

1 Pollution Control Agency
2 Adopted Permanent Rules Relating to Miscellaneous Air Quality
3 Amendments

4 7005.0100 DEFINITIONS.

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

6 Subp. 3a. **Begin actual construction.** "Begin actual
7 construction" means, in general, initiation of physical, on-site
8 construction, reconstruction, or modification activities on an
9 emissions unit which are of a permanent nature. Such activities
10 include, but are not limited to, installation of building
11 supports and foundations, laying of underground pipework, and
12 construction of permanent storage structures. Such activities
13 do not include site clearing and grading or entering into
14 binding agreements or contractual obligations. With respect to
15 a change in method of operating, this term refers to those
16 on-site activities, other than preparatory activities, which
17 mark the initiation of the change. Owners or operators that
18 undertake these activities prior to obtaining any required
19 permits do so at their own risk; a permit may not be issued or
20 may not contain the terms the applicant desires.

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

22 Subp. 4a. [See repealer.]

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

24 Subp. 5. **Construction.** "Construction" means fabrication,
25 erection, or installation of an emission facility, emissions
26 unit, or stationary source. Construction also includes
27 excavation, blasting, removing rock and soil, and/or backfilling

1 unless the administrator deems these activities to be of minimal
2 cost, do not significantly alter the site, and are not permanent
3 in nature. Construction does not include site clearing or
4 grading.

5 [For text of subps 6 to 10, see M.R.]

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

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

10 C. (1) Where no emission factor is available in one
11 of the documents described in item A or B, or where a more
12 representative emission factor is available under this item,
13 emission factor means an emission factor developed or approved
14 by the commissioner and derived from the following sources:

15 [For text of units (a) to (g), see M.R.]

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

17 [For text of subps 10b to 30, see M.R.]

18 Subp. 30a. **PM-2.5.** "PM-2.5" means finely divided solid or
19 liquid material, with an aerodynamic diameter less than or equal
20 to a nominal 2.5 micrometers as measured by an applicable
21 reference method, or an equivalent or alternative method.

22 Subp. 30b. **PM-10.** "PM-10" means finely divided solid or
23 liquid material, with an aerodynamic diameter less than or equal
24 to a nominal ten micrometers as measured by an applicable
25 reference method, or an equivalent or alternative method.

26 Subp. 31. **Particulate matter.** "Particulate matter" means
27 material, except water, which exists at standard conditions in a

1 finely divided form as a liquid or solid as measured by an
2 applicable reference method, or an equivalent or alternative
3 method.

4 [For text of subps 31a to 42a, see M.R.]

5 Subp. 42b. **State air pollution control rules.** "State air
6 pollution control rules" means chapters 7005, 7007, 7009, 7011,
7 7017, 7019, 7025, 7027, and 7030, and parts 7023.0100 to
8 7023.0120.

9 [For text of subps 42c and 45, see M.R.]

10 7007.0100 DEFINITIONS.

11 Subpart 1. **Scope.** The definitions in this part apply to
12 the terms used in parts 7007.0050 to 7007.1850. The definitions
13 in parts 7000.0100 and 7005.0100 apply to the terms used in
14 parts 7007.0050 to 7007.1800 unless the terms are otherwise
15 defined in this part.

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

17 Subp. 7a. **Block average.** As used in air emission permits
18 issued under this chapter, a "block average" is an average
19 determined after the end of a specific time block, such as three
20 hours, eight hours, or 24 hours, for that time block. The
21 average is determined by summing all data points for the time
22 period, and dividing the sum by the number of data points. For
23 example, a daily-calculated, 24-hour block average is calculated
24 by summing all one-hour data points from the previous 24-hour
25 period, from midnight to midnight, and dividing the total by the
26 number of data points. A new block average is recalculated for
27 each discrete, nonoverlapping time block, unless specified

1 otherwise in an applicable requirement or compliance document.

2 [For text of subps 8 to 12, see M.R.]

3 Subp. 12a. **Hazardous air pollutant or HAP.** "Hazardous air
4 pollutant" or "HAP" means any air pollutant listed in section
5 112(b) of the act.

6 [For text of subps 12b to 21, see M.R.]

7 Subp. 21a. **Rolling average.** As used in air emission
8 permits issued under this chapter, a "rolling average" is an
9 average determined once each specified time frequency, such as
10 daily or monthly, for a specific time period, such as 30 days,
11 12 months, or 365 days. The average is calculated by summing
12 all data points for the time period and dividing the total by
13 the number of data points. For example, a daily-calculated,
14 365-day rolling average is calculated once each day by summing
15 all daily data points from the previous 365 days, and dividing
16 by the number of data points. A new rolling average is
17 recalculated for each time frequency, unless specified otherwise
18 in an applicable requirement or compliance document.

19 Subp. 21b. **Rolling sum.** As used in this chapter and in
20 air emission permits issued under this chapter, a "rolling sum"
21 is a sum determined once each specified time frequency, such as
22 daily or monthly, for a specific time period, such as 30 days,
23 12 months, or 365 days. The sum is determined by adding all
24 time-frequency data points determined at the specified frequency
25 for the time period. For example, a 12-month rolling sum is
26 calculated once each month by summing the monthly emission data
27 from the previous 12 months. A new rolling sum is recalculated

1 for each time frequency, unless specified differently in an
2 applicable requirement or compliance document.

3 [For text of subps 22 to 27, see M.R.]

4 Subp. 28. [See repealer.]

5 7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

6 Subpart 1. No permit required. The following stationary
7 sources are not required to obtain a permit under parts
8 7007.0100 to 7007.1850:

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

10 E. any stationary source that would be required to
11 obtain a permit solely because its VOC potential to emit is
12 equal to or greater than 100.0 tons per year, that uses less
13 than 200 gallons of VOC (including hazardous air
14 pollutant-containing VOC) combined in any calendar year, and
15 whose only other emissions are from insignificant activities
16 under part 7007.1300, subparts 2 and 3. The owner or operator
17 shall:

18 (1) maintain records for each calendar year of
19 the number of gallons of VOC-containing materials purchased or
20 used and the maximum VOC content;

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

24 (3) if requested by the commissioner, calculate
25 and record for any of the previous five calendar years the sum
26 of the actual number of gallons of VOCs purchased or used, the
27 calculation itself, and a list of the associated emissions units

1 in which it was used;

2 (4) maintain at the stationary source or a
3 central office the records required by subitems (1) to (3) for a
4 period of five years from the date the record was made; and

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

8 Under this item, gallons of VOC equals volume percentage of
9 VOC multiplied by the gallons of VOC-containing material, except
10 that if the owner or operator ships VOC off-site for recycling,
11 the amount recycled may be subtracted from the amount of VOC
12 used. "Recycling" means the reclamation or reuse, as defined in
13 part 7045.0020, of a VOC. If the owner or operator ships VOC
14 off-site for recycling, the owner or operator shall keep records
15 of the amount of material shipped off-site for recycling and the
16 calculations done to determine the amount to subtract. Records
17 may be MSDS, invoices, shipping papers, or hazardous waste
18 manifests; and

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

20 7007.0400 PERMIT REISSUANCE APPLICATIONS AFTER TRANSITION; NEW
21 SOURCE AND PERMIT AMENDMENT APPLICATIONS; APPLICATIONS FOR
22 SOURCES NEWLY SUBJECT TO A PART 70 OR STATE PERMIT REQUIREMENT.

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

24 Subp. 3. New permits and amendments to existing permits.
25 Owners or operators seeking to obtain a new permit for a new
26 stationary source or a permit amendment to an existing permit
27 may submit the application at any time. It is recommended that

1 the permit application for a new stationary source or an
2 amendment be submitted at least 180 days before the planned date
3 for beginning actual construction of the new stationary source
4 or beginning actual construction of the modification of the
5 existing stationary source, although the agency may take up to
6 18 months to take final action on the permit or major amendment
7 under part 7007.0750, subpart 2. If the reason for the
8 application for an amendment is the adoption of a new or amended
9 federal applicable requirement, and the remaining life of the
10 permit is three years or longer, the permittee shall file an
11 application for an amendment within nine months of promulgation
12 of the applicable requirement. The preceding sentence does not
13 apply if the effective date of the requirement is later than the
14 date on which the permit is due to expire.

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

16 7007.0700 COMPLETENESS REVIEW.

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

18 D. If, during processing of a permit application that
19 has been deemed complete, a minor permit amendment application,
20 or a written request for an administrative amendment, the agency
21 determines that additional information is necessary to evaluate
22 or take final action on that application or request, it may
23 request such information in writing, and, after consultation
24 with the applicant, set a deadline for a response. In the
25 request for additional information, the agency shall briefly
26 explain why the additional information is needed. If an
27 applicant fails to respond to requests for additional

1 information within the time period requested, the application or
2 request shall be deemed incomplete. Applicants who have already
3 made a change or begun actual construction of a modification at
4 a permitted facility under part 7007.1450, shall provide the
5 additional information within the time period specified by the
6 agency.

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

8 7007.0750 APPLICATION PRIORITY AND ISSUANCE TIMELINES.

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

10 Subp. 2. Application processing and issuance deadlines.

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

12 C. The agency shall take final action on applications
13 for permits or permit amendments not governed by items A and B
14 within the period specified in this item. The agency shall take
15 final action on such an application for a permit, permit
16 reissuance, or major permit amendment within 18 months of
17 receiving a complete application. The agency shall take final
18 action on such an application for a minor permit amendment
19 within 90 days of receiving a complete application or for a
20 moderate permit amendment within six months of receiving a
21 complete application, but not before the end of the
22 administrator's 45-day review period in the case of part 70
23 permits. The agency shall take final action on a written
24 request for an administrative amendment within 60 days of
25 receiving the complete request.

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

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

1 7007.1050 DURATION OF PERMITS.

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

3 Subp. 5. Expiring state and general permits. The agency
4 may elect to make state permits and general permits (except
5 general permits that apply to stationary sources otherwise
6 required to have a part 70 permit) expire five years or more
7 after issuance if the permittee requests an expiring permit or
8 if the agency determines that an expiring permit would
9 significantly improve the likelihood of continuing compliance
10 with applicable requirements and the terms of the permit.
11 Grounds for such a determination include, but are not limited
12 to, the following:

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

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

15 7007.1100 GENERAL PERMITS.

