

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Air Quality; Incorporation
4 of Federal National Emission Standards for Hazardous Air
5 Pollutants

6

7 Rules as Adopted

8 7005.0100 DEFINITIONS.

9 [For text of subps 1 to 25, see M.R.]

10 Subp. 25a. National Emission Standard for Hazardous Air
11 Pollutants. "National Emission Standard for Hazardous Air
12 Pollutants" means a standard promulgated by the administrator of
13 the United States Environmental Protection Agency under the
14 Clean Air Act, United States Code, title 42, section 7412, as
15 amended, including standards still in effect pursuant to the
16 savings clause that was enacted by the 1990 Clean Air Act
17 amendments and codified at United States Code, title 42, section
18 7412(q).

19 [For text of subps 25b to 45, see M.R.]

20 7011.7000 GENERAL PROVISIONS OF FEDERAL NATIONAL EMISSION
21 STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES
22 INCORPORATED BY REFERENCE.

23 For purposes of interpreting, applying, and enforcing
24 National Emission Standards for Hazardous Air Pollutants for
25 Source Categories that are incorporated by reference into this
26 chapter, Code of Federal Regulations, title 40, sections 63.1,
27 63.2, 63.3, 63.4, 63.5, 63.6, 63.11, and 63.14, as amended, are
28 adopted and incorporated by reference.

29 All requests, reports, applications, submittals, and other
30 communications to the administrator pursuant to National
31 Emission Standards for Hazardous Air Pollutants for Source
32 Categories that are incorporated by reference into this chapter
33 must be submitted to the commissioner.

34 7011.7040 ORGANIC HAZARDOUS AIR POLLUTANTS FROM SYNTHETIC

1 ORGANIC CHEMICAL MANUFACTURING INDUSTRY.

2 A. Code of Federal Regulations, title 40, part 63,
3 subpart F, as amended, entitled "National Emission Standards for
4 Organic Hazardous Air Pollutants from the Synthetic Organic
5 Chemical Manufacturing Industry," is adopted and incorporated by
6 reference, except that decisions made by the administrator under
7 Code of Federal Regulations, title 40, section 63.102(b), are
8 not delegated to the commissioner and must be made by the
9 administrator.

10 B. Code of Federal Regulations, title 40, part 63,
11 subpart G, as amended, entitled "National Emission Standards for
12 Organic Hazardous Air Pollutants from the Synthetic Organic
13 Chemical Manufacturing Industry for Process Vents, Storage
14 Vessels, Transfer Operations and Wastewater," is adopted and
15 incorporated by reference, except that decisions made by the
16 administrator under Code of Federal Regulations, title 40,
17 section 63.150(i)(1) to (i)(4), are not delegated to the
18 commissioner and must be made by the administrator.

19 7011.7060 ORGANIC HAZARDOUS AIR POLLUTANTS FROM EQUIPMENT LEAKS.

20 A. Code of Federal Regulations, title 40, part 63,
21 subpart H, as amended, entitled "National Emission Standards for
22 Organic Hazardous Air Pollutants for Equipment Leaks," is
23 adopted and incorporated by reference, except that decisions
24 made by the administrator under Code of Federal Regulations,
25 title 40, section 63.177, are not delegated to the commissioner
26 and must be made by the administrator.

27 B. Code of Federal Regulations, title 40, part 63,
28 subpart I, as amended, entitled "National Emission Standards for
29 Organic Hazardous Air Pollutants for Certain Processes Subject
30 to the Negotiated Regulation for Equipment Leaks," is adopted
31 and incorporated by reference.

32 7011.7080 COKE OVEN BATTERIES.

33 Code of Federal Regulations, title 40, part 63, subpart L,
34 as amended, entitled "National Emission Standards for Coke Oven
35 Batteries," is adopted and incorporated by reference, except

1 that decisions made by the administrator under Code of Federal
2 Regulations, title 40, sections 63.302(d), 63.304(b)(6),
3 63.305(b), (d), and (e), 63.307(d), and section 2 of Method 303
4 in Appendix A of Part 63, are not delegated to the commissioner
5 and must be made by the administrator.

