside a  
9 building (for example: buffing, polishing, carving, cutting,  
10 drilling, machining, routing, sanding, sawing, surface grinding,  
11 or turning equipment) provided that emissions from the equipment  
12 are:

13 [For text of units (a) and (b), see M.R.]

14 [For text of subitem (4), see M.R.]

15 [For text of item E, see M.R.]

16 F. Drain, waste, and vent piping:

17 (1) stacks or vents to prevent escape of sewer  
18 gases through plumbing traps, not including emissions associated  
19 with processing at wastewater treatment plants;

20 (2) sewer maintenance access covers and shafts;

21 (3) sludge and septage landspreading site sites;

22 (4) sludge loadout pumping operations for  
23 publicly owned treatment works with a design flow less than  
24 5,000,000 gallons per day; and

25 (5) odor control systems on components of  
26 publicly owned treatment works collection systems.

27 G. Residential activities: typical emissions from  
28 residential structures, not including:

29 (1) fuel burning equipment with a total capacity  
30 of 500,000 Btu/hour or greater; and

31 (2) emergency backup generators.

32 H. Recreational activities: use of the following for  
33 recreational purposes:

34 [For text of subitems (1) to (3), see M.R.]

35 I. Health care activities: activities and equipment  
36 directly associated with the diagnosis, care, and treatment of



1 patients in medical or veterinary facilities or offices, not  
 2 including support activities such as power plants, heating  
 3 plants, emergency generators, incinerators, or other units  
 4 affected by applicable requirements as defined in part  
 5 7007.0100, subpart 7.

6 J. Miscellaneous:

7 [For text of subitems (1) and (2), see M.R.]

8 (3) operation of mobile sources, except for  
 9 fugitive dust emissions from mobile sources at a stationary  
 10 source required to be included under title I, and except for  
 11 stationary sources where the agency determines the fugitive  
 12 emissions from associated mobile source activity may impact  
 13 attainment of national ambient air quality standards;

14 [For text of subitems (4) to (6), see M.R.]

15 K. Demonstration projects conducted by a teaching  
 16 institution, where the sole purpose of a demonstration project  
 17 is to provide an actual functional example of a process unit  
 18 operation to the students or other interested parties, where  
 19 actual operating hours of each emission unit shall not exceed a  
 20 total of 350 hours in a calendar year and where the emissions  
 21 unit is not used to dispose of waste materials.

22 Subp. 3. Insignificant activities required to be listed.

23 The activities described in this subpart must be listed in a  
 24 permit application, and calculation of emissions from the  
 25 ~~emissions-units-listed-in-this-subpart-shall-be-included-in-the~~  
 26 ~~permit-application-if-emissions-from-the-emissions-units-listed~~  
 27 ~~under-this-subpart,-in-addition-to-all-other-emissions-from-the~~  
 28 ~~stationary-source,-could-make-the-stationary-source-subject-to~~  
 29 ~~different-applicable-requirements-or-different-requirements~~  
 30 ~~under-parts-7007.0100-to-7007.1850.--For-purposes-of-this~~  
 31 ~~subpart,-applicable-requirement-means-applicable-requirement-as~~  
 32 ~~defined-in-part-7007.0100,-subpart-7,-items-B-to-E. these~~  
 33 activities shall be provided if required by the agency, under  
 34 part 7007.0500, subpart 2, item C, subitem (2). If emissions  
 35 units listed in this subpart are subject to additional  
 36 requirements under section 114(a)(3) of the act (Enhanced

1 Monitoring) or section 112 of the act (Hazardous Air  
 2 Pollutants), or if part of a title I modification, or if  
 3 accounted for, make a stationary source subject to a part 70  
 4 permit, emissions from the emissions units must be calculated in  
 5 the permit application.

6 [For text of item A, see M.R.]

7 B. Furnaces and boilers:

8 (1) infrared electric ovens; and

9 (2) fuel burning equipment of less than 500,000  
 10 Btu/hour capacity except where total capacity of equipment  
 11 exceeds 2,000,000 Btu/hour when operated by one stationary  
 12 source.

13 [For text of item C, see M.R.]

14 D. Finishing Processing operations:

15 [For text of subitem (1), see M.R.]

16 (2) equipment venting particulate matter (PM) or  
 17 particulate matter less than ten microns (PM-10) inside a  
 18 building (for example: buffing, polishing, carving, cutting,  
 19 drilling, machining, routing, sanding, sawing, surface grinding,  
 20 or turning equipment) provided that emissions from the equipment  
 21 are:

22 [For text of units (a) and (b), see M.R.]

