

1 **Pollution Control Agency**

2 **Adopted Permanent Rules Relating to Miscellaneous Air Quality Amendments**

3 **7005.0100 DEFINITIONS.**

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

5 Subp. 1a. **Air quality control region or AQCR.** "Air quality control region" or
6 "AQCR" means the territorial area encompassed by the boundaries of the jurisdictions
7 within the state listed in items A to G, including the territorial area of all municipalities,
8 as defined in section 302(f) of the Clean Air Act, United States Code, title 42, section
9 7602(f), geographically located within the outermost boundaries of the area.

10 A. AQCR 127 includes the counties of Benton, Chisago, Isanti, Kanabec, Mille Lacs,
11 Pine, Sherburne, Stearns, and Wright.

12 B. AQCR 128 includes the counties of Blue Earth, Brown, Dodge, Faribault,
13 Fillmore, Freeborn, Goodhue, Houston, Le Sueur, Martin, Mower, Nicollet, Olmsted,
14 Rice, Sibley, Steele, Wabasha, Waseca, Watonwan, and Winona.

15 C. AQCR 129 includes the counties of Aitkin, Carlton, Cook, Itasca, Koochiching,
16 Lake, and St. Louis.

17 D. AQCR 130 includes Clay County.

18 E. AQCR 131 includes the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
19 Scott, and Washington.

20 F. AQCR 132 includes the counties of Becker, Beltrami, Cass, Clearwater, Crow
21 Wing, Douglas, Grant, Hubbard, Kittson, Lake of the Woods, Mahnommen, Marshall,
22 Morrison, Norman, Otter Tail, Pennington, Polk, Pope, Red Lake, Roseau, Stevens,
23 Todd, Traverse, Wadena, and Wilkin.

24 G. AQCR 133 includes the counties of Big Stone, Chippewa, Cottonwood, Jackson,
25 Kandiyohi, Lac qui Parle, Lincoln, Lyon, McLeod, Meeker, Murray, Nobles, Pipestone,
26 Redwood, Renville, Rock, Swift, and Yellow Medicine.

7005.0100

1 [For text of subps 2 to 10, see M.R.]

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

4 A. For criteria pollutants, the emission factor listed in the Compilation of Air
5 Pollutant Emission Factors (AP-42), fifth edition, United States Environmental
6 Protection Agency, Technical Support Division, Office of Air Quality Planning and
7 Standards, Research Triangle Park, North Carolina 27711, January 1995, which is
8 incorporated by reference and is available through the Minitex interlibrary loan system.
9 It is subject to frequent change. Where more than one emission factor is listed in AP-42,
10 "emission factor" means the one approved by the commissioner using best engineering
11 judgment and based on one or more of the considerations in item C, subitem (2).

12 [For text of items B and C, see M.R.]

13 [For text of subps 10b to 42c, see M.R.]

14 Subp. 45. **Volatile organic compound (VOC).** "Volatile organic compound (VOC)"
15 means any organic compound which participates in atmospheric photochemical
16 reactions. This includes any organic compound other than the following compounds:

17 A. methane;

18 B. ethane;

19 C. 1,1,1-trichloroethane (methyl chloroform);

20 D. 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);

21 E. methylene chloride (dichloromethane);

22 F. trichlorofluoromethane (CFC-11);

23 G. dichlorodifluoromethane (CFC-12);

24 H. chlorodifluoromethane (HCFC-22);

25 I. trifluoromethane (HFC-23);

- 1 J. 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
- 2 K. chloropentafluoroethane (CFC-115);
- 3 L. 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
- 4 M. 1,1,1,2-tetrafluoroethane (HFC-134a);
- 5 N. 1,1-dichloro-1-fluoroethane (HCFC-141b);
- 6 O. 1-chloro-1,1-difluoroethane (HCFC-142b);
- 7 P. 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
- 8 Q. pentafluoroethane (HFC-125);
- 9 R. 1,1,2,2-tetrafluoroethane (HFC-134);
- 10 S. 1,1,1-trifluoroethane (HFC-143a);
- 11 T. 1,1-difluoroethane (HFC-152a);
- 12 U. parachlorobenzotrifluoride (PCBTF);
- 13 V. cyclic, branched, or linear completely methylated siloxanes;
- 14 W. acetone;
- 15 X. perchloroethylene (tetrachloroethylene);
- 16 Y. 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
- 17 Z. 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
- 18 AA. 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
- 19 BB. perfluorocarbon compounds which fall into these classes:
- 20 (1) cyclic, branched, or linear completely fluorinated alkanes;
- 21 (2) cyclic, branched, or linear completely fluorinated ethers with no
- 22 unsaturations;
- 23 (3) cyclic, branched, or linear completely fluorinated tertiary amines with no
- 24 unsaturations; and

1 (4) sulfur-containing perfluorocarbons with no unsaturations and with sulfur
2 bonds only to carbon and fluorine;

3 CC. difluoromethane (HFC-32);

4 DD. ethylfluoride (HFC-161);

5 EE. 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);

6 FF. 1,1,2,2,3-pentafluoropentane (HFC-245ca);

7 GG. 1,1,2,3,3-pentafluoropropane (HFC-245ea);

8 HH. 1,1,1,3,4-pentafluoropentane (HFC-245eb);

9 II. 1,1,1,3,3-pentafluoropentane (HFC-245fa);

10 JJ. 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);

11 KK. 1,1,1,3,3-pentafluorobutane (HFC-365mfc);

12 LL. chlorofluoromethane (HCFC-31);

13 MM. 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);

14 NN. 1 chloro-1-fluoroethane (HCFC-151a);

15 OO. 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane;

16 PP. 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane;

17 QQ. 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane;

18 RR. 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane;

19 SS. any other compound listed in table 1, as amended, of the United States
20 Environmental Protection Agency's Recommended Policy on Control of Volatile
21 Organic Compounds, Federal Register, volume 42, page 35314, July 8, 1977; or

22 TT. any other compound determined by the United States Environmental
23 Protection Agency to be negligibly photochemically reactive, upon publication of the
24 determination in the Federal Register.

1 **7007.0100 DEFINITIONS.**

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

3 Subp. 8a. **Deviation.** "Deviation" means any noncompliance with an applicable
4 requirement or permit condition.

5 [For text of subps 9 to 20, see M.R.]

6 Subp. 21. **Responsible official.** "Responsible official" means one of the following:

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

8 B. For a partnership or sole proprietorship: a general partner or the proprietor,
9 respectively, or a duly authorized representative of such person if the representative is
10 responsible for the overall operation of one or more manufacturing, production, or
11 operating facilities applying for or subject to a permit and the delegation of authority to
12 a representative is approved in advance by the agency.

13 C. For a municipality, state, federal, or other public agency: either a principal
14 executive officer or ranking elected official or a duly authorized representative of such
15 person if the representative is responsible for the overall operation of one or more
16 facilities applying for or subject to a permit and the delegation of authority to a
17 representative is approved in advance by the agency. For the purposes of this part, a
18 principal executive officer of a federal agency includes the chief executive officer having
19 responsibility for the overall operations of a principal geographic unit of the agency (for
20 example, a regional administrator of EPA).

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

22 [For text of subps 22 to 28, see M.R.]

23 **7007.0150 PERMIT REQUIRED.**

24 Subpart 1. **Prohibition.** No person may construct, modify, reconstruct, or operate an
25 emissions unit, emission facility, or stationary source except in compliance with an air

1 emission permit from the agency. Exceptions to the requirement to obtain a permit are
2 located in part 7007.0300. Exceptions to the requirement to obtain a permit amendment
3 are located in parts 7007.1250 and 7007.1350. A person violates this subpart when the
4 person begins actual construction on a new source, reconstruction, or modification prior
5 to obtaining the permit or amendment, except as allowed in parts 7007.0750, subpart 7,
6 7007.1450, subpart 7, and 7007.1500, subpart 3a.

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

8 **7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.**

9 Subpart 1. **No permit required.** The following stationary sources are not required to
10 obtain a permit under parts 7007.0100 to 7007.1850:

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

12 C. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that
13 would be required to obtain a permit solely because it is subject to Code of Federal
14 Regulations, title 40, part 61, subpart M, National Emission Standard for Hazardous Air
15 Pollutants for Asbestos, section 61.145, Standard for Demolition and Renovation, or
16 61.154, Standard for Active Waste Disposal Sites (incorporated by reference at part
17 7011.9920);

18 D. any stationary source with only emissions units listed as insignificant activities
19 in part 7007.1300, subparts 2 and 3, not including the activity described in part
20 7007.1300, subpart 3, item H, subitem (1). The owner or operator must maintain records
21 that demonstrate that a permit is not required. These records shall contain a list of all
22 emissions units and the Minnesota Rules citation that defines those emissions units as
23 an insignificant activity. The records shall be permanently kept at the stationary source
24 or a central office and be readily available for examination and copying by the
25 commissioner or a representative of the commissioner;

26 E. any stationary source that would be required to obtain a permit solely because

1 its VOC potential to emit is equal to or greater than 100.0 tons per year, that uses less
2 than 200 gallons of VOC (including hazardous air pollutant-containing VOC) combined
3 in any consecutive 12-month period, and whose only other emissions are from
4 insignificant activities under part 7007.1300, subparts 2 and 3. The owner or operator
5 shall:

6 (1) record each month the number of gallons of VOC-containing materials
7 purchased or used and the maximum VOC content;

8 (2) maintain a record of the material data safety sheet (MSDS), or a signed
9 statement from the supplier stating the maximum VOC content, for each
10 VOC-containing material used;

11 (3) recalculate and record each month the 12-month rolling sum of actual
12 number of gallons of VOCs purchased or used, and the calculation itself and a list of the
13 associated emissions units in which it was used;

14 (4) maintain at the stationary source the records as long as the emissions unit is
15 located at the stationary source; and

16 (5) make the records available for examination and copying by the
17 commissioner or a representative of the commissioner.