6 7011.7100 PERCHLOROETHYLENE DRY CLEANING FACILITIES.

7 Code of Federal Regulations, title 40, part 63, subpart M,
8 as amended, entitled "National Perchloroethylene Air Emission
9 Standards for Dry Cleaning Facilities," is adopted and
10 incorporated by reference.

11 7011.7120 CHROMIUM EMISSIONS FROM HARD AND DECORATIVE CHROMIUM
12 ELECTROPLATING AND CHROMIUM ANODIZING TANKS.

13 Code of Federal Regulations, title 40, part 63, subpart N,
14 as amended, entitled "National Emission Standards for Chromium
15 Emissions from Hard and Decorative Chromium Electroplating and
16 Chromium Anodizing Tanks," is adopted and incorporated by
17 reference.

18 7011.7140 ETHYLENE OXIDE EMISSIONS STANDARDS FOR STERILIZATION
19 FACILITIES.

20 Code of Federal Regulations, title 40, part 63, subpart O,
21 as amended, entitled "Ethylene Oxide Emissions Standards for
22 Sterilization Facilities," is adopted and incorporated by
23 reference.

24 7011.7160 INDUSTRIAL PROCESS COOLING TOWERS.

25 Code of Federal Regulations, title 40, part 63, subpart Q,
26 as amended, entitled "National Emission Standards for Hazardous
27 Air Pollutants Industrial Process Cooling Towers," is adopted
28 and incorporated by reference.

29 7011.7180 GASOLINE DISTRIBUTION.

30 Code of Federal Regulations, title 40, part 63, subpart R,
31 as amended, entitled "National Emission Standards for Gasoline
32 Distribution Facilities (Bulk Gasoline Terminals and Pipeline
33 Breakout Stations)," is adopted and incorporated by reference,

1 except that decisions made by the administrator under Code of
2 Federal Regulations, title 40, sections 63.426 and 63.427(a)(5),
3 are not delegated to the commissioner and must be made by the
4 administrator.

5 7011.7200 HALOGENATED SOLVENT CLEANING.

6 Code of Federal Regulations, title 40, part 63, subpart T,
7 as amended, entitled "National Emission Standards for
8 Halogenated Solvent Cleaning," is adopted and incorporated by
9 reference.

10 7011.7220 EPOXY RESINS PRODUCTION AND NON-NYLON POLYAMIDES
11 PRODUCTION.

12 Code of Federal Regulations, title 40, part 63, subpart W,
13 as amended, entitled "National Emission Standards for Hazardous
14 Air Pollutants from Epoxy Resins Production and Non-Nylon
15 Polyamides Production," is adopted and incorporated by reference.

16 7011.7240 SECONDARY LEAD SMELTING.

17 Code of Federal Regulations, title 40, part 63, subpart X,
18 as amended, entitled "National Emission Standards for Hazardous
19 Air Pollutants from Secondary Lead Smelting," is adopted and
20 incorporated by reference.

21 7011.7260 MARINE TANK VESSEL LOADING OPERATIONS.

22 Code of Federal Regulations, title 40, part 63, subpart Y,
23 as amended, entitled "National Emission Standards for Marine
24 Tank Vessel Loading Operations," is adopted and incorporated by
25 reference.

26 7011.7280 PETROLEUM REFINERIES.

27 Code of Federal Regulations, title 40, part 63, subpart CC,
28 as amended, entitled "National Emission Standards for Petroleum
29 Refineries," is adopted and incorporated by reference.

30 7011.7300 MAGNETIC TAPE MANUFACTURING OPERATIONS.

31 Code of Federal Regulations, title 40, part 63, subpart EE,
32 as amended, entitled "National Emission Standards for Magnetic
33 Tape Manufacturing Operations," is adopted and incorporated by

1 reference.