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

17 Subp. 8. Change of ownership or control of stationary
18 source issued a general permit. Prior to a change in the
19 ownership or control of a stationary source issued a general
20 permit under this part, the new owner or operator must submit a
21 change of ownership request form provided by the commissioner.
22 If the commissioner determines that the new owner or operator
23 meets the eligibility requirements of the general permit for
24 general permit issuance, then the commissioner shall issue the
25 general permit to the new owner or operator. Issuance of a
26 general permit to the new owner or operator of an eligible

1 stationary source voids and supersedes the general permit of the
 2 previous owner or operator. If the commissioner determines the
 3 new owner or operator does not meet the eligibility
 4 requirements, the new owner or operator shall submit a permit
 5 application for a registration, state, or part 70 permit within
 6 120 days of the commissioner's written request for the
 7 application.

8 7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

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

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

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

14 D. if a stationary source qualifies for a
 15 registration permit, but has less than 12 months of emissions
 16 data, calculate the emission limit each month during normal
 17 operation for the first 12 months under registration permit
 18 option C or D on a form provided by the commissioner which uses
 19 one of the following formulas:

20 (1) $N = 0.95 (\text{annual limit in option C or D}) +$
 21 $0.0045 (\text{annual limit in option C or D})(n-1)$

22 Where: n = number of months in operation;

23 N = emission limit for month n ; or

24 (2) $P = L/12$

25 Where L = annual limit in option C or D.

26 P = the emission limit for each month.

27 The actual emissions for each month must be below the

1 calculated emission limit, N or P, for each pollutant.

2 [For text of subps 8 to 11, see M.R.]

3 Subp. 12. **Modification rendering stationary source**
4 **ineligible for its current registration permit option.** Items A
5 to C apply to the owner or operator of a stationary source that
6 has been issued a registration permit and that wants to make a
7 modification which results in the stationary source no longer
8 being able to meet the requirements for the registration permit
9 option for which it was issued a registration permit, but which
10 will result in the stationary source being eligible for another
11 registration permit option.

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

13 B. The owner or operator may begin actual
14 construction on and start-up of the modification proposed in the
15 permit application seven working days after the permit
16 application is received by the commissioner.

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

18 [For text of subps 13 and 14, see M.R.]

19 Subp. 15. **Change of ownership or control of stationary**
20 **source issued a registration permit.** Prior to a change in the
21 ownership or control of a stationary source issued a
22 registration permit under parts 7007.1110 to 7007.1130, the new
23 owner or operator must submit a change of ownership request form
24 provided by the commissioner. If the commissioner determines
25 that the new owner or operator meets the requirements of parts
26 7007.1110 to 7007.1130 for registration permit issuance, then
27 the commissioner shall issue the registration permit to the new

1 owner or operator. Issuance of a registration permit to the new
2 owner or operator of an eligible stationary source voids and
3 supersedes the registration permit of the previous owner or
4 operator.

5 [For text of subps 16 to 22, see M.R.]

6 7007.1120 REGISTRATION PERMIT OPTION B.

7 Subpart 1. Eligibility. The owner or operator of a
8 stationary source may apply for a registration permit under this
9 part if:

10 A. the stationary source purchases or uses less than
11 2,000 gallons of VOC-containing materials on a calendar year
12 basis;

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

14 C. the owner or operator does not anticipate making
15 changes in the next 12 months which will cause the stationary
16 source to purchase or use 2,000 gallons or more of
17 VOC-containing materials on a calendar year basis.

18 Subp. 2. Application content. An application for a
19 registration permit under this part must contain the following:

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

21 E. the gallons of VOC-containing materials purchased
22 or used on a calendar year basis. If the stationary source has
23 not been operated, the owner or operator shall estimate the
24 gallons of VOC-containing materials that will be purchased or
25 used on a calendar year basis during normal operation using a
26 worksheet provided by the commissioner. If the stationary
27 source has been operated less than 12 months or has not been

1 operated a full calendar year on the date of application under
2 this part, the owner or operator shall calculate gallons of
3 VOC-containing materials purchased or used by multiplying 12
4 months by the larger of the two following monthly averages:

5 (1) the average monthly gallons purchased or
6 used; or

7 (2) the estimated average monthly gallons
8 purchased or used for normal operation.

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

12 **Subp. 3. Compliance requirements.** The owner or operator
13 of a stationary source issued a registration permit under this
14 part shall:

15 A. calculate and record by April 1 of each calendar
16 year the total amount of VOC-containing materials purchased or
17 used (whichever was stated in the permit application) during the
18 previous calendar year;

19 B. maintain the calculation itself and any receipts,
20 invoices, or similar documents used to determine the total
21 amount of VOC-containing materials purchased or used in item A;

22 C. purchase or use (whichever was stated in the
23 permit application) less than 2,000 gallons of VOC-containing
24 materials each calendar year;

25 D. have emissions from the stationary source only
26 from VOC-containing materials or from insignificant activities
27 under part 7007.1300, subparts 2 and 3;

1 E. comply with part 7007.1110; and

2 F. comply with all applicable requirements, including
3 new source performance standards.

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

5 7007.1125 REGISTRATION PERMIT OPTION C.

6 Subpart 1. **Eligibility.** The owner or operator of a
7 stationary source may apply for a registration permit under this
8 part if the stationary source consists of only indirect heating
9 units (boilers), reciprocating internal combustion engines,
10 and/or emissions from use of VOC-containing materials, and meets
11 the following criteria:

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

13 D. the stationary source does not burn bituminous or
14 subbituminous coal in hand-fed boilers;

15 E. the 12-month rolling sum of calculations
16 determined under calculations 1, 2A, 2B, and 3 in subpart 4 is
17 less than 100; and

18 F. the owner or operator does not anticipate making
19 changes in the next 12 months which will cause the stationary
20 source to be ineligible for this type of registration permit as
21 set forth under items A to E.

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

23 Subp. 3. **Compliance requirements for Option C sources.**

24 Unless a stationary source is eligible under subpart 3a, the
25 owner or operator of a stationary source issued a registration
26 permit under this part shall comply with all of the requirements
27 in items A to J.

1 A. If the stationary source determined eligibility in
2 the permit application, in whole or in part, by calculating VOC
3 actual emissions from VOC-containing materials purchased or used
4 (whichever was stated in the permit application) in calculation
5 3 in subpart 4, the owner or operator must:

6 (1) record by the last day of each month, the
7 amount of each VOC-containing material purchased or used
8 (whichever was stated in the permit application) for the
9 previous month;

10 (2) maintain a record of the material safety data
11 sheet (MSDS), or a signed statement from the supplier stating
12 the maximum VOC content, for each VOC-containing material
13 purchased or used (whichever was stated in the permit
14 application); and

15 (3) using calculation 3 in subpart 4, recalculate
16 and record by the last day of each month the 12-month rolling
17 sum of the actual VOC emissions from all VOC-containing
18 materials purchased or used (whichever was stated in the permit
19 application) for the previous 12 months, the date the
20 calculation was made, and the calculation itself.

21 B. If the stationary source determined eligibility in
22 the permit application, in whole or in part, by using fuel
23 burned in calculation 1 or 2A in subpart 4, the owner or
24 operator must:

25 (1) for each unit type, record by the last day of
26 each month the 12-month rolling sum of the amount of each fuel
27 purchased or used (whichever was stated in the permit

1 application) for the previous 12 months;

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

3 (3) using calculations 1 and 2A in subpart 4, for
4 each unit type, recalculate and record by the last day of each
5 month the 12-month rolling sum of emissions for the previous 12
6 months, the date the calculation was made, and the calculation
7 itself.

8 C. If the stationary source determined eligibility in
9 the permit application, in whole or in part, by using hours of
10 operation in calculation 2B in subpart 4, the owner or operator
11 must, for each emissions unit included in calculation 2B:

12 (1) record each by the last day of each month the
13 hours operated, rounded to the nearest hour for the previous
14 month; and

15 (2) using calculation 2B in subpart 4,
16 recalculate and record by the last day of each month the
17 12-month rolling sum of emissions for each emissions unit for
18 the previous 12 months, the date the calculation was made, and
19 the calculation itself.

20 D. The owner or operator must add together and record
21 by the last day of each month the 12-month rolling sum of the
22 calculations made in items A to C for the previous 12 months.
23 This sum is the eligibility number.

24 E. The owner or operator must not burn any fuels at
25 the stationary source that are not listed in Table 1 or Table 2
26 of subpart 4, or that exceed the sulfur content limits listed in
27 Table 1 or Table 2, and must not burn bituminous or

1 subbituminous coal in any hand-fed indirect heating unit
2 (boiler).

3 F. The 12-month rolling sum determined by the
4 calculation in item D, the eligibility number, shall not exceed
5 100.

6 G. The owner or operator must have emissions from the
7 stationary source only from indirect heating units (boilers,
8 except hand-fed boilers burning bituminous or subbituminous
9 coal), from reciprocating internal combustion engines, from
10 insignificant activities under part 7007.1300, subparts 2 and 3,
11 and/or from use of VOC-containing materials.

12 [For text of items H to J, see M.R.]

13 Subp. 3a. Compliance requirements for low-emitting Option
14 C sources. If the eligibility number determined by the
15 calculation in item D is less than 50 for the previous calendar
16 year, the owner or operator of a stationary source issued a
17 registration permit under this part shall comply with all of the
18 requirements in items A to E.

19 A. If the stationary source determined eligibility in
20 the permit application, in whole or in part, by calculating VOC
21 actual emissions from VOC-containing materials purchased or used
22 (whichever was stated in the permit application) in calculation
23 3 in subpart 4, the owner or operator must:

24 (1) maintain records of the amount of each
25 VOC-containing material purchased or used (whichever was stated
26 in the permit application) each calendar year;

27 (2) maintain a record of the material safety data

1 sheet (MSDS), or a signed statement from the supplier stating
2 the maximum VOC content, for each VOC-containing material
3 purchased or used (whichever was stated in the permit
4 application); and

5 (3) using calculation 3 in subpart 4, recalculate
6 and record by April 1 of each calendar year the sum of the
7 actual VOC emissions from all VOC-containing materials purchased
8 or used (whichever was stated in the permit application), and
9 the calculation itself for the previous calendar year.

10 B. If the stationary source determined eligibility in
11 the permit application, in whole or in part, by using fuel
12 burned in calculation 1 or 2A in subpart 4, the owner or
13 operator must:

14 (1) for each unit type, record by April 1 of each
15 calendar year the sum of the amount of each fuel purchased or
16 used (whichever was stated in the permit application) for the
17 previous calendar year;

18 (2) record the sulfur content of each fuel
19 purchased or used (whichever was stated in the permit
20 application), and maintain for each batch of fuel a record of
21 the vendor certifications of sulfur content or test results by
22 an independent laboratory using the ASTM method listed for the
23 fuel in Table 1 or Table 2 in subpart 4 (whichever applies), if
24 a sulfur threshold is stated for that fuel in Table 1 or Table 2
25 in subpart 4; and

26 (3) using calculations 1 and 2A in subpart 4, for
27 each unit type, recalculate and record by April 1 of each

1 calendar year the sum of emissions and the calculation itself
2 for the previous calendar year.