18 Under this item, gallons of VOC equals volume percentage of VOC multiplied by the
19 gallons of VOC-containing material, except that if the owner or operator ships VOC
20 off-site for recycling, the amount recycled may be subtracted from the amount of VOC
21 used. "Recycling" means the reclamation or reuse, as defined in part 7045.0020, of a
22 VOC. If the owner or operator ships VOC off-site for recycling, the owner or operator
23 shall keep records of the amount of material shipped off-site for recycling and the
24 calculations done to determine the amount to subtract. Records may be MSDS, invoices,
25 shipping papers, or hazardous waste manifests; and

26 F. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that

1 would be required to obtain a permit solely because it is subject to one or more new
2 source performance standards under Code of Federal Regulations, title 40, part 60, that
3 has the potential to emit zero tons per year from the affected facility of each pollutant
4 regulated by the standard.

5 **7007.0500 CONTENT OF PERMIT APPLICATION.**

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

7 Subp. 2. **Information included.** Applicants shall submit the following information as
8 required by the standard application form:

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

10 C. The following emissions-related information:

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

12 (2) The application need not include the information required by this part for
13 any activity listed on the insignificant activities list in part 7007.1300, except as provided
14 in this subitem. The application shall include a list identifying any activity at the
15 stationary source described in subparts 3 and 4 of the insignificant activities list. If
16 requested by the agency, the permittee shall provide a calculation of emissions from any
17 activity described in subparts 3 and 4 of the insignificant activities list. The agency shall
18 request such a calculation if it finds that the emissions from those activities, in addition
19 to other emissions from the stationary source, could make the stationary source subject
20 to different applicable requirements under parts 7007.0100 to 7007.1850.

21 [For text of subitems (3) to (11), see M.R.]

22 [For text of items D to N, see M.R.]

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

24 **7007.0750 APPLICATION PRIORITY AND ISSUANCE TIMELINES.**

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

1 Subp. 4. **Monitoring.** The agency shall include the following monitoring
2 requirements in all permits:

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

4 C. For state permits, where periodic testing or instrumental or noninstrumental
5 monitoring (which may consist of recordkeeping designed to serve as monitoring) is not
6 required by item A, the permit shall include monitoring requirements sufficient to
7 determine whether a stationary source is in compliance with applicable requirements; if
8 the agency finds that such monitoring is warranted by:

9 (1) the likelihood of noncompliance;

10 (2) the environmental impact of noncompliance; or

11 (3) the likelihood that noncompliance could not be detected using means other
12 than monitoring.

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

14 Subp. 5. **Recordkeeping.** The permit shall incorporate all applicable requirements
15 related to recordkeeping and require the permittee to maintain adequate records,
16 including at least the following:

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

18 C. A requirement that the permittee retain records of all monitoring data and
19 support information for a period of five years, or longer as specified by the
20 commissioner, from the date of the monitoring sample, measurement, or report.
21 Support information includes all calibration and maintenance records and all original
22 recordings for continuous monitoring instrumentation, and copies of all reports
23 required by the permit. Records shall be kept at the stationary source unless the permit
24 allows otherwise.

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

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

4 A. Deviation reporting time frames are described in subitems (1) and (2).

5 (1) For deviations that endanger human health or the environment, the permit
6 shall require the permittee to notify the commissioner as required in part 7019.1000,
7 subpart 1, ~~in the event of any deviation from applicable requirements or permit~~
8 ~~conditions which could endanger human health or the environment.~~

9 (2) For all other deviations, the permit shall require the permittee to submit a
10 deviation report, on a form approved by the commissioner, at least semiannually. The
11 report is due whether or not a deviation occurred during the reporting period. The
12 midyear deviations report, covering deviations which occurred during the period from
13 January 1 to June 30, is due by July 30 of each year and the end-of-year deviations
14 report, covering deviations which occurred during the period from July 1 to December
15 31, is due by January 30 of each year.

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

17 C. The permit shall require submittal of an annual compliance certification by
18 January 31 of each year to the agency. In the case of part 70 permits, compliance
19 certifications shall be submitted to the administrator as well as the agency, unless the
20 administrator agrees that the submittals are not necessary. The certification shall be on a
21 form approved by the commissioner and shall contain ~~at least~~ the following:

22 (1) the facility name and permit number;

23 (2) identification of the calendar year that the report covers;

24 (3) identification of deviation reports submitted covering the calendar year
25 including the name of report (i.e. DRF-1 or DRF-2), the period covered by the report,
26 and the date of the cover letter accompanying the report;

1 (4) identification of any noncompliance with applicable requirements or a
2 permit condition that has not been identified in deviation reports submitted to the
3 agency covering the calendar year;

4 (5) a certification that meets the requirements of part 7007.0500, subpart 3;

5 (6) the signature and title of a responsible official as defined in part 7007.0100,
6 subpart 21; and

7 (7) additional requirements as may be specified pursuant to sections 114(a)(3)
8 and 504(b) of the act.

9 Notwithstanding any other provision in an applicable requirement, for the purpose
10 of submission of compliance certifications under this item, the owner or operator is not
11 prohibited from using the following in addition to any specified methods:

12 (a) a monitoring protocol approved for the source pursuant to Code of
13 Federal Regulations, title 40, part 64, as amended; and

14 (b) any other monitoring method incorporated into a permit issued under this
15 chapter.

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

17 [For text of subps 7 to 16, see M.R.]

18 **7007.1120 REGISTRATION PERMIT OPTION B.**

19 [For text of subps 1 to 3, see M.R.]

20 Subp. 4. **Calculation method.** For purposes of this part, "VOC-containing materials"
21 include hazardous air pollutant-containing VOC. Under this part, gallons of VOC
22 equals volume percentage of VOC multiplied by the gallons of VOC-containing
23 material, except that if the owner or operator ships VOC off-site for recycling, the
24 amount recycled may be subtracted from the amount of VOC used. "Recycling" means
25 the reclamation or reuse, as defined in part 7045.0020, of a VOC. If the owner or

1 operator ships VOC off-site for recycling, the owner or operator shall keep records of
2 the amount of material shipped off-site for recycling and the calculations done to
3 determine the amount to subtract. Records may be MSDS, invoices, shipping papers, or
4 hazardous waste manifests.

5 **7007.1130 REGISTRATION PERMIT OPTION D.**

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

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

9 [For text of items A to D, see M.R.]

10 E. the calculations required by subpart 4, and the total actual emissions per
11 pollutant that result from those calculations. A stationary source in which the only
12 hazardous air pollutant (HAP) emissions are VOC emissions and that has actual VOC
13 emissions less than five tons per year are not required to calculate emissions of HAPs. If
14 the stationary source has not been operated, the owner or operator shall estimate actual
15 emissions during normal operation in performing the calculations required by subpart
16 4. If the stationary source has been operated less than 12 months on the date of
17 application under this part, the owner or operator shall estimate actual emissions by
18 multiplying by 12 the larger of the following:

19 (1) the average monthly actual emissions; or

20 (2) the estimated average monthly actual emissions during normal operation;

21 F. if the calculations required by subpart 4 used control equipment efficiencies for
22 listed control equipment determined by part 7011.0070, a copy of the portion of the
23 control equipment manufacturer's specifications with the operating parameters required
24 to be monitored under part 7011.0080 highlighted, and if the efficiency is based on an
25 alternative control efficiency under part 7011.0070, subpart 2, a copy of the performance
26 test plan with the operating parameters highlighted. The owner or operator of a hot mix

1 asphalt plant shall provide a copy of the portion of the control equipment
2 manufacturer's specifications with the operating parameters required to be monitored
3 under part 7011.0917, subpart 7, or the information to support an alternative operating
4 range required by part 7011.0917, subpart 1; and

5 G. if the calculations required by subpart 4 used emission factors established by a
6 performance test approved by the commissioner under parts 7017.2001 to 7017.2060 and
7 reflected use of control equipment that is not listed in part 7011.0070, a copy of the
8 portion of the control equipment manufacturer's specifications which includes the
9 operating parameters. If the emissions are discharged to the control equipment through
10 a hood, then the owner or operator must evaluate, on a form provided by the
11 commissioner, whether the hood conforms to the design and operating practices
12 recommended in "Industrial Ventilation - A Manual of Recommended Practice,
13 American Conference of Governmental Industrial Hygienists," and must include with
14 the permit application the certification required in part 7011.0070, subpart 3.

15 Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and
16 3, are not required to be included in the application.

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

19 [For text of items A to E, see M.R.]

20 F. If the stationary source qualified in the permit application, in whole or in part,
21 by using control equipment efficiencies for:

22 (1) listed control equipment determined under part 7011.0070, the owner or
23 operator shall comply with parts 7011.0060 to 7011.0080, except that the owner or
24 operator of a hot mix asphalt plant shall comply instead with part 7011.0917. If the
25 calculations required by subpart 4 used control equipment efficiencies based on an
26 alternative control efficiency under part 7011.0070, subpart 2, the owner or operator

1 shall also comply with the operating parameters of the performance test that established
2 the alternative control efficiency; or

3 (2) control equipment that is not listed in part 7011.0070, the owner or operator
4 shall comply with subpart 6 and with the operating parameters of the performance test
5 that established the emission factor. The owner or operator may operate this control
6 equipment before conducting a performance test and establishing an emission factor,
7 but the owner or operator must calculate actual emissions assuming an uncontrolled
8 emission factor for the period of operation prior to the date the performance test is
9 conducted.

10 [For text of items G to J, see M.R.]

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

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

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

2 E = Actual Emissions in tons per year

3 OP = Operating Parameter as required by the Uncontrolled Emission Factor (hours of
4 operation or units produced)

5 UEF = Uncontrolled Emission Factor (pounds of pollutant per hour of operation or
6 units produced) as defined in part 7005.0100, subpart 10a, for uncontrolled emissions

7 CE = Control Efficiency (percent expressed as a decimal fraction of 1.00) determined
8 according to part 7011.0070 for listed control equipment.