23 [For text of items E to G, see M.R.]

24 H. Miscellaneous:

25 [For text of subitems (1) to (5), see M.R.]

26 (6) equipment used exclusively for melting or  
 27 application of wax;

28 (7) nonasbestos equipment used exclusively for  
 29 bonding lining to brake shoes; and

30 (8) cleaning operations: alkaline/phosphate  
 31 cleaners, associated cleaners, and associated burners.

32 [For text of item I, see M.R.]

33 J. Fugitive dust emissions from unpaved entrance  
 34 roads and parking lots, except from a stationary source applying  
 35 for an Option D registration permit under part 7007.1130.

36 [For text of subp 4, see M.R.]

## 1 7007.1400 ADMINISTRATIVE PERMIT AMENDMENTS.

2 Subpart 1. **Administrative amendments allowed.** The agency  
3 may make the permit amendments described in this subpart through  
4 the administrative permit amendment process described in this  
5 part. An owner or operator of a stationary source shall request  
6 an administrative amendment if changes are to be made under item  
7 B or E:

8 [For text of items A and B, see M.R.]

9 C. an amendment requiring the permittee to comply  
10 with additional, more frequent, or expanded, testing,  
11 monitoring, record keeping, or reporting requirements;

12 [For text of items D to G, see M.R.]

13 H. an amendment to extend a deadline in a permit by  
14 no more than 120 days, provided that the agency may only extend  
15 a deadline established by an applicable requirement described in  
16 part 7007.0100, subpart 7, items A to K, if the agency has been  
17 delegated authority to make such extensions by the administrator.  
18 Notwithstanding the previous sentence, the agency may do an  
19 administrative amendment to extend a testing deadline in a  
20 permit up to 365 days if the agency finds that the extension is  
21 needed to allow the permittee to test at worst case conditions  
22 as required by part 7017.2025, subpart 2.

23 [For text of subps 2 to 7, see M.R.]

## 24 7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.

25 Subpart 1. **Minor and moderate amendment exclusions.** The  
26 agency may amend a permit using the minor and moderate permit  
27 amendment processes described in this part if the amendments are  
28 described in subparts 2 and 3, and if the amendments do not:

29 A. amend existing permit terms related to monitoring  
30 (including test methods), record keeping, reporting, or  
31 compliance certification requirements which are major amendments  
32 under part 7007.1500, subpart 1, item A;

33 [For text of items B to E, see M.R.]

34 Subp. 2. **Minor amendment applicability.** Except as  
35 provided in subpart 1, the agency may amend a permit to allow a

1 modification under the minor permit amendment process of this  
2 part, if the modification is described in either item A or B.

3 A. The modification will not cause an increase in  
4 emissions of an air pollutant listed below in an amount greater  
5 than the threshold:

6	Pollutant	Threshold
7		
8	NO <sub>x</sub>	9.13 pounds per hour
9	SO <sub>2</sub>	9.13 pounds per hour
10	VOCs	9.13 pounds per hour
11	PM-10	3.42 pounds per hour
12	CO	22.80 pounds per hour
13	Lead	.11 pounds per hour

14 B. The modification will not cause an increase in  
15 emissions of a hazardous air pollutant at a major source, as  
16 defined in Code of Federal Regulations, title 40, section 63.2,  
17 above the de minimis emission rates established in the rules  
18 promulgated by the administrator under section 112(g) of the  
19 act. This item becomes effective when the rules promulgated by  
20 the administrator under section 112(g) of the act become  
21 effective.

22 For purposes of this part, whether or not the modification will  
23 cause an increase in emissions shall be calculated as described  
24 in part 7007.1200. Modifications which would otherwise qualify  
25 for a minor or moderate amendment under this part may be title I  
26 modifications, for which a major amendment is required, using  
27 the methods of calculation required under title I of the act.  
28 Permittees are reminded to review the definition of title I  
29 modifications and requirements of title I of the act.

30 [For text of subps 3 to 9, see M.R.]

31 7007.1500 MAJOR PERMIT AMENDMENTS.