3 C. If the stationary source qualified in the permit
4 application, in whole or in part, by using hours of operation in
5 calculation 2B in subpart 4, the owner or operator must, for
6 each emissions unit included in calculation 2B:

7 (1) record by April 1 of each calendar year the
8 hours operated, rounded to the nearest hour for the previous
9 calendar year; and

10 (2) using calculation 2B in subpart 4,
11 recalculate and record by April 1 of each calendar year the sum
12 of emissions for each emissions unit and the calculation itself
13 for the previous calendar year.

14 D. The owner or operator must add together and record
15 by April 1 of each calendar year the sum of the calculations
16 made in items A to C. This sum, the eligibility number, shall
17 not exceed 50 to be eligible under this subpart. If the
18 eligibility number exceeds 50, then the owner or operator must
19 comply with subpart 3 and have an eligibility number of less
20 than 50 for two consecutive calendar years before eligibility
21 for this subpart is reinstated.

22 E. The owner or operator must comply with subpart 3,
23 items E and G to J.

24 Subp. 4. Tables and calculations. The tables and
25 calculations in this subpart shall be used to determine whether
26 a stationary source is eligible for a registration permit under
27 this part. For the purposes for fuel specifications listed in

1 calculations 1 and 2A, the Annual Book of American Society for
 2 Testing and Materials Standards (ASTM), 100 Barr Harbor Drive,
 3 West Conshocken, PA 19428-2959, volumes 4.05, 5.01, 5.03, and
 4 5.05 (1993) are incorporated by reference. ASTM is the author
 5 and publisher. These publications are available through the
 6 Minitex interlibrary loan system (University of Minnesota
 7 Library). These documents are subject to frequent change.

8 **Calculation 1. Indirect Heating Emissions Units.** For
 9 stationary sources with indirect heating emissions units,
 10 multiply the 12-month rolling sum of each fuel used by the
 11 multiplication factor (MF) listed in Table 1. Add the results
 12 of all the calculations to arrive at the calculation 1 total.
 13 The following formula determines the calculation 1 total:

14 STEP 1: fuel type used (in units specified) x MF = fuel
 15 type total

16 STEP 2: fuel type 1 total + fuel type 2 total + ... fuel
 17 type n total = Calculation 1 total

18 TABLE 1

19 FUEL USED (units burned/year)-[specification]	20 SULFUR LIMIT	21 MULTIPLICATION FACTOR (MF)
22 anthracite coal (tons)-[ASTM D 388(Vol 05.05)]	23 2.38%	24 4.64E-02
25 bituminous coal (tons)-[ASTM D 388(Vol 05.05)]	26 2.10%	27 4.10E-02
28 sub bituminous coal (tons)-[ASTM D 388 29 (Vol 05.05)]	30 1.66%	31 2.91E-02
32 lignite A coal (tons)-[ASTM D 388(Vol 05.05)]	33 1.26%	34 1.89E-02
35 petroleum coke (tons)-[ASTM C 1160(Vol 04.05)]	36 2.33%	37 4.55E-02
untreated domestic wood and bark (tons)- [ASTM D 1165(Vol 04.09)]	n/a	8.40E-03

1	kerosene (gallons)-[ASTM D 3699(Vol 05.03)]	0.50%	3.59E-05
2			
3	No. 1 and No. 2 distillate (gallons)-	0.50%	3.59E-05
4	[ASTM D 396(Vol 05.01)]		
5			
6	No. 4 distillate (gallons)-	1.80%	1.40E-04
7	[ASTM D 396(Vol 05.01)]		
8			
9	No. 5 and No. 6 residual (gallons)-	1.80%	1.46E-04
10	[ASTM D 396(Vol 05.01)]		
11			
12	liquefied petroleum gas (LPG)	n/a	1.05E-05
13	(gallons)-[ASTM D 1835(Vol 05.01		
14	and 05.05)]		
15			
16	dry or commercial pipeline natural gas	n/a	1.40E-07
17	(cubic feet)-this must be a mixture of		
18	ethane, methane, not more than five		
19	percent propane and not more than		
20	one percent butane		

21 **Calculation 2. Reciprocating Internal Combustion Engine**

22 **Emission Units.** A stationary source with one or more
 23 reciprocating internal combustion (RIC) engines shall, for each
 24 RIC engine, use either calculation 2A or 2B. Stationary sources
 25 with RIC engine emission units burning fuels not listed in Table
 26 2, however, must use calculation 2B.

27 **Calculation 2A. RIC Engine Fuel Usage Calculation.** For
 28 stationary sources with one or more RIC engines, multiply the
 29 12-month rolling sum of each fuel used by the multiplication
 30 factor (MF) from Table 2. Add the results of each calculation
 31 to determine the total for that RIC engine. The following
 32 formula determines the calculation 2A total:

33 **STEP 1:** fuel type used (in specified units) x MF = fuel
 34 type total

35 **STEP 2:** fuel type 1 total + fuel type 2 total + ... fuel
 36 type n total = Calculation 2A total

37 TABLE 2

38

FUEL USED (units burned/year)-[specification]	SULFUR LIMIT	MULTIPLI- CATION FACTOR (MF)
No. 1 and No. 2 diesel, and kerosene (gallons)-[ASTM 975(Vol 05.01)]	0.5%	3.09E-04
liquefied petroleum gas (LPG) (gallons)-[ASTM D 1835(Vol 05.01 and 05.05)]	n/a	6.95E-05
dry or commercial pipeline natural gas (cubic feet)-[as defined in Table 1]	n/a	1.70E-06

Calculation 2B. RIC Engine Operating Hours Calculation.

For stationary sources with one or more RIC engines, multiply the design capacity of the engine in horsepower by the 12-month rolling sum of hours operated and by the multiplication factor 1.22E-05. The owner or operator shall perform this calculation for each RIC engine, then add the results of all the calculations to arrive at the calculation 2B total. The following formula determines the calculation 2B total:

STEP 1: engine horsepower design capacity x hours operated
x 1.22E-05 = RIC engine total

STEP 2: RIC engine 1 total + RIC engine 2 total + ... RIC
engine n total = Calculation 2B total

Calculation 3. VOC Emissions Units. An owner or operator of a stationary source which purchases or uses VOC-containing materials shall, for each material purchased or used which contains VOC, multiply a factor of ten by the weight factor (WF) of the VOC in the material (weight of VOC per weight of VOC-containing material) by the density of the material (in pounds per gallon) by the 12-month rolling sum of gallons of that material purchased or used. The owner or operator shall perform this calculation for each material purchased or used

1 which contains VOC (including VOC purchased or used for
2 cleaning) and add the results of the calculations to arrive at
3 the calculation 3 total. In determining the WF and the density,
4 the owner or operator shall use the maximum listed in the
5 material safety data sheets (MSDS) or a signed statement from
6 the supplier for each VOC-containing material. The following
7 formula determines the calculation 3 total:

8 STEP 1: $10 [WF \times \text{density of the material (lb/gal)} \times (1$
9 $\text{ton}/2,000 \text{ lb}) \times \text{the 12-month rolling sum of material purchased}$
10 $\text{or used (gallons)}] = \text{material total}$

11 STEP 2: $\text{material 1} + \text{material 2} + \dots \text{material } n \text{ total} =$
12 $\text{Calculation 3 total}$

13 7007.1130 REGISTRATION PERMIT OPTION D.

14 Subpart 1. **Eligibility.** The owner or operator of a
15 stationary source may apply for a registration permit under this
16 part if the stationary source meets the following criteria:

17 A. all emissions units at the stationary source are
18 either included in calculations in subpart 4, or are
19 insignificant activities under part 7007.1300, subparts 2 and 3;

20 B. the 12-month rolling sum of actual emissions at
21 the stationary source for each pollutant are less than or equal
22 to the thresholds in subpart 5; and

23 C. the owner or operator does not anticipate making
24 changes in the next year which will cause the stationary
25 source's 12-month rolling sum of actual emissions to exceed any
26 threshold in tons per year listed in subpart 5.

27 Subp. 2. **Application content.** An application for a

1 registration permit under this part must contain all of the
2 following requirements:

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

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

- 17 (1) the average monthly actual emissions; or
18 (2) the estimated average monthly actual
19 emissions during normal operation;

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

21 Subp. 3. Compliance requirements for Option D sources.

22 Unless a stationary source is eligible under subpart 3a, the
23 owner or operator of a stationary source issued a permit under
24 this part shall comply with all of the requirements in items A
25 to J.

26 A. If the stationary source determined eligibility in
27 the permit application, in whole or in part, by calculating VOC

1 and hazardous air pollutant actual emissions from VOC-containing
2 or hazardous air pollutant-containing materials, purchased or
3 used (whichever was stated in the permit application), the owner
4 or operator must:

5 (1) record by the last day of each month, the
6 amount of each VOC-containing or hazardous air
7 pollutant-containing material purchased or used (whichever was
8 stated in the permit application), and the VOC and hazardous air
9 pollutant content for the previous calendar month;

10 (2) maintain a record of the material safety data
11 sheet (MSDS), or a signed statement from the supplier stating
12 the maximum VOC or hazardous air pollutant content, for each
13 VOC-containing or hazardous air pollutant-containing material
14 purchased or used (whichever was stated in the permit
15 application); and

16 (3) recalculate and record by the last day of
17 each month the 12-month rolling sum of actual VOC and hazardous
18 air pollutant emissions from VOC-containing and hazardous air
19 pollutant-containing materials purchased or used (whichever was
20 stated in the permit application) for the previous 12 months,
21 the date the calculation was made, and the calculation itself.

22 A stationary source in which the only hazardous air
23 pollutant (HAP) emissions are VOC emissions and that has actual
24 VOC emissions less than five tons per year is not required to
25 maintain records and perform the calculations of HAPs emissions
26 under subitems (1) to (3).

27 B. If the stationary source determined eligibility in

1 the permit application, in whole or in part, by using fuel
2 burned in the calculations in subpart 4, the owner or operator
3 must:

4 (1) record by the last day of each month the
5 amount of each fuel purchased or used (whichever was stated in
6 the permit application) for the previous month; and

7 (2) recalculate and record by the last day of
8 each month the 12-month rolling sum of emissions for the
9 previous 12 months, the date the calculation was made, and the
10 calculation itself.

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

14 (1) record by the last day of each month the
15 hours operated for each emissions unit, rounded to the nearest
16 hour for the previous month; and

17 (2) recalculate and record by the last day of
18 each month the 12-month rolling sum of emissions for the
19 previous 12 months, the date the calculation was made, and the
20 calculations itself.