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

10 C. Emission factors from performance tests may be used for the calculation of
11 actual emissions, provided that the performance tests met all the requirements of parts
12 7017.2001 to 7017.2060, and all other applicable state rules and federal regulations
13 governing performance tests. The owner or operator of a stationary source that uses an
14 emission factor developed from a performance test shall use the calculation method
15 under item A except that if an owner or operator uses an emission factor developed
16 from a performance test which reflects the use of control equipment not listed in part
17 7007.0070, the following equation shall be used to determine actual emissions of the
18 tested pollutant:

19 $E = OP \times CEF/HCE$, where

20 E = Actual emissions in tons per year

21 OP = Operating Parameter as required by the Controlled Emission Factor (hours of
22 operation or units produced)

23 CEF = Controlled Emission Factor (pounds of pollutant per hour of operation or units
24 produced), as determined through a performance test meeting all the requirements of
25 parts 7017.2001 to 7017.2060 that reflects the use of control equipment

26 HCE = Hood Capture Efficiency, which shall be 0.60 for VOCs, and 0.80 for all other

1 pollutants. (HCE is 1.0 when 100 percent of the emissions exiting the process equipment
2 are captured by the control device.)

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

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

5 Subp. 6. **Control equipment general requirements for control equipment that is not**
6 **listed in part 7011.0070.** If the stationary source qualified in the permit application, in
7 whole or in part, or demonstrates compliance, in whole or in part, by using an emission
8 factor determined through a performance test that reflects the use of control equipment
9 that is not listed in part 7011.0070, the owner or operator shall:

10 A. operate the control equipment whenever operating the emission units
11 controlled by the control equipment in compliance with this item. The control
12 equipment shall at all times be operated in the range established by the control
13 equipment manufacturer's specifications for each control equipment parameter that is
14 required to be monitored by the approved test plan during the performance test, or
15 within the operating parameters set by the commissioner as the result of the most recent
16 performance test conducted under parts 7017.2001 to 7017.2060, if those are more
17 restrictive. The control equipment must have been manufactured by a control
18 equipment manufacturer as defined in part 7011.0060, subpart 3. The monitoring
19 parameters shall indicate that the control equipment is operating under the same
20 conditions as during the performance test. If the commissioner determines such
21 monitoring parameters do not exist, then an emission factor may not be established
22 through a performance test under this part;

23 B. maintain the control equipment according to the requirements of part 7011.0075,
24 subpart 2;

25 C. operate the monitoring equipment for each parameter required to be monitored
26 as part of the approved test at all times the control equipment is required to operate;

1 D. record each parameter required to be monitored at least every 24 hours when in
2 operation or more frequently, if the commissioner determines that more frequent
3 monitoring is required to determine the control equipment is operating under the same
4 conditions as during the performance test;

5 E. report to the commissioner any recorded reading outside the specification or
6 range of specification of any monitored parameter required by the approved test plan in
7 accordance with the deadlines in part 7007.0800, subpart 6, item A, subitem (2), except
8 that owners or operators shall make this report only if a deviation occurred in the
9 reporting period;

10 F. conduct additional performance tests, upon request of the commissioner or the
11 administrator, to verify the accuracy of the emission factor or for any of the reasons
12 specified in part 7017.2020, subpart 1;

13 G. in the event of a shutdown or breakdown of control or process equipment or
14 deviations which would endanger human health or the environment, comply with part
15 7019.1000;

16 H. recalculate the actual emissions if the owner or operator becomes aware of
17 information indicating that the emission factor determined through the performance test
18 is no longer representative; and

19 I. if the emissions are discharged to the control equipment through a hood,
20 maintain at the stationary source the evaluation of each hood, and record each month
21 the fan rotation speed, fan power draw, or face velocity of each hood, or other
22 comparable air flow indication method.

23 **7007.1250 INSIGNIFICANT MODIFICATIONS.**

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

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

2 B. Any modification that will:

3 (1) result in an increase of a regulated air pollutant which is not listed in table 1
4 and is not a hazardous air pollutant; or

5 (2) result in an increase of an air pollutant which is listed in table 1, but in an
6 amount less than the corresponding threshold.

7 Table 1

8	Pollutant	Threshold
9		
10	NO _x	2.28 pounds per hour
11	SO ₂	2.28 pounds per hour
12	VOCs	2.28 pounds per hour
13	PM-10	.855 pounds per hour
14	CO	5.70 pounds per hour
15	Lead	.025 pounds per hour

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

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

26 **7007.1300 INSIGNIFICANT ACTIVITIES LIST.**

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

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

5 A. Fuel use:

6 (1) production of hot water for on-site personal use not related to any industrial
7 process;

8 (2) fuel use related to food preparation by a restaurant or cafeteria; and

9 (3) fuel burning equipment with a capacity less than 30,000 Btu per hour, but
10 only if the combined total capacity of all fuel burning equipment at the stationary source
11 with a capacity less than 30,000 Btu per hour is less than or equal to 500,000 Btu per
12 hour. For example: Facility A has ten fuel burning emission units, each with a capacity
13 of 25,000 Btu per hour. The ten units are all an insignificant activity under this subitem,
14 because their combined capacity is less than 500,000 Btu per hour (i.e., $10 \times 25,000$
15 $\text{Btu/hr} = 250,000 \text{ Btu/hr} \leq 500,000 \text{ Btu/hr}$). Facility B has 21 fuel burning emission
16 units, each with a capacity of 25,000 Btu/hr. None of the 21 units are an insignificant
17 activity under this subitem, because their total combined capacity is greater than 500,000
18 Btu per hour (i.e., $21 \times 25,000 \text{ Btu/hr} = 525,000 \text{ Btu/hr} > 500,000 \text{ Btu/hr}$).

19 B. Plant upkeep:

20 (1) routine housekeeping or plant upkeep activities not associated with primary
21 production processes at the stationary source, such as painting buildings, retarring
22 roofs, or paving parking lots, but excluding use of spray paint equipment (refer to
23 subpart 3, item K, for use of spray paint equipment that may be considered a listed
24 insignificant activity);

25 [For text of subitems (2) to (6), see M.R.]

26 [For text of items C to I, see M.R.]

1 J. Miscellaneous:

2 (1) safety devices, such as fire extinguishers, if associated with a permitted
3 emission source, but not including sources of continuous emissions;

4 (2) flares to indicate danger to the public;

5 (3) vehicle exhaust emissions from the operation of mobile sources at a
6 stationary source;

7 (4) purging of natural gas lines;

8 (5) natural draft hoods, natural draft ventilation, comfort air conditioning, or
9 comfort ventilating systems not designed or used to remove air contaminants generated
10 by, or released from specific units of equipment;

11 (6) funeral home embalming processes and associated ventilation systems; and

12 (7) use of consumer products, including hazardous substances as that term is
13 defined in the Federal Hazardous Substances Act, where the product is used at
14 academic and health care institutions in the same manner as normal consumer use.

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

16 Subp. 3. **Insignificant activities required to be listed.** The activities described in this
17 subpart must be listed in a permit application, and calculation of emissions from these
18 activities shall be provided if required by the agency, under part 7007.0500, subpart 2,
19 item C, subitem (2). If emissions units listed in this subpart are subject to additional
20 requirements under section 114(a)(3) of the act (Monitoring Requirements) or section
21 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or if
22 accounted for, make a stationary source subject to a part 70 permit, emissions from the
23 emissions units must be calculated in the permit application.

24 A. Fuel use: space heaters fueled by kerosene, natural gas, or propane. A space
25 heater is a heating unit that is not connected to piping or ducting to distribute the heat.

1 B. Furnaces and boilers:

2 (1) infrared electric ovens; and

3 (2) fuel burning equipment with a capacity less than 500,000 Btu per hour, but
4 only if the total combined capacity of all fuel burning equipment at the stationary source
5 with a capacity less than 500,000 Btu per hour is less than or equal to 2,000,000 Btu per
6 hour. For example: Facility A has three fuel burning emission units, each with a capacity
7 of 400,000 Btu per hour. The three units are all an insignificant activity to be listed under
8 this subitem, because their combined capacity is less than 2,000,000 Btu per hour.
9 Facility B has six fuel burning emission units, each with a capacity of 400,000 Btu per
10 hour. None of the six units is an insignificant activity under this subitem, because their
11 total combined capacity is greater than 2,000,000 Btu per hour.

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

13 H. Miscellaneous:

14 (1) total usage of less than 200 gallons of VOC (including hazardous air
15 pollutant-containing VOC) combined in any consecutive 12-month period at a
16 stationary source. Under this subitem, gallons of VOC equals volume percentage of
17 VOC multiplied by the gallons of VOC-containing material, except that if the owner or
18 operator ships VOC off-site for recycling, the amount recycled may be subtracted from
19 the amount of VOC used. "Recycling" means the reclamation or reuse, as defined in part
20 7045.0020, of a VOC. If the owner or operator ships VOC off-site for recycling, the owner
21 or operator shall keep records of the amount of material shipped off-site for recycling
22 and the calculations done to determine the amount to subtract. Records may be MSDS,
23 invoices, shipping papers, or hazardous waste manifests;

24 [For text of subitems (2) to (8), see M.R.]

25 I. Individual emission units at a stationary source, each of which have a potential
26 to emit the following pollutants in amounts less than:

1 (1) 4,000 pounds per year of carbon monoxide; and

2 (2) 2,000 pounds per year each of nitrogen oxide, sulfur dioxide, particulate
3 matter, particulate matter less than ten microns, VOCs (including hazardous air
4 pollutant-containing VOCs), and ozone.

5 [For text of item J, see M.R.]

6 K. Infrequent use of spray paint equipment for routine housekeeping or plant
7 upkeep activities not associated with primary production processes at the stationary
8 source, such as spray painting of buildings, machinery, vehicles, and other supporting
9 equipment.

10 Subp. 4. **Insignificant activities required to be listed in a part 70 application.** If a
11 facility is applying for a part 70 permit, emissions units with emissions less than all the
12 following limits but not included in subpart 2 must be listed in a part 70 permit
13 application:

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

15 C. for hazardous air pollutants, emissions units with:

16 (1) potential emissions of 25 percent or less of the hazardous air pollutant
17 thresholds listed in subpart 5; or

18 (2) combined HAP actual emissions of one ton per year unless the emissions
19 unit emits one or more of the following HAPs: carbon tetrachloride;
20 1,2-dibromo-3-chloropropane; ethylene dibromide; hexachlorobenzene; polycyclic
21 organic matter; antimony compounds; arsenic compounds, including inorganic arsine;
22 cadmium compounds; chromium compounds; lead compounds; manganese
23 compounds; mercury compounds; nickel compounds; selenium compounds;
24 2,3,7,8-tetrachlorodibenzo-p-dioxin; or dibenzofuran. If the emissions unit emits one or
25 more of the HAPs listed in this subitem, the emissions unit is not an insignificant
26 activity under this subitem.