32 Subpart 1. Major permit amendment required. A "major  
33 permit amendment" is required for any modification at a  
34 permitted stationary source that is not allowed under parts  
35 7007.1250 and 7007.1350 and for which an amendment cannot be

1 obtained under the administrative permit amendment provisions of  
2 part 7007.1400, or the minor or moderate permit amendment  
3 provisions of part 7007.1450. The following always require  
4 major permit amendments:

5           A. any significant amendment to existing monitoring,  
6 reporting, or record keeping requirements in the permit other  
7 than adding new requirements, eliminating the requirements if  
8 they are rendered meaningless because the only emissions to  
9 which the requirements apply will no longer occur, or changing  
10 from one validated reference test method for a pollutant and  
11 source category to another;

12                           [For text of items B to E, see M.R.]

13                           [For text of subps 2 to 4, see M.R.]

14 7009.1000 AIR POLLUTION EPISODES.

15           Parts 7009.1000 to 7009.1110 apply to any owner or operator  
16 of any emission facility or stationary source having allowable  
17 emissions of any single air pollutant of 250 or more tons per  
18 year located within or having air pollutant emissions affecting  
19 any area within Minnesota for which an air pollution alert, air  
20 pollution warning, air pollution emergency, or air pollution  
21 significant harm episode has been declared by the commissioner.

22 7009.1040 CONTROL ACTIONS.

23                           [For text of subps 1 and 2, see M.R.]

24           Subp. 3. **Episode emission reduction plan.** The owner or  
25 operator of each emission facility or stationary source located  
26 in an area of the state designated by the commissioner as having  
27 exceeded the alert levels in part 7009.1060, table 1, within the  
28 last ten years and having allowable emissions of more than 250  
29 tons per year of the pollutant causing the episode, shall submit  
30 to the commissioner an episode emission reduction plan to be  
31 implemented at the facility or stationary source in the event of  
32 a declaration by the commissioner of an air pollution episode.  
33 The plan shall be submitted to the commissioner within 90 days  
34 of the designation of the area or by September 1, 1995,  
35 whichever is later. The plan shall be consistent with the

1 emission reduction objectives in subpart 4 and shall designate  
 2 at least two individuals to be notified in the event of the  
 3 declaration of an air pollution episode. The plan shall be  
 4 subject to the approval of the commissioner. If the  
 5 commissioner finds that the plan is inconsistent with such  
 6 emission reduction objectives the plan shall be returned to the  
 7 owner or operator along with a written statement of the  
 8 reason(s) for disapproval. The owner or operator shall correct  
 9 the deficiency within 30 days of notification of disapproval and  
 10 shall resubmit the plan to the commissioner.

11 [For text of subps 4 and 5, see M.R.]

12 7011.0070 LISTED CONTROL EQUIPMENT AND CONTROL EQUIPMENT  
 13 EFFICIENCIES.

14 Subpart 1. Listed control equipment efficiencies. Unless  
 15 a part 70, state, or general permit specifies a different  
 16 control efficiency, the owner or operator of a stationary source  
 17 must at all times attain at least the control efficiency listed  
 18 in Table A for each piece of listed control equipment at the  
 19 stationary source. The applicable control efficiency for a type  
 20 of listed control equipment and a given pollutant is determined  
 21 by whether air emissions are discharged to the control equipment  
 22 through a hood or through a total enclosure. The control  
 23 equipment efficiencies in Table A do not apply to any hazardous  
 24 air pollutant. The owner or operator of a stationary source  
 25 that is subject to the control efficiencies given for hoods in  
 26 Table A must evaluate, on a form provided by the commissioner,  
 27 whether the hood conforms to the design and operating practices  
 28 recommended in "Industrial Ventilation - A Manual of Recommended  
 29 Practice, American Conference of Governmental Industrial  
 30 Hygienists," and must include with the permit application the  
 31 certification required in subpart 3.