21 D. If the stationary source determined eligibility in
22 the permit application, in whole or in part, by calculating
23 actual emissions under subpart 4 based on the quantity of
24 material handled or throughput, or product produced, the owner
25 or operator must:

26 (1) record by the last day of each month for each
27 material handled or throughput and for each product produced,

1 the amount of the material handled or throughput and the amount
2 of product produced for the previous month; and

3 (2) recalculate and record by the last day of
4 each month for each material handled or throughput and for each
5 product produced, the 12-month rolling sum of emissions for the
6 previous 12 months, the date the calculation was made, and the
7 calculation itself.

8 E. The owner or operator must recalculate and record
9 by the last day of each month, pursuant to subpart 4, the
10 12-month rolling sum of actual emissions from the stationary
11 source for the previous 12 months, the date the calculation was
12 made, and the calculation itself. This calculation must include
13 all emissions units at the stationary source, except for
14 insignificant activities under part 7007.1300, subparts 2 and 3,
15 and the information required by subpart 4, item B, subitem (3),
16 if continuous emissions monitor (CEM) data is used in the
17 calculation.

18 [For text of items F to J, see M.R.]

19 Subp. 3a. Compliance requirements for low-emitting Option
20 D sources. If the actual emissions for the previous calendar
21 year of each pollutant are less than the emission eligibility
22 limits for each pollutant listed in Table 3A, then the owner or
23 operator shall comply with all of the requirements in items A to
24 F.

25 A. If the stationary source determined eligibility in
26 the permit application, in whole or in part, by calculating VOC
27 and HAP actual emissions from VOC-containing or HAP-containing

1 materials, purchased or used (whichever was stated in the permit
2 application), the owner or operator must:

3 (1) maintain records of the amount of each
4 VOC-containing or HAP-containing material purchased or used
5 (whichever was stated in the permit application), and the VOC
6 content each calendar year;

7 (2) maintain a record of the material safety data
8 sheet (MSDS), or a signed statement from the supplier stating
9 the maximum VOC or HAP content, for each VOC-containing or
10 HAP-containing material purchased or used (whichever was stated
11 in the permit application); and

12 (3) calculate and record by April 1 of each
13 calendar year the sum of actual VOC emissions and hazardous air
14 emissions from VOC-containing and HAP-containing materials
15 purchased or used (whichever was stated in the permit
16 application), and the calculation itself for the previous
17 calendar year.

18 A stationary source in which the only HAP emissions are VOC
19 emissions and that has actual VOC emissions less than five tons
20 per year is not required to maintain records and perform the
21 calculations of HAP emissions under subitems (1) to (3).

22 B. If the stationary source determined eligibility in
23 the permit application, in whole or in part, by using fuel
24 burned in the calculations in subpart 4, the owner or operator
25 must:

26 (1) maintain records of the amount of each fuel
27 purchased or used each calendar year (whichever was stated in

1 the permit application); and

2 (2) calculate and record by April 1 of each
3 calendar year the sum of the emissions, and the calculation
4 itself for the previous calendar year.

5 C. If the stationary source determined eligibility in
6 the permit application, in whole or in part, by using hours of
7 operation in the calculations in subpart 4, the owner or
8 operator must:

9 (1) maintain records of the hours operated for
10 each emissions unit for each calendar year, rounded to the
11 nearest hour; and

12 (2) calculate and record by April 1 each calendar
13 year the sum of the emissions, and the calculations itself for
14 the previous calendar year.

15 D. If the stationary source determined eligibility in
16 the permit application, in whole or in part, by calculating
17 actual emissions under subpart 4 based on the quantity of
18 material handled or throughput, or product produced, the owner
19 or operator must:

20 (1) maintain records each calendar year of the
21 amount of each material handled or throughput and for each
22 product produced, the amount of the material handled or
23 throughput, and the amount of product produced; and

24 (2) calculate and record by April 1 of each
25 calendar year for each material handled or throughput and for
26 each product produced, the sum of the emissions and the
27 calculation itself for the previous calendar year.

1 E. By April 1 of each calendar year, the owner or
 2 operator must calculate and record, pursuant to subpart 4, the
 3 sum of actual emissions from the stationary source, and the
 4 calculation itself for the previous calendar year. This
 5 calculation must include all emissions units at the stationary
 6 source, except for insignificant activities under part
 7 7007.1300, subparts 2 and 3, and the information required by
 8 subpart 4, item B, subitem (3), if continuous emissions monitor
 9 (CEM) data is used in the calculation. The sum of actual
 10 emissions for each pollutant from the stationary source must not
 11 exceed the emission eligibility limits in Table 3A for any
 12 pollutant. If the emission eligibility limit in Table 3A is
 13 exceeded for any pollutant, then the stationary source is no
 14 longer eligible under this subpart and must comply with subpart
 15 3 and have actual emissions for each pollutant below the
 16 eligibility limits in Table 3A for two consecutive calendar
 17 years before eligibility for this subpart is reinstated.

18 F. The owner or operator must comply with subpart 3,
 19 items F and H to J.

20 TABLE 3A
 21 OPTION D EMISSION ELIGIBILITY LIMITS FOR
 22 REDUCED RECORDKEEPING

23	POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORDKEEPING
24		
25	HAP	2.5 tons/year for a single HAP
26		6.25 tons/year total for all HAPs
27	PM	25 tons/year
28	PM-10	25 tons/year for an Attainment Area
29		0 tons/year for a Nonattainment Area
30	VOC	25 tons/year
31	SO ₂	25 tons/year
32	NO _x	25 tons/year
33	CO	25 tons/year
34	Pb	0.05 tons/year

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

3 Subp. 5. **Emissions thresholds.** The owner or operator must
4 calculate actual emissions for the stationary source using the
5 calculations under subpart 4 and the calculated 12-month rolling
6 sum of actual emissions must be less than or equal to the
7 thresholds listed in Table 3.

8 TABLE 3

9 OPTION D EMISSIONS THRESHOLDS

10	11 POLLUTANT	12 THRESHOLD (ton/year)
13	HAP	5 tons/year for a single HAP
14		12.5 tons/year total for all HAPs
15	PM	50 tons/year
16	PM-10	50 tons/year for an Attainment Area
17		25 tons/year for a Nonattainment Area
18	VOC	50 tons/year
19	SO ₂	50 tons/year
20	NO _x	50 tons/year
21	CO	50 tons/year
22	Pb	0.5 tons/year

23
24 [For text of subp 6, see M.R.]

25 7007.1150 WHEN A PERMIT AMENDMENT IS REQUIRED.

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

27 B. No modification, as defined in part 7007.0100,
28 subpart 14, may be made to a stationary source that is required
29 to have a permit under parts 7007.0100 to 7007.1850 unless the
30 modification is allowed under part 7007.1250 or 7007.1350, or an
31 amendment is obtained under part 7007.1450 or 7007.1500.
32 Administrative changes to a permit issued under parts 7007.0100
33 to 7007.1850 shall be made under part 7007.1400. If a change at
34 a facility does not constitute a modification, no permit

1 amendment is required unless the change is described under part
2 7007.1500, subpart 1. If a change does not constitute a
3 modification, notification may still be required under item C.

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

5 7007.1200 CALCULATING EMISSION CHANGES FOR PERMIT AMENDMENTS.

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

7 Subp. 2. Calculation methods to determine if the proposed
8 change is a title I modification. To determine if a
9 modification is a title I modification, the applicable federal
10 calculation method must be used. To determine the applicable
11 methods to calculate emission changes for a title I
12 modification, the permittee must refer to the federal
13 regulations listed in part 7007.0100, subpart 26. Parts
14 7011.0060 to 7011.0080 may be used in this calculation if the
15 stationary source is in compliance with parts 7011.0060 to
16 7011.0080. A change that would not be considered to increase
17 emissions using the calculation method in subpart 3 may
18 nonetheless be considered a title I modification, particularly
19 under the calculation method required by part C (prevention of
20 significant deterioration of air quality), part D (plan
21 requirements in nonattainment areas), and section 112(g)(2)(B)
22 (construction or reconstruction of a major source of hazardous
23 air pollutants) of the act.

24 Subp. 3. Calculation method for modifications that are not
25 title I modifications. Emissions changes for a modification
26 must be calculated by comparing the hourly emission rate of the
27 stationary source, at maximum physical capacity, before and

1 after the proposed physical or operational change. The emission
2 rate shall be expressed as pounds per hour of any regulated air
3 pollutant. Items A to C shall be used to determine emission
4 changes for modifications that are not title I modifications.

5 A. When calculating emissions before and after the
6 physical and operational change, physical and operational
7 limitations and emission decreases will be considered only if
8 they:

9 (1) are or will be automatically required by an
10 applicable requirement including parts 7011.0060 to 7011.0080;

11 (2) are or will be automatically required by an
12 existing permit;

13 (3) are integral to the process;

14 (4) are proposed as a permit term and condition
15 in the application for a minor, moderate, or major modification
16 under part 7007.1450 or 7007.1500; or

17 (5) are calculated in records kept at the
18 stationary source where reductions rendered the modification
19 insignificant under part 7007.1250.

20 B. In cases where use of emission factors or related
21 calculation methods clearly demonstrates whether or not the
22 change will increase the emission level, the emission factors as
23 defined in part 7005.0100, subpart 10a, shall be used.

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

25 7007.1250 INSIGNIFICANT MODIFICATIONS.

26 Subpart 1. When an insignificant modification can be
27 made. The permittee may make a modification described in either

1 modification, unless the specifications for the control
2 equipment are from a control equipment manufacturer, as defined
3 in part 7011.0060, subpart 3. Modifications which would
4 otherwise be insignificant under this part may be title I
5 modifications, for which a major amendment is required, using
6 the methods of calculation required under title I of the act.
7 Permittees are reminded to review the definition of title I
8 modifications and the requirements of title I of the act.

9 **Subp. 2. Insignificant modification exclusions.** A
10 modification may not be made under this part if the modification:

11 A. is a title I modification;

12 B. would result in the violation of a permit
13 emissions limit or any other permit term;

14 C. is required to be authorized by a permit amendment
15 under title IV of the act or Code of Federal Regulations, title
16 40, part 72, as amended;

17 D. is part of a single project, as described in
18 subpart 5, which taken as a whole, would not be authorized under
19 this part; or

20 E. is described under part 7007.1500, subpart 1
21 (Major permit amendment required).

22 **Subp. 3. Recordkeeping requirements.** Except as described
23 in subpart 4, modifications authorized under this part may be
24 made without providing notice to the agency. However, the
25 permittee shall keep a contemporaneous record of the
26 modification for all changes authorized under subpart 1, items A
27 and B, except for those activities described in part 7007.1300,

1 subpart 2. For changes authorized under subpart 1, item B, and
2 part 7007.1300, subpart 3, item I, the permittee shall also keep
3 calculations of the emissions increase as required by part
4 7007.1200, and a statement of the purpose for making the
5 modification.