1 Calculation of emissions from the emissions units listed in this subpart shall be
 2 provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2).
 3 If emissions units listed under this subpart are subject to additional requirements under
 4 section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act
 5 (Hazardous Air Pollutants), or are part of a title I modification, or if accounted for, make
 6 a stationary source subject to a part 70 permit emissions from the emissions units must
 7 be calculated in the permit application. If the applicant is applying for a state permit or
 8 an amendment to a state permit, this subpart does not apply.

9 **Subp. 5. Hazardous air pollutant threshold table.**

10	CAS#	Chemical Name	De Minimis Level (tons/year)
11			
12			
13	57147	1,1-Dimethyl hydrazine	0.008
14	79005	1,1,2-Trichloroethan	1
15	79345	1,1,2,2-Tetrachloroethane	0.3
16	96128	1,2-Dibromo-3-chloropropane	0.01
17	122667	1,2-Diphenylhydrazine	0.09
18	106887	1,2-Epoxybutane	1
19	75558	1,2-Propylenimine (2-Methyl aziridine)	0.003
20	120821	1,2,4-Trichlorobenzene	10
21	106990	1,3-Butadiene	0.07
22	542756	1,3-Dichloropropene	1
23	1120714	1,3-Propane sultone	0.03
24	106467	1,4-Dichlorobenzene(p)	3
25	123911	1,4-Dioxane (1,4-Diethyleneoxide)	6
26	53963	2-Acetylaminofluorine	0.005
27	532274	2-Chloroacetophenone	0.06
28	79469	2-Nitropropane	1
29	540841	2,2,4-Trimethylpentane	5
30	1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin	6E-07
31	584849	2,4-Toluene diisocyanate	0.1
32	51285	2,4-Dinitrophenol	1
33	121142	2,4-Dinitrotoluene	0.02
34	94757	2,4-D, salts, esters (2,4-Dichlorophenoxy acetic acid)	10
35			
36	95807	2,4-Toluene diamine	0.02

1	95954	2,4,5-Trichlorophenol	1
2	88062	2,4,6-Trichlorophenol	6
3	91941	3,3-Dichlorobenzidene	0.2
4	119904	3,3'-Dimethoxybenzidine	0.1
5	119937	3,3'-Dimethyl benzidine	0.008
6	92671	4-Aminobiphenyl	1
7	92933	4-Nitrobiphenyl	1
8	100027	4-Nitrophenol	5
9	101144	4,4-Methylene bis(2-chloroaniline)	0.2
10	101779	4,4'-Methylenedianiline	1
11	534521	4,6-Dinitro-o-cresol, and salts	0.1
12	75070	Acetaldehyde	9
13	60355	Acetamide	1
14	75058	Acetonitrile	4
15	98862	Acetophenone	1
16	107028	Acrolein	0.04
17	79061	Acrylamide	0.02
18	79107	Acrylic acid	0.6
19	107131	Acrylonitrile	0.3
20	107051	Allyl chloride	1
21	62533	Aniline	1
22	71432	Benzene	2
23	92875	Benzidine	0.0003
24	98077	Benzotrichloride	0.006
25	100447	Benzyl chloride	0.1
26	57578	beta-Propiolactone	0.1
27	92524	Biphenyl	10
28	117817	Bis(2-ethylhexyl)phthalate(DEHP)	5
29	542881	Bis(chloromethyl)ether	0.0003
30	75252	Bromoform	10
31	156627	Calcium cyanamide	10
32	133062	Captan	10
33	63252	Carbaryl	10
34	75150	Carbon disulfide	1
35	56235	Carbon tetrachloride	1
36	463581	Carbonyl sulfide	5
37	120809	Catechol	5
38	133904	Chloramben	1
39	57749	Chlordane	0.01
40	7782505	Chlorine	0.1
41	79118	Chloroacetic acid	0.1
42	108907	Chlorobenzene	10

1	510156	Chlorobenzilate	0.4
2	67663	Chloroform	0.9
3	107302	Chloromethyl methyl ether	0.1
4	126998	Chloroprene	1
5	1319773	Cresols/Cresylic acid (isomers	
6		and mixture)	1
7	95487	o-Cresol	1
8	108394	m-Cresol	1
9	106445	p-Cresol	1
10	98828	Cumene	10
11	334883	Diazomethane	1
12	132649	Dibenzofuran	5
13	72559	DDE (p,p'-Dichlorodipenyldichloroethylene)	0.01
14	84742	Dibutylphthalate	10
15	111444	Dichloroethyl ether (Bis(2-chloroethyl)	
16		ether)	0.06
17	62737	Dichlorvos	0.2
18	11422	Diethanolamine	5
19	64675	Diethyl sulfate	1
20	60117	Dimethyl aminoazobenzene	1
21	79447	Dimethyl carbamoyl chloride	0.02
22	68122	Dimethyl formamide	1
23	131113	Dimethyl phthalate	10
24	77781	Dimethyl sulfate	0.1
25	106898	Epichlorohydrin	2
26	140885	Ethyl acrylate	1
27	100414	Ethyl benzene	10
28	51796	Ethyl carbamate (Urethane)	0.8
29	75003	Ethyl chloride	10
30	106934	Ethylene dibromide (Dibromoethane)	0.1
31	107062	Ethylene dichloride (1,2-Dichloroethane)	0.8
32	107211	Ethylene glycol	10
33	151564	Ethylene imine (Aziridine)	0.003
34	75218	Ethylene oxide	0.1
35	96457	Ethylene thiourea	0.6
36	75343	Ethylidene dichloride (1,1-Dichloroethane)	1
37	50000	Formaldehyde	2
38	76448	Heptachlor	0.02
39	118741	Hexachlorobenzene	0.01
40	87683	Hexachlorobutadiene	0.9
41	77474	Hexachlorocyclopentadiene	0.1
42	67721	Hexachloroethane	5

1	822060	Hexamethylene,-1,6-diisocyanate	0.02
2	680319	Hexamethylphosphoramide	0.01
3	110543	Hexane	10
4	302012	Hydrazine	0.004
5	7647010	Hydrochloric acid	10
6	7664393	Hydrogen fluoride	0.1
7	123319	Hydroquinone	1
8	78591	Isophorone	10
9	58899	Lindane (hexachlorcyclohexane, gamma)	0.01
10	108316	Maleic anhydride	1
11	67561	Methanol	10
12	72435	Methoxychlor	10
13	74839	Methyl bromide (Bromomethane)	10
14	74873	Methyl chloride (Chloromethane)	10
15	71556	Methyl chloroform (1,1,1-Trichloroethane)	10
16	78933	Methyl ethyl ketone (2-Butanone)	10
17	60344	Methyl hydrazine	0.06
18	74884	Methyl iodide (Iodomethane)	1
19	108101	Methyl isobutyl ketone	10
20	624839	Methyl isocyanate	0.1
21	80626	Methyl methacrylate	10
22	1634044	Methyl tert-butyl ether	10
23	12108133	Methylcyclopentadienyl manganese	0.1
24	75092	Methylene chloride (Dichloromethane)	10
25	101688	Methylene diphenyl diisocyanate	0.1
26	91203	Naphthalene	10
27	98953	Nitrobenzene	1
28	62759	N-Nitrosodimethylamine	0.001
29	69892	N-Nitrosomorpholine	1
30	684935	N-Nitroso-N-methylurea	0.0002
31	121697	N,N-Dimethylaniline	1
32	90040	o-Anisidine	1
33	95534	o-Toluidine	4
34	56382	Parathion	0.1
35	82688	Pentachloronitrobenzene (Quintobenzene)	0.3
36	87865	Pentachlorophenol	0.7
37	108952	Phenol	0.1
38	75445	Phosgene	0.1
39	7803512	Phosphine	5
40	7723140	Phosphorous	0.1
41	85449	Phthalic anhydride	5
42	1336363	Polychlorinated biphenyls (Aroclors)	0.009

1	106503	p-Phenylenediamine	10
2	123386	Propionaldehyde	5
3	114261	Propoxur (Baygone)	10
4	78875	Propylene dichloride (1,2-Dichloropropane)	1
5	75569	Propylene oxide	5
6	91225	Quinoline	0.006
7	106514	Quinone	5
8	100425	Styrene	1
9	96093	Styrene oxide	1
10	127184	Tetrachloroethylene (Perchloroethylene)	10
11	7550450	Titanium tetrachloride	0.1
12	108883	Toluene	10
13	8001352	Toxaphene (chlorinated camphene)	0.01
14	79016	Trichloroethylene	10
15	121448	Triethylamine	10
16	1582098	Trifluralin	9
17	108054	Vinyl acetate	1
18	593602	Vinyl bromide (bromoethene)	0.6
19	75014	Vinyl chloride	0.2
20	75354	Vinylidene chloride (1,1-Dichloroethylene)	0.4
21	1330207	Xylenes (isomers and mixture)	10
22	108383	m-Xylenes	10
23	95476	o-Xylenes	10
24	106423	p-Xylenes	10
25	-	Arsenic and inorganic arsenic compounds	0.005
26	7784421	Arsine	0.1
27	-	Antimony compounds (except those	
28		specifically listed)*	5
29	1309644	Antimony trioxide	1
30	1345046	Antimony trisulfide	0.1
31	7783702	Antimony pentafluoride	0.1
32	28300745	Antimony potassium tartrate	1
33	-	Beryllium compounds (except Beryllium	
34		salts)	0.008
35	-	Beryllium salts	0.00002
36	-	Cadmium compounds	0.01
37	130618	Cadmium oxide	0.01
38	-	Chromium compounds (except Hexavalent and	
39		Trivalent)	5
40	-	Hexavalent Chromium compounds	0.002
41	-	Trivalent Chromium compounds	5
42	10025737	Chromic chloride	0.1