2 7011.7320 AEROSPACE MANUFACTURING AND REWORK FACILITIES.

3 Code of Federal Regulations, title 40, part 63, subpart GG,
4 as amended, entitled "National Emission Standards for Aerospace
5 Manufacturing and Rework Facilities," is adopted and
6 incorporated by reference.

7 7017.1010 INCORPORATION OF MONITORING REQUIREMENTS BY REFERENCE.

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

9 Subp. 2. **National Emissions Standards for Hazardous Air**
10 **Pollutants.**

11 A. Code of Federal Regulations, title 40, section
12 63.8, as amended, entitled "Monitoring Requirements," is adopted
13 and incorporated by reference.

14 B. Code of Federal Regulations, title 40, section
15 61.14, as amended, entitled "Monitoring Requirements," is
16 adopted and incorporated by reference.

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

18 7017.2010 INCORPORATION OF TEST METHODS BY REFERENCE.

19 For the purpose of parts 7017.2020 to 7017.2060, the
20 documents in items A to D are incorporated by reference. These
21 documents are subject to frequent change.

22 A. Code of Federal Regulations, title 40, part 60,
23 Appendix A, as amended, entitled "Appendix A - Test Methods."

24 B. Code of Federal Regulations, title 40, part 63,
25 Appendix A, as amended, entitled "Appendix A to Part 63 - Test
26 Methods."

27 C. Code of Federal Regulations, title 40, part 61,
28 Appendix B, as amended, entitled "Appendix B - Test Methods."

29 D. Code of Federal Regulations, title 40, part 51,
30 Appendix M, as amended, entitled "Appendix M to Part 51 -
31 Recommended Test Methods for State Implementation Plans."

32 7017.2015 INCORPORATION OF FEDERAL TESTING REQUIREMENTS BY
33 REFERENCE.

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

1 Subp. 2. **New Source Performance Standards.** The following
2 are adopted and incorporated by reference:

3 A. Code of Federal Regulations, title 40, section
4 60.8, as amended, entitled "Performance Tests," except that
5 decisions made by the administrator under Code of Federal
6 Regulations, title 40, sections 60.8(b)(2) and 60.8(b)(3), are
7 not delegated to the commissioner and must be made by the
8 administrator.

9 B. Code of Federal Regulations, title 40, section
10 60.11, as amended, entitled "Compliance with Standards and
11 Maintenance Requirements," except that decisions made under Code
12 of Federal Regulations, title 40, section 60.11(e), are not
13 delegated to the commissioner and must be made by the
14 administrator.

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

18 A. Code of Federal Regulations, title 40, section
19 63.7, as amended, entitled "Performance Testing Requirements."

20 B. Code of Federal Regulations, title 40, section
21 61.13, as amended, entitled "Emission Tests and Waiver of
22 Emission Tests," except that decisions made by the administrator
23 under Code of Federal Regulations, title 40, section
24 61.13(h)(1)(ii), are not delegated to the commissioner and must
25 be made by the administrator.

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

27 7019.0100 INCORPORATION OF NOTIFICATION AND RECORDKEEPING
28 REQUIREMENTS BY REFERENCE.

29 Subpart 1. **New Source Performance Standards.** Code of
30 Federal Regulations, title 40, section 60.7, as amended,
31 entitled "Notification and Recordkeeping," is adopted and
32 incorporated by reference.

33 Subp. 2. **National Emission Standards for Hazardous Air**
34 **Pollutants.** The following are adopted and incorporated by
35 reference:

1 A. Code of Federal Regulations, title 40, section
2 63.9, as amended, entitled "Notification Requirements."

3 B. Code of Federal Regulations, title 40, section
4 63.10, as amended, entitled "Recordkeeping and Reporting
5 Requirements."

6 C. Code of Federal Regulations, title 40, section
7 61.09, as amended, entitled "Notification of Startup."

8 D. Code of Federal Regulations, title 40, section
9 61.10, as amended, entitled "Source Reporting and Waiver
10 Request."

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