6 **Subp. 4. Agency notification required.** If a modification
7 authorized under subpart 1, item B, together with other
8 modifications made under subpart 1, item B, during the course of
9 the permit term (or within a five-year period for a nonexpiring
10 permit), have resulted in total increases of a pollutant in
11 excess of four times the amount listed in subpart 1, item B,
12 subitem (2), for that pollutant, the permittee shall notify the
13 agency by seven working days after beginning actual construction
14 of the last modification. The notice shall provide the
15 information required to be kept in subpart 3 for each
16 modification made under subpart 1, items A and B, except for
17 those activities described in part 7007.1300, subpart 2, during
18 the period in question. The notice shall also include a
19 certification by a responsible official, consistent with part
20 7007.0500, subpart 3, that the modifications listed were not
21 part of a single project, as described in subpart 5, which taken
22 as a whole, would not be authorized under subpart 1, item B.
23 After any such notice has been sent, the permittee shall
24 continue to keep track of modifications made under subpart 1,
25 item B, and the permittee shall notify the agency again if
26 emissions increases from these additional modifications total
27 more than four times the amount listed in subpart 1, item B,

1 subitem (2).

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

3 7007.1300 INSIGNIFICANT ACTIVITIES LIST.

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

5 Subp. 4. Insignificant activities required to be listed in
6 a part 70 application. If a facility is applying for a part 70
7 permit, emissions units with emissions less than all the
8 following limits but not included in subpart 2 must be listed in
9 a part 70 permit application:

10 A. potential emissions of 5.7 pounds per hour or
11 actual emissions of two tons per year of carbon monoxide;

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

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

14 7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.

15 Subpart 1. Minor and moderate amendment exclusions. The
16 agency may amend a permit using the minor and moderate permit
17 amendment processes described in this part if the amendments are
18 described in subparts 2 and 3, and if the amendments are not
19 described in part 7007.1500, subpart 1 (Major permit amendment
20 required).

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

22 Subp. 7. When permittee may make the proposed modification.

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

24 B. The permittee may begin actual construction on a
25 modification proposed in a moderate permit amendment application
26 upon receipt of a letter of approval from the agency authorizing

1 such construction. However, the permittee may not conduct
2 start-up of the modification until the amended permit has been
3 issued.

4 Subp. 8. Permittee's risk in commencing construction. If
5 the stationary source makes the modification allowed by subpart
6 7, item A, or begins actual construction upon receipt of a
7 letter of approval as allowed by subpart 7, item B, and until
8 the agency acts on the minor or moderate permit amendment
9 application, the stationary source must comply with both the
10 applicable requirements governing the modification and the
11 proposed permit terms and conditions. During this time period,
12 the stationary source need not comply with the existing permit
13 terms and conditions it seeks to modify. However, if the
14 stationary source fails to comply with its proposed permit terms
15 and conditions during this time period, the existing permit
16 terms and conditions it seeks to modify may be enforced against
17 it. The permittee assumes the risk of losing any investment it
18 makes toward implementing a modification prior to receiving a
19 permit amendment authorizing the modification. The agency will
20 not consider the possibility of the permittee suffering
21 financial loss due to such investment when deciding whether to
22 approve, deny, or approve in modified form a minor or moderate
23 permit amendment.

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

25 7007.1500 MAJOR PERMIT AMENDMENTS.

26 Subpart 1. Major permit amendment required. A "major
27 permit amendment" is required for any change to permit

1 conditions or any modification at a permitted stationary source
2 that is not allowed under parts 7007.1250 and 7007.1350 and for
3 which an amendment cannot be obtained under the administrative
4 permit amendment provisions of part 7007.1400, or the minor or
5 moderate permit amendment provisions of part 7007.1450. The
6 following always require major permit amendments:

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

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

9 7007.4020 CONDITIONS FOR PERMIT.

10 Subpart 1. In general. Unless the requirements of Code of
11 Federal Regulations, title 40, chapter I, part 51, appendix S,
12 (1991), as incorporated in subpart 2a, are first satisfied, no
13 person shall commence construction, as defined in appendix S,
14 part (II), section (A), of a major stationary source or major
15 modification in:

16 A. a nonattainment area; or

17 B. in an attainment area or unclassifiable area if
18 that major stationary source or major modification would cause
19 or contribute to a violation of a national ambient air quality
20 standard in a nonattainment area as determined by the
21 significance levels established in Code of Federal Regulations,
22 title 40, chapter I, part 51, appendix S, part III, (1991).

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

24 7009.0050 INTERPRETATION AND MEASUREMENT METHODOLOGY, EXCEPT FOR
25 HYDROGEN SULFIDE.

26 For all ambient air quality standards except hydrogen

1 sulfide, interpretation of the standards and measurements made
2 to determine compliance with the standards shall be performed as
3 set forth in:

4 A. Code of Federal Regulations, title 40, part 50,
5 National Primary and Secondary Ambient Air Quality Standards, as
6 amended; or

7 B. Code of Federal Regulations, title 40, part
8 53-Ambient Air Monitoring Reference and Equivalent Methods, as
9 amended; and

10 C. Code of Federal Regulations, title 40, part 58,
11 Ambient Air Quality Surveillance, as amended.

12 7009.0080 STATE AMBIENT AIR QUALITY STANDARDS.

13 The following table contains the state ambient air quality
14 standards.

15 Pollutant/ 16 Air 17 Contaminant	18 Primary 19 Standard	20 Secondary 21 Standard	22 Remarks
23 Hydrogen 24 Sulfide	25 0.05 ppm by 26 volume (70.0 27 micrograms per 28 cubic meter)		29 1/2 hour average not 30 to be exceeded over 31 2 times per year
	32 0.03 ppm by 33 volume (42.0 34 micrograms per 35 cubic meter)		36 1/2 hour average not 37 to be exceeded over 38 2 times in any 5 39 consecutive days
40 Ozone	41 0.08 ppm 42 by volume 43 (235 44 micrograms 45 per cubic 46 meter)	47 same as 48 primary 49 standard	50 daily maximum 51 8 hour 52 average; the 53 standard is 54 attained when 55 the average 56 of the annual 57 fourth-highest 58 daily maximum 59 8-hour average 60 ozone concentration

1			is less than or
2			equal to the
3			standard
4			
5	Carbon	9 ppm by	same as
6	Monoxide	volume (10	primary
7		milligrams	standard
8		per cubic	maximum 8 hour
9		meter)	concentration not
10			to be exceeded more
11		30 ppm by	than once per year
12		volume (35	
13		milligrams	same as
14		per cubic	primary
15		meter)	standard
16			maximum 1 hour
17	Sulfur	80	concentration not
18	Dioxide	micrograms	to be exceeded more
19		per cubic	than once per year
20		meter (0.03	
21		ppm by	60
22		volume)	micrograms
23			per cubic
24		365	meter (0.02
25		micrograms	ppm by
26		per cubic	volume)
27		meter (0.14	same as
28		ppm by	primary
29		volume)	standard
30			maximum 24 hour
31			concentration not
32		915	to be exceeded more
33		micrograms	than once per year
34		per cubic	in Air Quality
35		meter (0.35	Control Regions
36		ppm by	127, 129, 130, and
37		volume)	132
38			
39			
40		1300	maximum 3 hour
41		micrograms	concentration not to
42		per cubic	be exceeded more than
43		meter (0.5	once per year
44		ppm by	in Air Quality Control
45		volume)	Regions 128, 131, and
46			133
47			
48		1300	maximum 3 hour
49		micrograms	concentration not to
50		per cubic	be exceeded more than
51		meter (0.5	once per year
52		ppm by	
53		volume)	
54			

1		1300		maximum 1 hour
2		micrograms		concentration not to
3		per cubic		be exceeded more than
4		meter (0.5		once per year
5		ppm by		
6		volume)		
7				
8	Particulate	75	60	maximum annual
9	Matter	micrograms	micrograms	geometric mean
10		per cubic	per cubic	
11		meter	meter	
12				
13		260	150	maximum 24 hour
14		micrograms	micrograms	concentration not
15		per cubic	per cubic	to be exceeded more
16		meter	meter	than once per year
17				
18	Nitrogen	0.05 ppm	same as	maximum annual
19	Dioxide	by volume	primary	arithmetic mean
20		(100	standard	
21		micrograms		
22		per cubic		
23		meter)		
24				
25	Lead	1.5	same as	maximum arithmetic
26		micrograms	primary	mean averaged over
27		per cubic	standard	a calendar quarter
28		meter		
29				
30	PM-10	150	same as	maximum 24-hour
31		micrograms	primary	average concentration;
32		per cubic	standard	the standard is
33		meter		attained when the
34				expected number of
35				days per calendar
36				year exceeding the
37				value of the standard
38				is equal to or less
39				than one
40				
41		50	same as	annual arithmetic
42		micrograms	primary	mean; the standard
43		per cubic	standard	is attained when
44		meter		the expected annual
45				arithmetic mean
46				concentration is less
47				than or equal to the
48				value of the standard
49				
50	PM-2.5	65	same as	24-hour average
51		micrograms	primary	concentration; the
52		per cubic	standard	standard is
53		meter		attained when the
54				98th percentile

1			24-hour
2			concentration is
3			less than or equal
4			to the standard
5			
6	15.0	same as	annual
7	micrograms	primary	arithmetic mean;
8	per cubic	standard	the standard is
9	meter		attained when the
10			annual arithmetic
11			mean concentration
12			is less than or
13			equal to the
14			standard
15			

16 7011.0010 APPLICABILITY OF STANDARDS OF PERFORMANCE.

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

18 Subp. 2. **New facility.** An owner or operator who
19 constructs, modifies, or reconstructs an emission facility shall
20 comply with the New Source Performance Standards, if applicable,
21 and the standards of performance for a new emission facility set
22 forth in the state air pollution control rules. However, if the
23 administrator has determined a state standard of performance to
24 be of equal or superior environmental protection compared to the
25 New Source Performance Standards, then the owner or operator
26 need only comply with the state standard of performance.

27 "Administrator" has the meaning given in part 7007.0100, subpart
28 3.

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

30 CONTROL EQUIPMENT

31 7011.0060 DEFINITIONS.

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

33 Subp. 2. **Capture efficiency.** "Capture efficiency" means
34 the percentage of emissions produced by a process that are

1 captured by an enclosure and/or ductwork and transported to air
2 pollution control equipment.