1	744084	Cobalt metal (and compounds, except those	
2		specifically listed)*	0.1
3	10210681	Cobalt carbonyl	0.1
4	62207765	Fluomine	0.1
5	-	Coke oven emissions	0.03
6	-	Cyanide compounds (except those	
7		specifically listed)*	5
8	143339	Sodium cyanide	0.1
9	151508	Potassium cyanide	0.1
10	-	Glycol ethers (except those	
11		specifically listed)*	5
12	110805	2-Ethoxy ethanol	10
13	111762	Ethylene glycol monobutyl ether	10
14	108864	2-Methoxy ethanol	10
15	-	Lead and compounds (except those	
16		specifically listed)*	0.01
17	75741	Tetramethyl lead	0.01
18	78002	Tetraethyl lead	0.01
19	7439965	Manganese and compounds (except those	
20		specifically listed)*	0.8
21	12108133	Methylcyclopentadienyl manganese	0.1
22	-	Mercury compounds (except those	
23		specifically listed)*	0.01
24	10045940	Mercuric nitrate	0.01
25	748794	Mercuric chloride	0.01
26	62384	Phenyl mercuric acetate	0.01
27	-	Elemental Mercury	0.01
28	-	Mineral fiber compounds (except those	
29		specifically listed)*	a
30	1332214	Asbestos	a
31	-	Erionite	a
32	-	Silica (crystalline)	a
33	-	Talc (containing asbestos from fibers)	a
34	-	Glass wool	a
35	-	Rock wool	a
36	-	Slag wool	a
37	-	Ceramic fibers	a
38	-	Nickel compounds (except those	
39		specifically listed)*	1
40	13463393	Nickel Carbonyl	0.1
41	12035722	Nickel refinery dust	0.08
42	-	Nickel subsulfide	0.04

1	-	Polycyclic organic matter-POM (except those	
2		specifically listed)*	0.01
3	56553	Benz(a)anthracene	0.01
4	50328	Benzo(a)pyrene	0.01
5	205992	Benzo(b)fluoranthene	0.01
6	57976	7,12-Dimethylbenz(a)anthracene	0.01
7	225514	Benz(c)acridine	0.01
8	218019	Chrysene	0.01
9	53703	Dibenz(ah)anthracene	0.01
10	189559	1,2:7,8-Dibenzopyrene	0.01
11	193395	Indeno(1,2,3-cd)pyrene	0.01
12	-	Dioxins & Furans (TCDD equivalent)**	-
13	7782492	Selenium and compounds (except those	
14		specifically listed)*	0.1
15	7488564	Selenium sulfide (mono and di)	0.1
16	7783075	Hydrogen selenide	0.1
17	10102188	Sodium selenite	0.1
18	13410010	Sodium selenate	0.1
19	99999918	Radionuclides (including radon)	b

20 * - For this chemical group, specific compounds or subgroups are named specifically in
 21 this table. For the remainder of the chemicals of the chemical group, a single de minimis
 22 value is listed, which applies to compounds which are not named specifically.

23 ** - The "toxic equivalent factor" method in EPA/625/3-89-016 (U.S. EPA (1989) Interim
 24 procedures for estimating risk associated with exposure to mixtures) should be used for
 25 PCDD/PCDF mixtures. A different de minimis level will be determined for each
 26 mixture depending on the equivalency factors used which are compound specific. For
 27 purposes of this part, the document EPA/625/3-89-016, Interim Procedures for
 28 Estimating Risk Associated with Exposure to Mixtures, U.S. EPA (1989), is incorporated
 29 by reference. The Environmental Protection Agency is the author and publisher. This
 30 document is available at the University of Minnesota through the Minitex interlibrary
 31 loan system. This document is subject to frequent change.

32 a - De minimis values are zero. Currently available data do not support assignment of a
 33 "trivial" emission rate; therefore, the value assigned will be policy based.

1 b - The EPA relies on Code of Federal Regulations, title 40, part 61, subparts B and I, and
2 Appendix E, and assigns a de minimis level based on an effective dose equivalent of 0.3
3 milliem per year for a seven-year exposure period that would result in a cancer risk of
4 one per million. The individual radionuclides subject to de minimis levels are contained
5 in Code of Federal Regulations, title 40, part 61.

6 **7007.1400 ADMINISTRATIVE PERMIT AMENDMENTS.**

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

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

12 D. an amendment to eliminate monitoring, recordkeeping, or reporting
13 requirements if:

14 (1) the requirements are rendered meaningless because the only emissions to
15 which the requirements apply will no longer occur;

16 (2) the change is to eliminate one validated reference test method for a pollutant
17 and source category in order to add another;

18 (3) the requirements are redundant to or less strict than other existing
19 requirements;

20 (4) the requirements are technically incorrect and their elimination does not
21 affect the accuracy of the data generated or of the monitoring information recorded or
22 reported; or

23 (5) the piece of equipment to which the monitoring, recordkeeping, or reporting
24 requirement applies no longer exists or has been permanently disabled from use at the
25 stationary source.

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

2 F. an amendment to incorporate into a permit the requirements from
3 preconstruction review permits issued by the agency, incorporate into a permit the
4 requirements from standards adopted under Code of Federal Regulations, title 40, part
5 63, as amended (National Emission Standards for Hazardous Air Pollutants for Source
6 Categories), or to lower the plantwide emission limits in permits with Plantwide
7 Applicability Limits to reflect the impact of standards adopted under Code of Federal
8 Regulations, title 40, part 63, as amended;

9 G. an amendment to clarify the meaning of a permit term;

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

18 I. an amendment to remove any condition from a permit which was based on an
19 applicable requirement that has been repealed, but only if the permit condition:

20 (1) is ~~not~~ neither required ~~or~~ nor replaced by another applicable requirement;
21 and

22 (2) was not established for a specific facility to protect human health and the
23 environment, to prevent pollution, as a mitigation measure in an environmental impact
24 statement, or to obtain a negative declaration in an environmental assessment
25 worksheet; and

26 J. an amendment to correct or update a citation to an applicable requirement where
27 the corresponding permit condition is not changed.

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

2 **7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.**

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

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

8 B. seek to establish or amend a permit condition that is required to be based on a
9 case-by-case determination of an emission limitation or other standard, on a
10 source-specific determination of ambient impacts, or on a visibility or increment
11 analysis;

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

13 Subp. 2. **Minor amendment applicability.** Except as provided in subpart 1, the
14 agency may amend a permit to allow a modification under the minor permit
15 amendment process of this part, if the modification will not cause an increase in
16 emissions of an air pollutant listed below in an amount greater than the threshold:

17	Pollutant	Threshold
18		
19	NO _x	9.13 pounds per hour
20	SO ₂	9.13 pounds per hour
21	VOCs	9.13 pounds per hour
22	PM-10	3.42 pounds per hour
23	CO	22.80 pounds per hour
24	Lead	.11 pounds per hour

25 For purposes of this part, whether or not the modification will cause an increase in
26 emissions shall be calculated as described in part 7007.1200. Modifications which would

1 otherwise qualify for a minor or moderate amendment under this part may be title I
2 modifications, for which a major amendment is required, using the methods of
3 calculation required under title I of the act. Permittees are reminded to review the
4 definition of title I modifications and requirements of title I of the act.

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

6 **7007.1500 MAJOR PERMIT AMENDMENTS.**

7 Subpart 1. **Major permit amendment required.** A "major permit amendment" is
8 required for any modification at a permitted stationary source that is not allowed under
9 parts 7007.1250 and 7007.1350 and for which an amendment cannot be obtained under
10 the administrative permit amendment provisions of part 7007.1400, or the minor or
11 moderate permit amendment provisions of part 7007.1450. The following always
12 require major permit amendments:

13 A. any significant amendment to existing monitoring, reporting, or recordkeeping
14 requirements in the permit other than:

15 (1) adding new requirements;

16 (2) eliminating the requirements if they are rendered meaningless because the
17 only emissions to which the requirements apply will no longer occur;

18 (3) eliminating one validated reference test method for a pollutant and source
19 category in order to add another;

20 (4) eliminating the requirements that are redundant to or less strict than other
21 existing requirements;

22 (5) eliminating the requirements that are technically incorrect where the
23 elimination does not affect the accuracy of the data generated or of the monitoring
24 information recorded or reported; or

25 (6) eliminating the requirements for a piece of equipment that no longer exists
26 or has been permanently disabled from use at the stationary source;

7007.1500

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

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

3 Subp. 3a. **Making existing facilities into affected facilities subject to new source**
4 **performance standards.**

5 A. The owner or operator of a stationary source may construct an affected facility,
6 as that term is defined in Code of Federal Regulations, title 40, section 60.2, as amended
7 (Standards of Performance for New Stationary Sources; Definitions), upon receiving
8 from the agency written approval to construct the affected facility. For purposes of this
9 subpart, construction of an affected facility includes only modification or reconstruction,
10 as described in Code of Federal Regulations, title 40, sections 60.14 and 60.15, as
11 amended, making an existing facility into an affected facility. No person may begin to
12 operate the affected facility until receipt of a major amendment issued by the agency
13 under this part.

14 B. The agency shall issue written approval to construct, or explain in writing why
15 the approval will not be granted, within 60 days of receiving a complete permit
16 application seeking authorization to construct and operate the affected facility. The
17 application must be accompanied by a written request for approval to construct under
18 this subpart, and a statement certified by a responsible official certifying that
19 requirements of part C (Prevention of Significant Deterioration of Air Quality) or part D
20 (Plan Requirements for Nonattainment Areas) of the act do not apply to the proposed
21 construction. ~~The agency's failure to respond within the 60-day period shall not be~~
22 ~~deemed approval to construct.~~ The approval to construct shall only apply to the affected
23 facility.

24 C. This subpart does not apply if the construction, reconstruction, or modification
25 would be subject to the new source review requirements of part C (Prevention of
26 Significant Deterioration of Air Quality) or part D (Plan Requirements for
27 Nonattainment Areas) of the act.