32 CONTROL EQUIPMENT EFFICIENCY-TABLE A

33 ID#	34 CONTROL EQUIPMENT DESCRIPTION	35 POLLUTANT	36 CONTROL EFFICIENCY	
37			TOTAL	HOOD
38			ENCLO-	SURE

1				
2		PM CONTROL CATEGORY-CYCLONES		
3		means a device where airflow		
4		is forced to spin in a vortex		
5		through a tube		
6				
7	007	Centrifugal Collector	PM,PM-10	80% 64%
8		(cyclone)-high efficiency		
9		means: a cyclonic device		
10		with parameters stated in		
11		drawing 1 and table 1		
12				
13	008	Centrifugal Collector	PM,PM-10	50% 40%
14		(cyclone)-medium efficiency		
15		means: a cyclonic device		
16		with parameters stated in		
17		drawing 1 and table 1		
18				
19	009	Centrifugal Collector	PM,PM-10	10% 8%
20		(cyclone)-low efficiency		
21		means: a cyclonic device		
22		with parameters stated in		
23		drawing 1 and table 1		
24				
25	076	Multiple Cyclone without	PM,PM-10	80% NA
26		Fly Ash Reinjection means:		
27		a cyclonic device with more		
28		than one tube where fly ash		
29		is not reinjected		
30				
31	077	Multiple Cyclone with Fly	PM,PM-10	50% NA
32		Ash Reinjection means: a		
33		cyclonic device with more		
34		than one tube where fly ash		
35		is reinjected		
36				
37	085	Wet Cyclone Separator or	PM,PM-10	50% 40%
38		Cyclonic Scrubbers means:		
39		a cyclonic device that sprays		
40		water into a cyclone		
41				
42	012	PM CONTROL CATEGORY-		
43		ELECTROSTATIC PRECIPITATORS		
44		means: a control device in		
45		which the incoming particulate		
46		matter receives an electrical		
47		charge and is then collected		
48		on a surface with the opposite		
49		electrical charge		
50				
51		-assumed efficiency for boiler	PM-10	40% NA
52		fly ash control		
53				
54		-assumed efficiency for other	PM-10	70% 56%
55		applications		
56				
57		PM CONTROL CATEGORY-OTHER CONTROLS		
58				
59	016	Fabric Filter means: a	PM,PM-10	99% 79%
60		control device in which the		
61		incoming gas stream passes		
62		through a porous fabric filter		
63		forming a dust cake		
64				
65	052	Spray Tower means: a control	PM,PM-10	20% 16%
66		device in which the incoming gas		
67		stream passes through a chamber		
68		in which it contacts a liquid		
69		spray		
70				
71	053	Venturi Scrubber means: a	PM,PM-10	90% 72%

1	control device in which the			
2	incoming gas stream passes through			
3	a venturi into which a low			
4	pressure liquid is introduced			
5				
6	055 Impingement Plate Scrubber	PM,PM-10	25%	20%
7	means: a control device in			
8	which the incoming gas stream			
9	passes a liquid spray and is			
10	then directed at high velocity			
11	into a plate			
12				
13	058 HEPA and Other	PM,PM-10	92%	NA
14	Wall Filter means:			
15	a control device in which the			
16	incoming gas stream passes			
17	through a panel of coarse fibers.			
18	Other Wall Filters			
19	means removable panels for			
20	cleaning and replacement,			
21	or liquid curtains for			
22	particulate removal that			
23	provide little			
24	resistance to air flow			
25				
26	VOC CONTROL CATEGORY			
27				
28	019 Afterburners (thermal or	VOC	95%	57%
29	catalytic oxidation) means:			
30	a device used to reduce VOCs			
31	to the products of combustion			
32	through thermal (high temperature)			
33	oxidation or catalytic (use of			
34	a catalyst) oxidation in a			
35	combustion chamber			
36				
37	023 Flaring or Direct Combustor	VOC	98%	59%
38	means: a device in which air,			
39	combustible organic waste gases,			
40	and supplementary fuel (if needed)			
41	react in the flame zone (e.g.,			
42	at the flare tip) to destroy the			
43	VOCs			



Drawing 1

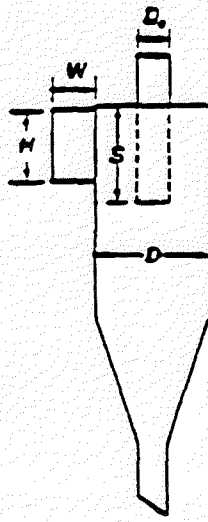


Table 1  
Cyclone Type

Ratio Dimensions	High Efficiency	Medium Efficiency	Low Efficiency
Height of inlet, H/D	≤0.44	>0.44 and <0.8	≥0.8
Width of inlet, W/D	≤0.2	>0.2 and <0.375	≥0.375
Diameter of gas exit, D <sub>e</sub> /D	≤0.4	>0.4 and <0.75	≥0.75
Length of vortex finder, S/D	≤0.5	>0.5 and <0.875	≥0.875

If one or more of the "ratio dimensions," as listed in table 1, are in a different efficiency category (high, medium, low), then the lowest efficiency category shall be applied.

[For text of subp 2, see M.R.]

Subp. 3. Certification for hoods. The certification required by subpart 1 for hoods shall be signed by the responsible official, and shall state as follows:

"I certify under penalty of law that the aforementioned hood(s) has (have) been evaluated under my direction or supervision by qualified personnel and that, to the best of my knowledge and belief, the (each) hood conforms to the design and operating practices recommended in "Industrial Ventilation - A Manual of Recommended Practice, American Conference of Governmental Industrial Hygienists.""