3 **Subp. 3. Collection efficiency.** "Collection efficiency"
4 means the percentage of emissions entering the air pollution
5 control equipment that are collected by the air pollution
6 control equipment and thus removed from the exhaust stream.
7 "Collection" pertains to pollutants that are collected but
8 molecular composition may or may not be changed.

9 **Subp. 3a. Control efficiency.** "Control efficiency" has
10 the meaning given to control equipment efficiency in subpart 3b.

11 **Subp. 3b. Control equipment efficiency.** "Control
12 equipment efficiency" means the percentage of emissions produced
13 by a process that are not emitted to the atmosphere. Control
14 equipment efficiency is equal to the product of the capture
15 efficiency and collection efficiency or the product of capture
16 efficiency and destruction efficiency.

17 **Subp. 3c. Control equipment manufacturer.** "Control
18 equipment manufacturer" means a person that manufactures and
19 sells control equipment, if at least 50 percent of the dollar
20 value of the annual control equipment sales are made to persons
21 who are not a subsidiary, division, or subdivision of the
22 control equipment manufacturer.

23 **Subp. 3d. Destruction efficiency.** "Destruction efficiency"
24 means the percentage of emissions entering the air pollution
25 control equipment that are destroyed by the air pollution
26 control equipment and thus removed from the exhaust stream.
27 "Destruction" pertains to pollutants that are destroyed whereby

1 molecular composition is changed.

2 Subp. 3e. Hood. "Hood" means a shaped inlet to a
3 pollution control system that does not totally surround
4 emissions from an emissions unit, that is designed to capture
5 and discharge the air emissions through ductwork to control
6 equipment, and that conforms to the design and operating
7 practices recommended in "Industrial Ventilation - A Manual of
8 Recommended Practice, American Conference of Governmental
9 Industrial Hygienists." This document is subject to frequent
10 change. A spray booth can be a hood if it meets the definition
11 in this subpart.

12 Subp. 4. Listed control equipment. "Listed control
13 equipment" means the control equipment at a stationary source
14 listed in part 7011.0070, subpart 1, Table A.

15 Subp. 4a. Testing company. "Testing company" means a
16 corporation, partnership, limited liability company, or sole
17 proprietorship that conducts evaluations of hood design
18 parameters as a normal part of its business activities and that
19 is not the owner or operator of the emission facility or a
20 subsidiary, division, or subdivision of the owner or operator of
21 the emission facility.

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

23 7011.0065 APPLICABILITY.

24 Subpart 1. Applicability. The owner or operator of a
25 stationary source shall comply with parts 7011.0060 to 7011.0080
26 if the owner or operator used the control equipment efficiencies
27 for listed control equipment established pursuant to part

1 7011.0070 to calculate potential to emit, from emissions units
2 that discharge through the listed control equipment, to:

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

5 B. determine what type of amendment to a part 70 or
6 state permit is required, pursuant to part 7007.1200;

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

9 D. qualify for registration permit option D under
10 part 7007.1130.

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

12 7011.0070 LISTED CONTROL EQUIPMENT AND CONTROL EQUIPMENT
13 EFFICIENCIES.

14 Subpart 1. Listed control equipment efficiencies. Unless
15 a part 70, state, or general permit specifies a different
16 control efficiency, the owner or operator of a stationary source
17 must at all times attain at least the control efficiency listed
18 in Table A for each piece of listed control equipment at the
19 stationary source. The applicable control efficiency for a type
20 of listed control equipment and a given pollutant is determined
21 by whether air emissions are discharged to the control equipment
22 through a hood or through a total enclosure. The control
23 equipment efficiencies in Table A do not apply to any hazardous
24 air pollutant. The owner or operator of a stationary source
25 that is subject to the control efficiencies given for hoods in
26 Table A must have a testing company evaluate, on a form provided
27 by the commissioner, whether the hood conforms to the design and

1 operating practices recommended in "Industrial Ventilation - A
 2 Manual of Recommended Practice, American Conference of
 3 Governmental Industrial Hygienists," and must include with the
 4 permit application the certification required in subpart 3, if
 5 the hood exists at the time of application. If the hood does
 6 not exist at the time of application, then the certification
 7 required in subpart 3 shall be sent to the agency within 30 days
 8 after start-up. The form used to evaluate whether the hood
 9 conforms to the design and operating practices shall contain the
 10 elements listed in subpart 4. If the hood design does not
 11 conform to the recommendations of the manual, the owner or
 12 operator shall submit a plan within 60 days of start-up
 13 describing either change of the hood design so that it does
 14 conform or how the hood capture efficiency shall be determined.
 15 Nothing in this part shall be construed to allow the owner or
 16 operator of an emission facility to violate an applicable
 17 requirement or compliance document. Hoods evaluated prior to
 18 the effective date of this part using a form whose contents
 19 differ from that in subpart 4 are not required to reevaluate
 20 their hoods, unless requested by the commissioner to demonstrate
 21 continued conformity with the design and operating practices
 22 described in the manual. A copy of the hood evaluation form
 23 shall be kept on site.

24 CONTROL EQUIPMENT EFFICIENCY-TABLE A

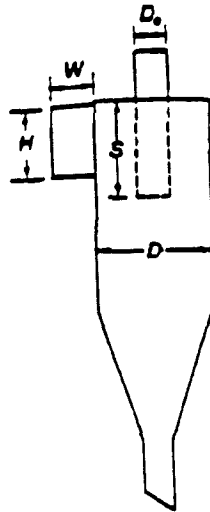
25 ID#	CONTROL EQUIPMENT DESCRIPTION	POLLUTANT	CONTROL EFFICIENCY
26			
27			
28			TOTAL HOOD
29			ENCLO-
30			SURE

1				
2		PM CONTROL CATEGORY-CYCLONES		
3		means a device where airflow		
4		is forced to spin in a vortex		
5		through a tube		
6				
7	007	Centrifugal Collector	PM,PM-10	80% 64%
8		(cyclone)-high efficiency		
9		means: a cyclonic device		
10		with parameters stated in		
11		drawing 1 and table 1		
12				
13	008	Centrifugal Collector	PM,PM-10	50% 40%
14		(cyclone)-medium efficiency		
15		means: a cyclonic device		
16		with parameters stated in		
17		drawing 1 and table 1		
18				
19	009	Centrifugal Collector	PM,PM-10	10% 8%
20		(cyclone)-low efficiency		
21		means: a cyclonic device		
22		with parameters stated in		
23		drawing 1 and table 1		
24				
25	076	Multiple Cyclone without	PM,PM-10	80% NA
26		Fly Ash Reinjection means:		
27		a cyclonic device with more		
28		than one tube where fly ash		
29		is not reinjected		
30				
31	077	Multiple Cyclone with Fly	PM,PM-10	50% NA
32		Ash Reinjection means: a		
33		cyclonic device with more		
34		than one tube where fly ash		
35		is reinjected		
36				
37	085	Wet Cyclone Separator or	PM,PM-10	50% 40%
38		Cyclonic Scrubbers means:		
39		a cyclonic device that sprays		
40		water into a cyclone		
41				
42	012	PM CONTROL CATEGORY-		
43		ELECTROSTATIC PRECIPITATORS		
44		means: a control device in		
45		which the incoming particulate		
46		matter receives an electrical		
47		charge and is then collected		
48		on a surface with the opposite		
49		electrical charge		
50				
51		-assumed efficiency for boiler	PM-10	40% NA
52		fly ash control		
53				
54		-assumed efficiency for other	PM-10	70% 56%

1		applications			
2					
3		PM CONTROL CATEGORY-OTHER CONTROLS			
4					
5	016,	Fabric Filter means: a	PM,PM-10	99%	79%
6	017,	control device in which the			
7	018	incoming gas stream passes			
8		through a porous fabric filter			
9		forming a dust cake			
10					
11	052	Spray Tower means: a control	PM,PM-10	20%	16%
12		device in which the incoming gas			
13		stream passes through a chamber			
14		in which it contacts a liquid			
15		spray			
16					
17	053	Venturi Scrubber means: a	PM,PM-10	90%	72%
18		control device in which the			
19		incoming gas stream passes through			
20		a venturi into which a low			
21		pressure liquid is introduced			
22					
23	055	Impingement Plate Scrubber	PM,PM-10	25%	20%
24		means: a control device in			
25		which the incoming gas stream			
26		passes a liquid spray and is			
27		then directed at high velocity			
28		into a plate			
29					
30	058A	HEPA and Wall	PM,PM-10	92%	74%
31	058B	Filter means: a			
32		control device in which the			
33		exiting gas stream passes			
34		through a panel of coarse fibers.			
35		Other Wall Filters			
36		means removable panels for			
37		cleaning and replacement,			
38		or liquid curtains for			
39		particulate removal that			
40		provide little			
41		resistance to air flow			
42					
43		VOC CONTROL CATEGORY			
44					
45	019	Afterburners (thermal or	VOC	95%	57%
46		catalytic oxidation) means:			
47		a device used to reduce VOCs			
48		to the products of combustion			
49		through thermal (high temperature)			
50		oxidation or catalytic (use of			
51		a catalyst) oxidation in a			
52		combustion chamber			
53					
54	023	Flaring or Direct Combustor	VOC	98%	59%

1 means: a device in which air,
 2 combustible organic waste gases,
 3 and supplementary fuel (if needed)
 4 react in the flame zone (e.g.,
 5 at the flare tip) to destroy the
 6 VOCs

Drawing 1



19 Table 1
 20 Cyclone Type

22 Ratio 23 Dimensions	High 24 Efficiency	Medium 25 Efficiency	Low 26 Efficiency
27 Height of 28 inlet, H/D	≤0.44	>0.44 and <0.8	≥0.8
29 Width of 30 inlet, W/D	≤0.2	>0.2 and <0.375	≥0.375
31 Diameter of 32 gas exit, D _e /D	≤0.4	>0.4 and <0.75	≥0.75
33 Length of 34 vortex 35 finder, S/D	≤0.5	>0.5 and <0.875	≥0.875

37 If one or more of the "ratio dimensions," as listed in table 1,
 38 are in a different efficiency category (high, medium, low), then
 39 the lowest efficiency category shall be applied.
 40

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

2 Subp. 4. Contents of hood evaluation form. The hood
3 evaluation form required in subpart 1 shall include:

4 A. hood dimensions recommended by the manual;

5 B. design capture velocity and justification for use
6 of this velocity and a list of the manual pages relied on;

7 C. minimum recommended air flow into hood;

8 D. recommended hood face velocity or slot velocity,
9 and, if applicable, plenum and duct velocity;

10 E. capture velocity test plan; and

11 F. actual values of design parameters listed in items
12 A to D, as well a fan rotation speed or fan power draw as
13 determined through testing.