1 D. This subpart does not relieve the applicant of the obligation to comply with the
2 requirements of Minnesota Statutes, chapter 116D, prior to construction, if applicable.

3 Subp. 4. **Permit shield.** The permit shield described in part 7007.1800 shall apply to
4 amendments made through the major permit amendment process, except that the
5 permit shield does not apply to construction carried out under subpart 3a prior to
6 issuance of a major permit amendment.

7 **7009.0080 STATE AMBIENT AIR QUALITY STANDARDS.**

8 The following table contains the state ambient air quality standards.

9 10 11 12	Pollutant/ Air Contaminant	Primary Standard	Secondary Standard	Remarks
13 14 15 16 17	Hydrogen Sulfide	0.05 ppm by volume (70.0 micrograms per cubic meter)		1/2 hour average not to be exceeded over 2 times per year
18 19 20 21 22		0.03 ppm by volume (42.0 micrograms per cubic meter)		1/2 hour average not to be exceeded over 2 times in any 5 consecutive days
23 24 25 26 27 28 29 30 31 32 33 34 35 36	Ozone	0.12 ppm by volume (235 micrograms per cubic meter)	0.12 ppm by volume (235 micrograms per cubic meter)	the standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above the standard is equal to or less than one, as determined by Code of Federal Regulations, title 40, part 50,

1				appendix H,
2				Interpretation
3				of the National
4				Ambient Air Quality
5				Standards for Ozone,
6				as amended
7				
8	Carbon	9 ppm by	9 ppm by	maximum 8 hour
9	Monoxide	volume (10	volume (10	concentration not
10		milligrams	milligrams	to be exceeded more
11		per cubic	per cubic	than once per year
12		meter)	meter)	
13				
14		30 ppm by	30 ppm by	maximum 1 hour
15		volume (35	volume (35	concentration not to
16		milligrams	milligrams	be exceeded more
17		per cubic	per cubic	than once per year
18		meter)	meter)	
19				
20	Sulfur	80	60	maximum annual
21	Dioxides	micrograms	micrograms	arithmetic mean
22		per cubic	per cubic	
23		meter (0.03	meter (0.02	
24		ppm by	ppm by	
25		volume)	volume)	
26				
27		365	365	maximum 24 hour
28		micrograms	micrograms	concentration not
29		per cubic	per cubic	to be exceeded more
30		meter (0.14	meter (0.14	than once per year
31		ppm by	ppm by	
32		volume)	volume)	
33				
34			915	maximum 3 hour
35			micrograms	concentration not
36			per cubic	to be exceeded more
37			meter (0.35	than once per year
38			ppm by	in Air Quality
39			volume)	Control Regions
40				127, 129, 130, and
41				132
42				

1			1300	maximum 3 hour
2			micrograms	concentration not to
3			per cubic	be exceeded more than
4			meter (0.5	once per year
5			ppm by	in Air Quality Control
6			volume)	Regions 128, 131, and
7				133
8				
9		1300		maximum 3 hour
10		micrograms		concentration not to
11		per cubic		be exceeded more than
12		meter (0.5		once per year
13		ppm by		
14		volume)		
15				
16		1300		maximum 1 hour
17		micrograms		concentration not to
18		per cubic		be exceeded more than
19		meter (0.5		once per year
20		ppm by		
21		volume)		
22				
23	Particulate	75	60	maximum annual
24	Matter	micrograms	micrograms	geometric mean
25		per cubic	per cubic	
26		meter	meter	
27				
28		260	150	maximum 24 hour
29		micrograms	micrograms	concentration not
30		per cubic	per cubic	to be exceeded more
31		meter	meter	than once per year
32				
33	Nitrogen	0.05 ppm	0.05 ppm	maximum annual
34	Dioxides	by volume	by volume	arithmetic mean
35		(100	(100	
36		micrograms	micrograms	
37		per cubic	per cubic	
38		meter)	meter)	
39				
40	Lead	1.5	same as	maximum arithmetic
41		micrograms	primary	mean averaged over
42		per cubic	standard	a calendar quarter

1		meter		
2				
3	PM10	150	same as	maximum 24-hour
4		micrograms	primary	average concentration;
5		per cubic	standard	the standard is
6		meter		attained when the
7				expected number of
8				days per calendar
9				year exceeding the
10				value of the standard
11				is equal to or less
12				than one
13				
14		50	same as	annual arithmetic
15		micrograms	primary	mean; the standard
16		per cubic	standard	is attained when
17		meter		the expected annual
18				arithmetic mean
19				concentration is less
20				than or equal to the
21				value of the standard

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 operator of each emission
 25 facility or stationary source located in an area of the state designated by the
 26 commissioner as having exceeded the alert levels in part 7009.1060, table 1, within the
 27 last ten years and having allowable emissions of greater than or equal to 250 tons per
 28 year of the pollutant causing the episode, shall submit to the commissioner an episode
 29 emission reduction plan to be implemented at the facility or stationary source in the
 30 event of a declaration by the commissioner of an air pollution episode. The plan shall be
 31 submitted to the commissioner within 90 days of the designation of the area or by
 32 September 1, 1995, whichever is later. The plan shall be consistent with the emission
 33 reduction objectives in subpart 4 and shall designate at least two individuals to be
 34 notified in the event of the declaration of an air pollution episode. The plan shall be

1 subject to the approval of the commissioner. If the commissioner finds that the plan is
2 inconsistent with such emission reduction objectives, the plan shall be returned to the
3 owner or operator along with a written statement of the reason(s) for disapproval. The
4 owner or operator shall correct the deficiency within 30 days of notification of
5 disapproval and shall resubmit the plan to the commissioner.

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

7 **7011.0060 DEFINITIONS.**

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

9 Subp. 2. **Hood.** "Hood" means a shaped inlet to a pollution control system that does
10 not totally surround emissions from an emissions unit, that is designed to capture and
11 discharge the air emissions through ductwork to control equipment, and that conforms
12 to the design and operating practices recommended in "Industrial Ventilation - A
13 Manual of Recommended Practice, American Conference of Governmental Industrial
14 Hygienists." This document is subject to frequent change. A spray booth can be a hood if
15 it meets the definition in this subpart.

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

17 **7011.0065 APPLICABILITY.**

18 Subpart 1. **Applicability.** The owner or operator of a stationary source shall comply
19 with parts 7011.0060 to 7011.0080 if the owner or operator used the control equipment
20 efficiencies for listed control equipment established pursuant to part 7011.0070 to
21 calculate potential to emit, from emissions units that discharge through the listed
22 control equipment, to:

23 A. determine what type of permit is required, pursuant to part 7007.0150, subpart
24 4, item B;

25 B. determine what type of amendment to a part 70 or state permit is required,
26 pursuant to part 7007.1200, except that control efficiencies for control equipment with
27 hoods under part 7011.0070 cannot be used;

1 C. qualify for an insignificant modification under part 7007.1250; or

2 D. qualify for registration permit option D under part 7007.1130.

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

4 **7011.0070 LISTED CONTROL EQUIPMENT AND CONTROL EQUIPMENT**
5 **EFFICIENCIES.**

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

19 **CONTROL EQUIPMENT EFFICIENCY-TABLE A**

20 ID#	21 CONTROL EQUIPMENT DESCRIPTION	22 POLLUTANT	23 CONTROL EFFICIENCY
			24 TOTAL HOOD 25 ENCLO- 26 SURE
	27 PM CONTROL CATEGORY-CYCLONES 28 means a device where airflow 29 is forced to spin in a vortex 30 through a tube		

1					
2	007	Centrifugal Collector	PM,PM-10	80%	64%
3		(cyclone)-high efficiency			
4		means: a cyclonic device			
5		with parameters stated in			
6		drawing 1 and table 1			
7					
8	008	Centrifugal Collector	PM,PM-10	50%	40%
9		(cyclone)-medium efficiency			
10		means: a cyclonic device			
11		with parameters stated in			
12		drawing 1 and table 1			
13					
14	009	Centrifugal Collector	PM,PM-10	10%	8%
15		(cyclone)-low efficiency			
16		means: a cyclonic device			
17		with parameters stated in			
18		drawing 1 and table 1			
19					
20	076	Multiple Cyclone without	PM,PM-10	80%	NA
21		Fly Ash Reinjection means:			
22		a cyclonic device with more			
23		than one tube where fly ash			
24		is not reinjected			
25					
26	077	Multiple Cyclone with Fly	PM,PM-10	50%	NA
27		Ash Reinjection means: a			
28		cyclonic device with more			
29		than one tube where fly ash			
30		is reinjected			
31					
32	085	Wet Cyclone Separator or	PM,PM-10	50%	40%
33		Cyclonic Scrubbers means:			
34		a cyclonic device that sprays			
35		water into a cyclone			
36					
37	012	PM CONTROL CATEGORY-			
38		ELECTROSTATIC PRECIPITATORS			
39		means: a control device in			
40		which the incoming particulate			
41		matter receives an electrical			
42		charge and is then collected			

1		on a surface with the opposite			
2		electrical charge			
3					
4		-assumed efficiency for boiler	PM-10	40%	NA
5		fly ash control			
6					
7		-assumed efficiency for other	PM-10	70%	56%
8		applications			
9					
10		PM CONTROL CATEGORY-OTHER CONTROLS			
11					
12	016	Fabric Filter means: a	PM,PM-10	99%	79%
13		control device in which the			
14		incoming gas stream passes			
15		through a porous fabric filter			
16		forming a dust cake			
17					
18	052	Spray Tower means: a control	PM,PM-10	20%	16%
19		device in which the incoming gas			
20		stream passes through a chamber			
21		in which it contacts a liquid			
22		spray			
23					
24	053	Venturi Scrubber means: a	PM,PM-10	90%	72%
25		control device in which the			
26		incoming gas stream passes through			
27		a venturi into which a low			
28		pressure liquid is introduced			
29					
30	055	Impingement Plate Scrubber	PM,PM-10	25%	20%
31		means: a control device in			
32		which the incoming gas stream			
33		passes a liquid spray and is			
34		then directed at high velocity			
35		into a plate			
36					
37	058A	HEPA and Wall	PM,PM-10	92%	74%
38	058B	Filter means: a			
39		control device in which the			
40		exiting gas stream passes			
41		through a panel of coarse fibers.			
42		Other Wall Filters			

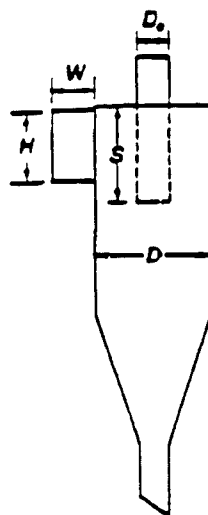
1 means removable panels for
2 cleaning and replacement,
3 or liquid curtains for
4 particulate removal that
5 provide little
6 resistance to air flow
7

8 VOC CONTROL CATEGORY

9
10 019 Afterburners (thermal or VOC 95% 57%
11 catalytic oxidation) means:
12 a device used to reduce VOCs
13 to the products of combustion
14 through thermal (high temperature)
15 oxidation or catalytic (use of
16 a catalyst) oxidation in a
17 combustion chamber
18

19 023 Flaring or Direct Combustor VOC 98% 59%
20 means: a device in which air,
21 combustible organic waste gases,
22 and supplementary fuel (if needed)
23 react in the flame zone (e.g.,
24 at the flare tip) to destroy the
25 VOCs
26

27 Drawing 1



31
32
33
34
35

SOURCE: Lapple, 1951.