1 7011.0080 MONITORING AND RECORD KEEPING FOR LISTED CONTROL  
 2 EQUIPMENT.

3 The owner and operator of a stationary source shall comply  
 4 with the monitoring and record keeping required for listed  
 5 control equipment by the table in this part. The owner or  
 6 operator shall maintain the records required by this part for a  
 7 minimum of five years from the date the record was made. For  
 8 hoods, the owner shall maintain at the stationary source the  
 9 evaluation of each hood required in part 7011.0070, as well as a  
 10 monthly record of the fan rotation speed, fan power draw, or  
 11 face velocity of each hood, or other comparable air flow  
 12 indication method.

13 EPA 14 Identifi- 15 cation 16 Number(s)	Pollution Control Equipment Type	Monitoring Parameter(s)	Record Keeping Requirement
18 007, 008, 19 009, 076, 20 077	Centrifugal collector (cyclone)	Pressure drop	Record pressure drop every 24 hours if in operation
23 011A, 011B, 24 012A, 012B	Electrostatic precipitator	Primary and secondary voltage; primary and secondary current; sparking rate; and number of fields on-line	Record each parameter every 24 hours if in operation
34 016	Fabric filter (bag house)	Pressure drop	Record pressure drop every 24 hours if in operation
39 052	Spray tower	Liquid flow rate and pressure drop	Record each parameter every 24 hours if in operation
44 053, 055	Venturi scrubber, impingement plate scrubber	Pressure drop and liquid flow rate	Record each parameter every 24 hours if in operation
49 058A, 058B	HEPA and other wall filters	Condition of the filters, including, but not limited to, alignment, saturation, and tears and holes	Record of filter(s) condition every 24 hours if in operation
58 085	Wet cyclone	Pressure drop;	Record each

1		separator	and water	parameter every
2			pressure	24 hours if
3				in operation
4				
5	019	Thermal	Combustion	Continuous hard
6		incinerator	temperature or	copy readout of
7			inlet and	temperatures or
8			outlet	manual readings
9			temperatures	every 15 minutes
10				
11	019	Catalytic	Inlet and	Continuous hard
12		incinerator	outlet	copy readout
13			temperatures;	of temperatures
14			and catalyst	or manual
15			bed reactivity	readings every
16			as per	15 minutes; and
17			manufacturer's	results of
18			specifications	catalyst bed
19				reactivity
20				
21	023	Flaring	Temperature	Continuous hard
22			indicating	copy readout
23			presence of	of temperatures
24			a flame	or manual
25				readings
26				every 15
27				minutes

28 7011.0150 PREVENTING PARTICULATE MATTER FROM BECOMING AIRBORNE.

29 No person shall cause or permit the handling, use,  
30 transporting, or storage of any material in a manner which may  
31 allow avoidable amounts of particulate matter to become airborne.

32 No person shall cause or permit a building or its  
33 appurtenances or a road, or a driveway, or an open area to be  
34 constructed, used, repaired, or demolished without applying all  
35 such reasonable measures as may be required to prevent  
36 particulate matter from becoming airborne. All persons shall  
37 take reasonable precautions to prevent the discharge of visible  
38 fugitive dust emissions beyond the lot line of the property on  
39 which the emissions originate. The commissioner may require  
40 such reasonable measures as may be necessary to prevent  
41 particulate matter from becoming airborne including, but not  
42 limited to, paving or frequent clearing of roads, driveways, and  
43 parking lots; application of dust-free surfaces; application of  
44 water; and the planting and maintenance of vegetative ground  
45 cover.

46 7017.2040 CERTIFICATION OF PERFORMANCE TEST RESULTS.

47 Subpart 1. Certification required. The test report shall  
48 contain a certification by the responsible parties that the test

1 results have been reported accurately, that the field data are a  
2 true representation of the sampling procedures, and that the  
3 process data are a true indicator of the operating parameters of  
4 the emissions unit at the time of the performance test. The  
5 commissioner shall reject the results of a performance test if  
6 the test report does not contain the certifications required by  
7 subparts 2 to 5 or if any of the certifications in subparts 2 to  
8 5 are determined to be false.

9 [For text of subps 2 to 5, see M.R.]

10 REPEALER. Minnesota Rules, part 7005.0100, subpart 10d, is  
11 repealed.