14 7011.0075 LISTED CONTROL EQUIPMENT GENERAL REQUIREMENTS.

15 Subpart 1. Operation of control equipment. The owner or
16 operator of a stationary source shall operate all listed control
17 equipment located at the stationary source whenever operating
18 the emission units controlled by the listed control equipment in
19 compliance with parts 7011.0060 to 7011.0080. Unless
20 specifically allowed by a part 70, state, or general permit,
21 each piece of listed control equipment, with the exception of
22 low-temperature fabric filters (ID #018) using visible emissions
23 as the monitoring parameter under part 7011.0080, shall at all
24 times be operated in the range established by the control
25 equipment manufacturer's specifications for each monitoring
26 parameter listed in part 7011.0080, or within the operating
27 parameters set by the commissioner as the result of the most

1 recent performance test conducted to determine control
2 efficiency under parts 7017.2001 to 7017.2060 if those are more
3 restrictive.

4 The owner or operator with fabric filters (ID #016, #017,
5 #018) using pressure drop as the monitoring parameter under part
6 7011.0080 and applying for a registration permit, may request an
7 alternative range to the control equipment manufacturer's
8 specifications, if the proposed range is based on two years of
9 compliant monitoring data supplied with the request. The
10 proposed operating range shall be deemed acceptable unless the
11 owner or operator is notified otherwise in writing within 30
12 days of receipt by the commissioner. The commissioner shall
13 deny a request for an alternative monitoring parameter range if
14 the commissioner finds that:

15 A. an owner or operator has failed to disclose fully
16 all facts relevant to the proposed monitoring parameter range of
17 the control device or the owner or operator has knowingly
18 submitted false or misleading information to the agency;

19 B. operation of the control device in the monitoring
20 parameter range proposed by the owner or operator would result
21 in noncompliance with applicable requirements, endanger human
22 health or the environment, or subject the stationary source to
23 different applicable requirements or requirements under chapter
24 7007; or

25 C. the proposed range is not supported by the data
26 supplied with the request.

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

1 Subp. 5. Deviation of listed control equipment from
2 operating specifications. The owner or operator of a stationary
3 source shall report to the commissioner in accordance with the
4 deadlines in part 7007.0800, subpart 6, item A, subitem (2), any
5 recorded reading outside the specification or range of
6 specification allowed by subpart 1 of any monitored operating
7 parameter required by part 7011.0080, except that owners or
8 operators with a registration permit option D to which parts
9 7011.0060 to 7011.0080 apply shall make this report only if a
10 deviation occurred in the reporting period. Owners or operators
11 of low-temperature fabric control equipment (ID #018) using
12 visible emissions as the monitoring parameter under part
13 7011.0080 shall report any visible emissions observed from the
14 control equipment as a deviation.

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

16 7011.0080 MONITORING AND RECORDKEEPING FOR LISTED CONTROL
17 EQUIPMENT.

18 The owner and operator of a stationary source shall comply
19 with the monitoring and recordkeeping required for listed
20 control equipment by the table in this part. The owner or
21 operator shall maintain the records required by this part for a
22 minimum of five years from the date the record was made. For
23 hoods, the owner shall maintain at the stationary source the
24 evaluation of each hood required in part 7011.0070, as well as a
25 yearly record of the fan rotation speed, fan power draw, or face
26 velocity of each hood, or other comparable air flow indication
27 method.

03/11/99

[REVISOR] CMR/DI AR2994

1	EPA	Pollution Control	Monitoring	Recordkeeping
2	Identifi-	Equipment Type	Parameter(s)	Requirement
3	cation			
4	Number(s)			
5				
6	007, 008,	Centrifugal	Pressure drop	Record pressure
7	009, 076,	collector		drop every 24
8	077	(cyclone)		hours if in
9				operation
10				
11	011A, 011B,	Electrostatic	Number	Record the
12	012A, 012B	precipitator	of fields	minimum number
13			online	of fields
14				online for every
15				24-hour time
16				block, if in
17				operation
18				
19	016, 017	Fabric filter	Pressure drop	Record pressure
20		(bag house), high		drop every 24
21		temperature		hours if in
22		(T>250°F),		operation
23		medium		
24		temperature		
25		(180°F>		
26		T>≤250°F)		
27				
28	018	Fabric filter	Pressure drop	Record pressure
29		(bag house),	or visible	drop every 24
30		low temperature	emissions	hours if in
31		(T>≤180°F)	observation	operation; or
32			from filter	Record whether
33			outlet during	any visible
34			an entire	emissions are
35			cleaning	observed and the
36			cycle; unless	time period of
37			the	observation
38			commissioner	every 24 hours
39			specifies	if in
40			pressure drop	operation; or
41			and/or visible	record both if
42			emissions as	the commissioner
43			the indicator(s)	requires
44			of fabric	monitoring of
45			filter	both parameters
46			performance	
47				
48	052	Spray tower	Liquid flow	Record each
49			rate and	parameter every
50			pressure drop	24 hours if
51				in operation
52				
53	053, 055	Venturi scrubber,	Pressure drop	Record each
54		impingement plate	and liquid	parameter every

1		scrubber	flow rate	24 hours if
2				in operation
3				
4	058A, 058B	HEPA and other	Condition of	Record of
5		wall filters	the filters,	filter(s)
6			including, but	condition every
7			not limited	24 hours if
8			to, alignment,	in operation
9			saturation,	
10			and tears	
11			and holes	
12				
13	085	Wet cyclone	Pressure drop;	Record each
14		separator	and water	parameter every
15			pressure	24 hours if
16				in operation
17				
18	019	Thermal	Combustion	Continuous hard
19		incinerator	temperature or	copy readout of
20			inlet and	temperatures or
21			outlet	manual readings
22			temperatures	every 15 minutes
23				
24	019	Catalytic	Inlet and	Continuous hard
25		incinerator	outlet	copy readout
26			temperatures;	of temperatures
27			and catalyst	or manual
28			bed reactivity	readings every
29			as per	15 minutes; and
30			manufacturer's	results of
31			specifications	catalyst bed
32				reactivity
33				
34	023	Flaring	Temperature	Continuous hard
35			indicating	copy readout
36			presence of	of temperatures
37			a flame	or manual
38				readings
39				every 15
40				minutes

41 7011.0120 OPACITY STANDARD ADJUSTMENT.

42 Subpart 1. Application for permit modification. An owner
 43 or operator of an emission facility may file an application for
 44 a permit modification under chapter 7007 for adjustment of the
 45 opacity standard applicable to an emissions unit. In addition
 46 to the items required under chapter 7007, the application must
 47 contain data that demonstrates that:

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

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

3 7011.0900 DEFINITIONS.

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

5 Subp. 5. **New hot mix asphalt plant.** "New hot mix asphalt
6 plant" means a hot mix asphalt plant that commences
7 construction, modification, or reconstruction, as defined in
8 Code of Federal Regulations, title 40, section 60.2, after June
9 11, 1973, and includes all hot mix asphalt plants subject to the
10 new source performance standards incorporated by reference in
11 part 7011.0909.

12 7011.1005 STANDARDS OF PERFORMANCE FOR DRY BULK AGRICULTURAL
13 COMMODITY FACILITIES.

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

15 Subp. 2. **Federal requirements.** The owner, operator, or
16 other person who conducts activities at a grain terminal
17 elevator or grain storage elevator, of which construction,
18 modification, or reconstruction commenced, as defined in Code of
19 Federal Regulations, title 40, section 60.2, after August 3,
20 1978, shall meet the requirements of Code of Federal
21 Regulations, title 40, part 60, subpart DD, as amended, entitled
22 "Standards of Performance for Grain Elevators," which is adopted
23 and incorporated by reference, except that decisions made by the
24 administrator under Code of Federal Regulations, title 40,
25 section 60.302(d)(3), are not delegated to the commissioner and
26 must be made by the administrator.

1 **Subp. 3. Prohibited discharges.** A commodity facility that
2 is not required to be controlled under subpart 2 must be
3 controlled if the facility meets one of the descriptions listed
4 in part 7011.1015 where the table indicates "control required."
5 For a facility where control is required under this section, no
6 owner, operator, or other person who conducts activities at the
7 facility may allow:

8 A. a discharge of fugitive emissions that exhibit
9 greater than five percent opacity from a truck unloading
10 station, railcar unloading station, railcar loading station, or
11 handling operation;

12 B. a discharge of fugitive emissions that exhibit
13 greater than ten percent opacity from a truck loading station;

14 C. a discharge of fugitive emissions that exhibit
15 greater than 20 percent opacity from a ship or barge loading or
16 unloading station, except that during trimming or topping-off,
17 when normal loading procedures cannot be used, no opacity
18 standard applies;

19 D. a discharge of particulate matter from control
20 equipment that exhibits greater than ten percent opacity; and

21 E. a discharge of particulate matter from control
22 equipment that has a collection efficiency of less than 80
23 percent by weight.

24 **Subp. 4. Capture systems and control equipment.** The owner
25 or operator of a commodity facility not required to control
26 emissions under subpart 2 or 3 is not required to install
27 capture systems and control equipment but shall unload, handle,

1 clean, dry, and load commodities to minimize fugitive emissions
2 to a level consistent with RACT. If a capture system is used,
3 the particulate matter must be conveyed through control
4 equipment that has a collection efficiency of not less than 80
5 percent by weight.

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

7 7011.1500 DEFINITIONS.

8 Subpart 1. **Scope.** As used in parts 7011.1500 to 7011.1515
9 the following words shall have the meanings defined herein.

10 Subp. 1a. **Commenced.** "Commenced" has the meaning given in
11 Code of Federal Regulations, title 40, section 60.2.

12 [For text of subps 2 to 14, see M.R.]

13 7011.3500 DEFINITIONS.

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

15 Subp. 3. **Existing landfill.** "Existing landfill" means a
16 landfill that has accepted waste for disposal at any time since
17 November 8, 1987, or has additional solid waste capacity
18 available for future waste disposal, and for which construction,
19 reconstruction, or modification was commenced, as defined in
20 Code of Federal Regulations, title 40, section 60.2, before May
21 30, 1991.

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

23 Subp. 5. [See repealer.]

24 [For text of subp 6, see M.R.]

25 7011.3505 STANDARDS OF PERFORMANCE FOR EXISTING MUNICIPAL SOLID
26 WASTE LANDFILLS.