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_e/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 subps 2 and 3, see M.R.]

7011.0075 CONTROL EQUIPMENT GENERAL REQUIREMENTS.

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

Subp. 5. **Deviation of listed control equipment from operating specifications.** The owner or operator of a stationary source shall report to the commissioner in accordance with the deadlines in part 7007.0800, subpart 6, item A, subitem (2), any recorded reading outside the specification or range of specification allowed by subpart 1 of any monitored operating parameter required by part 7011.0080, except that owners or operators with a registration permit option D to which parts 7011.0060 to 7011.0080 apply shall make this report only if a deviation occurred in the reporting period.

1 [For text of subps 6 and 7, see M.R.]

2 **7011.0105 VISIBLE EMISSION RESTRICTIONS FOR EXISTING FACILITIES.**

3 No owner or operator of an existing emission facility to which parts 7011.0100 to
4 7011.0115 are applicable shall cause to be discharged into the atmosphere from the
5 facility any gases which exhibit greater than 20 percent opacity; except that a maximum
6 of 40 percent opacity shall be permissible for four minutes in any 60-minute period. For
7 the purposes of this part, "existing emission facility" means an emission facility on
8 which construction, modification, or reconstruction did not commence after January 31,
9 1977.

10 **7011.0110 VISIBLE EMISSION RESTRICTIONS FOR NEW FACILITIES.**

11 No owner or operator of a new emission facility to which parts 7011.0100 to 7011.0115
12 are applicable shall cause to be discharged into the atmosphere from the facility any
13 gases which exhibit greater than 20 percent opacity. For the purposes of this part, "new
14 emission facility" means an emission facility on which construction, modification, or
15 reconstruction commenced after January 31, 1977.

16 **7011.0510 STANDARDS OF PERFORMANCE FOR EXISTING INDIRECT**
17 **HEATING EQUIPMENT.**

18 Subpart 1. **Particulate matter and sulfur dioxide.** No owner or operator of existing
19 indirect heating equipment shall cause to be discharged into the atmosphere from said
20 equipment any gases which contain particulate matter or sulfur dioxide in excess of the
21 standards of performance shown in part 7011.0545.

22 Subp. 2. **Opacity.** No owner or operator of existing indirect heating equipment shall
23 cause to be discharged into the atmosphere from said equipment any gases which
24 exhibit greater than 20 percent opacity; except that a maximum of 60 percent opacity
25 shall be permissible for four minutes in any 60-minute period and that a maximum of 40
26 percent opacity shall be permissible for four additional minutes in any 60-minute
27 period.

7011.0510

1 Subp. 3. **Definition.** For the purposes of this part and part 7011.0545, "existing
2 indirect heating equipment" means indirect heating equipment on which construction,
3 modification, or reconstruction did not commence after January 31, 1977.

4 **7011.0515 STANDARDS OF PERFORMANCE FOR NEW INDIRECT HEATING**
5 **EQUIPMENT.**

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

7 Subp. 3. **Definition.** For the purposes of this part and part 7011.0550, "new indirect
8 heating equipment" means indirect heating equipment on which construction,
9 modification, or reconstruction commenced after January 31, 1977.

10 **7011.0535 PERFORMANCE TEST PROCEDURES.**

11 [For text of subps 1 to 6, see M.R.]

12 Subp. 7. **Nanograms.** For each performance test, the emissions expressed in
13 nanograms/joule (lb/million Btu) shall be determined by the following procedure:

$$14 \quad E = CF \left(\frac{20.90}{20.9 - \%O_2} \right)$$

16 where:

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

18 D. The owner or operator may use either subitem (1) or (2) to determine the value
19 of F. F = factor representing a ratio of the volume of dry flue gases generated to the
20 calorific value of the fuel combusted.

21 (1) Values of F are given as follows:

22 (a) for anthracitic coal according to A.S.T.M. D388-66, $F = 2.723 \times 10^{-7}$ dscm/J
23 (10140 dscf/10⁶ Btu);

24 (b) for subbituminous and bituminous coal according to A.S.T.M. D388-66, F
25 = 2.637×10^{-7} dscm/J (9820 dscf/10⁶ Btu);
26

1 cal/hr (Btu/hr), shall be determined during each testing period. The rate of fuels
2 burned during each testing period shall be determined by suitable methods and shall be
3 confirmed by a material balance over the direct heating system.

4 **7011.0805 STANDARDS OF PERFORMANCE FOR EXISTING PORTLAND**
5 **CEMENT PLANTS.**

6 No owner or operator of an existing portland cement plant shall cause or allow the
7 discharge into the atmosphere of any gases which:

8 A. contain particulate matter in excess of the limits established by parts 7011.0700
9 to 7011.0735; or

10 B. exhibit greater than 20 percent opacity, except that a maximum of 40 percent
11 opacity shall be permissible for not more than four minutes in any 30-minute period and
12 a maximum of 60 percent opacity shall be permissible for not more than four minutes in
13 any 60-minute period.

14 The requirements of this part are applicable to the kiln, the clinker cooler, the raw
15 mill system, the raw mill dryer, raw material storage, the finish mill system, clinker
16 storage, finished product storage, conveyor transfer points, and bagging and bulk
17 loading and unloading systems.

18 For the purposes of this part, "existing portland cement plant" means a portland
19 cement plant on which construction, modification, or reconstruction did not commence
20 after August 17, 1971.

21 **7011.0917 ASPHALT PLANT CONTROL EQUIPMENT REQUIREMENTS.**

22 [For text of subps 1 to 5, see M.R.]

23 Subp. 6. **Deviation of asphalt plant control equipment from operating**
24 **specifications.** Unless otherwise specified in a part 70, state, or general permit, the
25 owner or operator of a stationary source shall report to the commissioner any recorded
26 reading outside of the specification or range of specifications allowed by subpart 1 from
7011.0917

1 any monitored operating parameter required by subpart 7, in accordance with the
2 deadlines in part 7007.0800, subpart 6, item A, subitem (2), except that owners and
3 operators with a registration permit option D shall make this report only if a deviation
4 occurred in the reporting period.

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

6 **7011.1105 STANDARDS OF PERFORMANCE FOR CERTAIN COAL HANDLING**
7 **FACILITIES.**

8 The owner or operator of any new coal handling facility, or an existing coal handling
9 facility located within the Minneapolis-Saint Paul Air Quality Control Region or within
10 the boundaries of the city of Duluth, shall perform the following abatement measures
11 unless otherwise exempt by portions of these parts:

12 [For text of items A to I, see M.R.]

13 **7011.1110 STANDARDS OF PERFORMANCE FOR EXISTING OUTSTATE COAL**
14 **HANDLING FACILITIES.**

15 The owner or operator of an existing coal handling facility which is located outside
16 the Minneapolis-Saint Paul Air Quality Control Region and outside the boundaries of
17 the city of Duluth shall comply with part 7011.0150 for the control of fugitive particulate
18 emissions. For the purposes of this part, "existing coal handling facility" means a coal
19 handling facility on which construction, modification, or reconstruction did not
20 commence after November 17, 1980.

21 **7011.1305 STANDARDS OF PERFORMANCE FOR EXISTING SEWAGE SLUDGE**
22 **INCINERATORS.**

23 No owner or operator of an existing sewage sludge incinerator shall cause to be
24 discharged into the atmosphere from the sewage sludge incinerator any gases which:

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

26 C. contain particulate matter in excess of 0.1 gr/dscf corrected to 12 percent CO₂ if
27 the incinerator has a burning capacity of greater than 2,000 pounds per hour.

1 No owner or operator of an existing sewage sludge incinerator shall cause to be
2 discharged into the atmosphere from the incinerator any gases which exhibit greater
3 than 20 percent opacity, except that a maximum of 40 percent opacity shall be
4 permissible for four minutes in any 60-minute period.

5 No owner or operator of an existing sewage sludge incinerator shall operate such
6 incinerator unless such incinerator utilizes auxiliary fuel burners that maintain a
7 minimum temperature of 1,200 degrees Fahrenheit for a minimum retention time of 0.3
8 second or other method of odor control as approved by the commissioner.

9 For the purposes of this part, "existing sewage sludge incinerator" means a sewage
10 sludge incinerator on which construction, modification, or reconstruction did not
11 commence after June 11, 1973.

12 **7011.1310 STANDARDS OF PERFORMANCE FOR NEW SEWAGE SLUDGE**
13 **INCINERATORS.**

14 No owner or operator of a new sewage sludge incinerator shall cause to be
15 discharged into the atmosphere from the incinerator any gases which:

16 A. contain particulate matter in excess of 0.65 g/kg dry sludge input (1.30 lb/ton
17 dry sludge input); or

18 B. exhibit 20 percent opacity or greater.

19 No owner or operator of a new sewage sludge incinerator shall operate such
20 incinerator unless such incinerator utilizes auxiliary fuel burners that maintain a
21 minimum temperature of 1200 degrees Fahrenheit for a minimum retention time of 0.3
22 second or other method of odor control as approved by the commissioner.