1 Each owner or operator of an existing landfill with a design
2 capacity greater than or equal to 2.5 million megagrams, and 2.5
3 million cubic meters, and with an NMOC emission rate of 50
4 megagrams per year or more, shall complete installation of gas
5 collection and control equipment capable of meeting the
6 conditions provided in Code of Federal Regulations, title 40,
7 section 60.752(b)(2)(ii), within 30 months after January 28,
8 1997. The owner or operator of an existing landfill with a
9 design capacity greater than or equal to 2.5 million megagrams,
10 and 2.5 million cubic meters, and an NMOC emission rate less
11 than 50 megagrams per year on January 28, 1997, shall comply
12 with this part within 30 months of the date of the first NMOC
13 emission rate that equals or exceeds 50 megagrams per year.

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

15 7019.1000 NOTIFICATIONS OF DEVIATIONS WHICH ENDANGER HUMAN
16 HEALTH OR THE ENVIRONMENT; SHUTDOWNS AND BREAKDOWNS.

17 Subpart 1. Notification of deviations which endanger human
18 health or the environment. The owner or operator of an emission
19 facility, in the event of any deviation, as defined in part
20 7007.0100, subpart 8a, which could endanger human health or the
21 environment, shall notify, orally or by facsimile, the
22 commissioner or the state duty officer immediately after
23 discovery of the deviation or immediately after when the
24 deviation reasonably should have been discovered by the owner or
25 operator. Within two working days of the discovery, the owner
26 or operator shall submit to the commissioner a written
27 description of the deviation stating:

- 1 A. the cause of the deviation;
- 2 B. the exact dates of the period of the deviation, if
- 3 the deviation has been corrected;
- 4 C. whether or not the deviation has been corrected;
- 5 D. the anticipated time by which the deviation is
- 6 expected to be corrected, if not yet corrected; and
- 7 E. steps taken or planned to reduce, eliminate, and
- 8 prevent reoccurrence of the deviation.

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

10 Subp. 6. Definitions. "Applicable requirement" has the

11 meaning given in part 7007.0100, subpart 7. "Compliance

12 document" has the meaning given in part 7017.2005, subpart 2.

13 "Immediately" means as soon as possible considering plant and

14 personnel safety.

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

16 7025.0210 DEFINITIONS.

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

18 Subp. 12. Owner. "Owner" means a person, organization,

19 corporation, or governmental or political entity, and its

20 employees, to whom a steel structure belongs and who performs

21 paint removal from the structure or who contracts for its

22 removal.

23 [For text of subps 13 to 16, see M.R.]

24 Subp. 16a. Representative of the owner. "Representative

25 of the owner" means any person, organization, corporation,

26 contractor, or other entity and its employees, who performs or

27 exercises control over any portion of a project subject to the

1 provisions of parts 7025.0200 to 7025.0380. This includes, but
 2 is not limited to, project design and specifications,
 3 identification and testing of paint, project notifications, and
 4 project oversight or supervision.

5 [For text of subps 17 to 20, see M.R.]

6 Subp. 20a. **Water body.** "Water body" means any river,
 7 stream, lake, pond, marsh, watercourse, waterway, spring,
 8 reservoir, drainage ditch, and any other body of surface water
 9 that is contained within, flows through, or borders on the state.

10 [For text of subps 21 to 24, see M.R.]

11 7025.0230 IDENTIFICATION OF LEAD IN PAINT.

12 Subpart 1. **Testing required.** An owner, or representative
 13 of the owner, shall test a coating for total lead concentration,
 14 using the methods required by this part, before the owner or
 15 contractor removes the coating from the exterior of a steel
 16 structure, except as provided in subpart 2, items A and C,
 17 unless removal is to be conducted inside a building. The owner
 18 of a steel structure shall retain paint test records for a
 19 minimum of three years.

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

21 Subp. 3. **Calculation of lead concentration.** Where samples
 22 are analyzed from different parts of one structure, the
 23 calculation of lead concentration for the structure is the sum
 24 of the following product for each of the samples:

25	surface area of part represented		Pb concentration of
26	by sample as a percent of total	x	sample (% or mg/cm ²)
27	surface area of structure		

28
 29 such that:

1 $(\text{area}_A \times \text{Pb}_A) + (\text{area}_B \times \text{Pb}_B) + \dots +$

2 $(\text{area}_N \times \text{Pb}_N) = \text{lead concentration (\% or mg/cm}^2\text{)}$

3 where "A," "B," "N" are sample areas; "area" is the surface area
4 of the part of the structure expressed in whole percent of total
5 surface area, so that the sum of all surface areas is equal to
6 100 percent; and "Pb" is the concentration of total lead
7 expressed in percent as a decimal or the weight of lead per
8 surface area expressed in mg/cm^2 divided by 100.

9 7025.0240 NOTIFICATION.

10 Subpart 1. Notice required. The owner, or representative
11 of the owner, of a steel structure or the owner, or
12 representative of the owner, of a painting facility shall
13 provide notice as described in items A and B at least ten
14 working days before the start of removal of lead paint from a
15 total exterior surface area greater than 500 square feet on one
16 steel structure or on more than one steel structure at one
17 location during one calendar year. Stationary painting
18 facilities that have applied for an air quality permit as
19 required by chapter 7007, permits and offsets rules, whose only
20 emissions are due to paint removal and repainting operations,
21 are exempt from notification.

22 A. The owner, or representative of the owner, must
23 give written notice as required in subpart 2 to the adult
24 residents of buildings, and to the owner or administrator of any
25 child care or school buildings, within a distance to a single
26 steel structure of 50 feet or twice the height of the structure,
27 whichever is greater, but not to exceed 500 feet. Notification

1 is required within 200 feet of a bridge portion. For multiple
2 storage structures at one location, this distance is equal to
3 the sum of the heights of individual structures from which lead
4 paint is removed during one year, not to exceed 200 feet. The
5 owner, or representative of the owner, must mail or deliver the
6 notice to the owner or administrator of a child care or school
7 building. The owner, or representative of the owner, must mail,
8 deliver, or put on or under the door of each residence one
9 notice for each single-family building and one notice for each
10 unit of a multiunit building.

11 If the owner, or representative of the owner, postpones the
12 beginning of paint removal more than five working days from the
13 date stated in the written notices required by this subpart, the
14 owner, or representative of the owner, shall redistribute each
15 of the notices with the revised schedule for paint removal
16 within five working days of the original starting date.

17 B. The owner, or representative of the owner, must
18 mail, facsimile, or deliver written notice to the commissioner
19 as required in subpart 3. Any corrections to the information
20 provided in the notice shall be made in writing and received by
21 the commissioner no later than the date the change is
22 initiated. However, a change of the project starting date to an
23 earlier starting date requires advance notification of ten
24 working days.

25 If the owner, or representative of the owner, postpones the
26 beginning of paint removal from the date stated in the original
27 written notice, the commissioner must be renotified before the

1 original starting date of paint removal by a supplemental notice
2 with the revised schedule. The owner, or representative of the
3 owner, shall mail, facsimile, or deliver amended notifications
4 to the commissioner.

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

6 Subp. 3. Contents of notice to commissioner. The notice
7 required in subpart 1, item B, shall include:

8 [For text of items A to F, see M.R.]

9 G. a copy of the notice given to the adult residents
10 and to the owner or administrator in subparts 1 and 2, with a
11 list of addresses, within the distance required by subpart 1,
12 that received notification;

13 H. the paint removal methods and the containment
14 methods the owner or contractor will use to comply with parts
15 7025.0260 to 7025.0300, 7025.0320 to 7025.0350, and 7025.0360 to
16 7025.0370;

17 [For text of items I and J, see M.R.]

18 7025.0310 CLASSIFICATION OF STORAGE STRUCTURES.

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

20 Subp. 2. Class of pollution control. The class of
21 pollution control necessary for lead paint removal from the
22 storage structure is provided by the table in subpart 3. The
23 class of pollution control is determined by the designated use
24 of receptor properties, the distance to receptor properties, and
25 a factor of potential risk for paint removal from the structure,
26 where:

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

1 C. "Risk factor (RF)" is the calculation of potential
2 risk for the steel structure and the values in the table in
3 subpart 3 are the standards of risk factor for the designated
4 properties.

5 Risk factor (RF) is the product of three variables:

6 (1) concentration of total lead in the exterior
7 coatings of the steel structure, expressed in whole percent (%)
8 or the weight of lead per surface area expressed in mg/cm²:

9 (a) for structures less than 15 feet in
10 height, the concentration or weight is divided by one;

11 (b) for structures 15 feet or more, but less
12 than 50 feet in height, the concentration or weight is divided
13 by ten; and

14 (c) for structures 50 feet or more in
15 height, the concentration or weight is divided by 100;

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

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

18 Subp. 3. Table of required class of pollution control.

19		Receptor Property		
20		Residential, Child Care,		
21		Playground, or School		
22		Property (A)		
23				
24				
25	Risk Factor (RF)	< 100	≥ 100	≥ 100
26				
27		and	or	and
28				
29	Distance (ft)	> 300	≤ 300	≤ 300
30				
31		-----		
32	Class	I	II	III
33				
34				
35		Protected Natural Area,		
36		or Public Use Area, or		

1		Commercial Property (B)		
2				
3	Risk Factor (RF)	< 200	≥ 200	≥ 200
4				
5		and	or	and
6				
7	Distance (ft)	> 200	≤ 200	≤ 200
8				
9		<hr/>		
10	Class	I	II	III
11				
12		Industrial or		
13		Agricultural Property (C)		
14				
15				
16	Risk Factor (RF)	< 300	≥ 300	≥ 300
17				
18		and	or	and
19				
20	Distance (ft)	> 100	≤ 100	≤ 100
21				
22		<hr/>		
23	Class	I	II	III
24				

25 7025.0340 CLASS II STORAGE STRUCTURE.

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

27 Subp. 2. **Wet abrasive blasting.** If wet abrasive blasting
 28 is used to remove lead paint, the owner or contractor shall use
 29 the methods required in part 7025.0330, subparts 2 to 6, except
 30 curtains used must be rated by the manufacturer at not less than
 31 85 percent impermeable. The owner or contractor shall use an
 32 amount of water such that dispersal of particulate matter is
 33 suppressed without loss of waste material from the ground cover
 34 by runoff.

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

36 Subp. 4. **Dry abrasive blasting within total enclosure.** If
 37 dry abrasive blasting within a total enclosure is used to remove
 38 lead paint, the owner or contractor shall use the methods
 39 required in part 7025.0330, subparts 2 to 6, except that the

03/11/99

[REVISOR] CMR/DI AR2994

1 owner or contractor shall totally enclose the structure with
2 impermeable materials during lead paint removal from all parts
3 of the steel structure, including the top surfaces.

4 **REPEALER.** Minnesota Rules, parts 7005.0100, subpart 4a;
5 7007.0100, subpart 28; 7011.0800; 7011.0805; 7011.0815;
6 7011.0820; 7011.0825; and 7011.3500, subpart 5, are repealed.