23 For the purposes of this part, "new sewage sludge incinerator" means a sewage
24 sludge incinerator on which construction, modification, or reconstruction commenced
25 after June 11, 1973.

26 **7011.1405 STANDARDS OF PERFORMANCE FOR EXISTING AFFECTED**
27 **FACILITIES AT PETROLEUM REFINERIES.**

7011.1405

1 [For text of subps 1 to 3, see M.R.]

2 Subp. 4. **Definition.** For the purposes of this part, "existing" means equipment on
3 which construction, modification, or reconstruction did not commence after June 11,
4 1973.

5 **7011.1410 STANDARDS OF PERFORMANCE FOR NEW AFFECTED FACILITIES**
6 **AT PETROLEUM REFINERIES.**

7 [For text of subps 1 to 3, see M.R.]

8 Subp. 4. **Definition.** For the purposes of this part, "new" means equipment on which
9 construction, modification, or reconstruction commenced after June 11, 1973.

10 **7011.1415 EXEMPTIONS.**

11 The combustion of process upset gas in a flare, or the combustion in a flare of process
12 gas or fuel gas which is released to the flare as a result of relief valve leakage, is exempt
13 from the standards of performance set forth in these parts.

14 The standards of performance promulgated in parts 7011.0500 to 7011.0530 for
15 indirect heating equipment shall not apply to indirect heating equipment at a petroleum
16 refinery. Only those standards of performance for indirect heating equipment set forth
17 in these parts shall apply to such equipment.

18 **7011.1600 DEFINITIONS.**

19 As used in parts 7011.1600 to 7011.1700 the following words shall have the meanings
20 defined herein:

21 A. Acid mist. "Acid mist" means sulfuric acid mist as measured by Method 8.

22 B. Sulfuric acid production unit. "Sulfuric acid production unit" means any
23 emission facility producing sulfuric acid by the contact process by burning elemental
24 sulfur, alkylation acid, hydrogen sulfide, organic sulfides and mercaptans, or acid
25 sludge, but does not include facilities where conversion to sulfuric acid is utilized

1 primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or
2 other sulfur compounds.

3 C. Existing sulfuric acid production unit. "Existing sulfuric acid production unit"
4 means a sulfuric acid production unit on which construction, modification, or
5 reconstruction did not commence after August 17, 1971.

6 **7011.1705 STANDARDS OF PERFORMANCE FOR EXISTING NITRIC ACID**
7 **PRODUCTION UNITS.**

8 Prior to July 1, 1977, no owner or operator of an existing nitric acid production unit
9 shall cause to be discharged into the atmosphere from any nitric acid production unit
10 any gases which contain nitrogen oxides, expressed as NO₂, in excess of 50 pounds per
11 ton of acid produced (25 kg per metric ton), the production being expressed as 100
12 percent nitric acid.

13 After July 1, 1977, no owner or operator of an existing nitric acid production unit
14 shall cause to be discharged into the atmosphere from any nitric acid production unit
15 any gases which contain nitrogen oxides, expressed as NO₂, in excess of 40 pounds per
16 ton of acid produced (20 kg per metric ton), the production being expressed as 100
17 percent nitric acid.

18 No owner or operator of an existing nitric acid production unit shall cause to be
19 discharged into the atmosphere from any nitric acid production unit any gases which
20 exhibit greater than ten percent opacity.

21 For the purposes of this part, "existing nitric acid production unit" means a nitric acid
22 production unit on which construction, modification, or reconstruction did not
23 commence after August 17, 1971.

24 **7011.2300 STANDARDS OF PERFORMANCE FOR STATIONARY INTERNAL**
25 **COMBUSTION ENGINES.**

26 Subpart 1. **Visible air contaminants.** No owner or operator of any stationary internal

1 combustion engine shall cause or permit the emission of visible air contaminants from
2 the engine in excess of 20 percent opacity once operating temperatures have been
3 ~~obtained~~ attained.

4 Subp. 2. **Sulfur dioxide.** No owner or operator of any stationary internal combustion
5 engine shall cause to be discharged into the atmosphere from the engine any gases
6 which contain sulfur dioxide in excess of 0.5 pounds per million Btu actual heat input
7 unless an alternative limit is established in an air emission permit after demonstration
8 through modeling of compliance with the sulfur dioxide standards in part 7009.0080.

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

10 **7019.1000 NOTIFICATIONS OF DEVIATIONS WHICH ENDANGER HUMAN**
11 **HEALTH OR THE ENVIRONMENT; SHUTDOWNS AND BREAKDOWNS.**

12 Subpart 1. **Notification of deviations which endanger human health or the**
13 **environment.** The owner or operator of an emission facility, in the event of any
14 deviation, as defined in part 7007.0100, subpart 8a, which could endanger human health
15 or the environment, shall notify, orally or in writing, the commissioner or the state duty
16 officer as soon as possible after discovery of the deviation. Within two working days of
17 the discovery, the owner or operator shall submit to the commissioner a written
18 description of the deviation stating:

19 A. the cause of the deviation;

20 B. the exact dates of the period of the deviation, if the deviation has been corrected;

21 C. whether or not the deviation has been corrected;

22 D. the anticipated time by which the deviation is expected to be corrected, if not
23 yet corrected; and

24 E. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the
25 deviation.

1 Subp. 2. **Breakdown notification.** The owner or operator of an emission facility,
2 emissions unit, or stationary source shall notify the commissioner within 24 hours of a
3 breakdown of more than one hour duration of any control equipment or process
4 equipment if the breakdown causes any increase in the emissions of any regulated air
5 pollutant. The 24-hour time period starts when the breakdown was discovered or
6 reasonably should have been discovered by the owner or operator. However,
7 notification is not required if:

8 A. an applicable requirement or compliance document does not require operation
9 of the control equipment;

10 B. an applicable requirement or compliance document specifies alternative
11 minimum operating conditions for the process or control equipment that are still
12 complied with despite the breakdown; or

13 C. if the facility directly and continuously monitors the emissions with a
14 continuous emissions monitor or similar direct monitoring device that demonstrates
15 emissions do not exceed the applicable limit of any regulated pollutant during the
16 breakdown.

17 At the time of notification or as soon as possible thereafter, the owner or operator shall
18 inform the commissioner of the cause of the breakdown and the estimated duration. The
19 owner or operator shall notify the commissioner when the breakdown is over.

20 Subp. 3. **Shutdown notification.** The owner or operator of an emission facility,
21 emissions unit, or stationary source shall notify the commissioner at least 24 hours in
22 advance of a planned shutdown of any control equipment or process equipment if the
23 shutdown would cause any increase in the emissions of any regulated air pollutant. If
24 the owner or operator does not have advance knowledge of the shutdown, notification
25 shall be made to the commissioner as soon as possible after the shutdown. However,
26 notification is not required if:

1 A. an applicable requirement or compliance document allows the shutdown of, or
2 does not require operation of, the control equipment;

3 B. an applicable requirement or compliance document specifies alternative
4 minimum operating conditions for the process or control equipment that are still
5 complied with despite the shutdown; or

6 C. if the facility directly and continuously monitors the emissions with a
7 continuous emissions monitor or similar direct monitoring device that demonstrates
8 emissions do not exceed the applicable limit of any regulated pollutant during the
9 shutdown.

10 At the time of notification, the owner or operator shall inform the commissioner of
11 the cause of the shutdown and the estimated duration. The owner or operator shall
12 notify the commissioner when the shutdown is over.

13 Subp. 4. **Operation changes.** In any shutdown, breakdown, or deviation covered by
14 subpart 1, 2, or 3, the owner or operator shall immediately take all practical steps to
15 modify operations to reduce the emission of any regulated air pollutant. The
16 commissioner may require feasible and practical modifications in the operation to
17 reduce emissions of air pollutants. No emissions units that have an unreasonable
18 shutdown or breakdown frequency of process or control equipment shall be permitted
19 to operate.

20 Subp. 5. **Effect of rule.** Nothing in this part:

21 A. allows the operation of an emission facility, emissions unit, or stationary source
22 which may endanger human health or the environment;

23 B. allows the owner or operator of an emission facility to violate an applicable
24 requirement or compliance document;

25 C. excuses compliance with Minnesota Statutes, section 116.061; or

1 D. prevents the agency from exercising its emergency powers under Minnesota
2 Statutes, section 116.11, in the event that conditions warranting such action shall arise;
3 or

4 E. prevents the owner or operator of an emission facility from establishing the
5 emergency defense described in part 7007.1850 if the owner or operator meets the
6 requirements of that part.

7 Subp. 6. **Definitions.** "Applicable requirement" has the meaning given in part
8 7007.0100, subpart 7. "Compliance document" has the meaning given in part 7017.2005,
9 subpart 2.

10 Subp. 7. **Transition to amended rule.** The amendments to this part adopted at ~~.. SR ...~~
11 that take effect on the effective date of this part supersede the requirements of permit
12 conditions based on this part in air emission permits issued by the agency prior to
13 January 1, 1998.

14 7035.2875 REFUSE-DERIVED FUEL PROCESSING FACILITIES.

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

16 Subp. 3. **Operation and maintenance manual.** The owner or operator of a
17 refuse-derived fuel processing facility must prepare an operation and maintenance
18 manual and keep the manual at the facility. The manual must contain the information
19 needed to operate the facility properly and meet the following requirements:

20 A. Access to the site must be controlled by a complete perimeter fence and gate.
21 The gate must be locked when the facility is not open for business.

22 B. By-products, including residuals and metal fractions, must be stored to prevent
23 vector problems and aesthetic degradation. The by-products must be removed or used
24 at least once a week.

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

1 **REPEALER.** Minnesota Rules, parts 7007.0750, subpart 6; 7007.1251; 7011.0400;
2 7011.0405; 7011.0410; 7011.2200; 7011.2205; 7011.2210; and 7011.2220, are repealed.