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ADMINISTRATIVE
HEARINGS

1 **Pollution Control Agency**
2 **Adopted Permanent Rules Relating to Stationary Sources**

3 **7005.0100 DEFINITIONS.**

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

5 Subp. 2a. **Aggregate.** "Aggregate" means any combination of sand, gravel, and
6 crushed stone or other material serving a similar purpose in its natural or processed
7 state.

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

9 Subp. 4c. **Cementitious material.** "Cementitious material" means a powdered
10 substance which consists of any combination of the following:

11 A. material manufactured from calcined carbonate rock, also known as burned
12 lime, and clay;

13 B. fly ash generated from coal burning that meets the requirements outlined in
14 ASTM C 618-96, as found in the Annual Book of American Society for Testing and
15 Materials Standards (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA
16 19428-2959, volume 4.02 (1996). This document is incorporated by reference and is
17 subject to frequent change. It is available through the Minitex interlibrary loan system;

18 C. pulverized blast furnace slag; or

19 D. any other similar fine substance that, when mixed with water, forms a cohesive,
20 adhesive material that will harden into a rigid substance.

21 Subp. 4d. **Concrete.** "Concrete" means a material consisting of a coarse and fine
22 aggregate bound by a paste of cementitious material and water, with admixtures added
23 to achieve various properties, which then sets into a hard and rigid substance.

24 Subp. 4e. **Concrete manufacturing plant.** "Concrete manufacturing plant" means a
25 facility that manufactures concrete, both hardened and unhardened, for sale.

1 Subp. 4f. **Conditionally exempt stationary source.** "Conditionally exempt stationary
2 source" means a stationary source listed in ~~part~~ parts 7008.2100 to 7008.2250 that
3 complies with chapter 7008 and all applicable requirements as defined in part 7007.0100,
4 subpart 7, and is not part of another stationary source.

5 Subp. 4g. **Conditionally insignificant activity.** "Conditionally insignificant activity"
6 means any emissions unit, emissions units, or activity listed in part 7008.4100 that
7 complies with chapter 7008 and all applicable requirements as defined in part 7007.0100,
8 subpart 7.

9 [For text of subps 5 to 45, see M.R.]

10 **7007.0150 PERMIT REQUIRED.**

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

12 Subp. 4. **Calculation of potential to emit.**

13 A. For purposes of parts 7007.0200 and 7007.0250, the owner or operator of a
14 stationary source shall calculate the stationary source's potential to emit using the
15 definition in part 7005.0100, subpart 35a, except as provided in subitems (1) to ~~(3)~~ (4).

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

17 (3) Emissions caused by any conditionally insignificant activity must be
18 considered in the calculation of potential emissions if required by the agency under part
19 7007.0500, subpart 2, item C, subitem (2).

20 Calculations of emissions under this subpart are only intended to determine if a permit
21 is required.

22 (4) If a stationary source consists in part of emissions units that could have
23 qualified as a conditionally exempt stationary source under chapter 7008 but for the
24 presence of other noneligible emissions units, potential emissions caused by emissions
25 from those units may be based on the limits imposed under chapter 7008 provided that
26 general and technical standards of chapter 7008 are met with regard to those emissions
27 units.

7007.0150

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

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

3 **7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.**

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

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

7 D. any stationary source with only emissions units listed as insignificant activities
8 in part 7007.1300, subparts 2 and 3, and conditionally insignificant activities. The owner
9 or operator must maintain records that demonstrate that a permit is not required. These
10 records shall contain a list of all emissions units and the Minnesota Rules citation that
11 defines those emissions units as an insignificant activity or conditionally insignificant
12 activity. The records shall be permanently kept at the stationary source or a central
13 office and be readily available for examination and copying by the commissioner or a
14 representative of the commissioner;

15 E. a conditionally exempt stationary source; and

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

17 **7007.0500 CONTENT OF PERMIT APPLICATION.**

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

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

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

22 C. The following emissions-related information:

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

24 (2) The application need not include the information required by this part for
25 any activity listed on the insignificant activities list in part 7007.1300 or for conditionally

1 insignificant activities, except as provided in this subitem. The application shall include
2 a list identifying any activity at the stationary source described in subparts 3 and 4 of
3 the insignificant activities list and conditionally insignificant activities. If requested by
4 the agency, the permittee shall provide a calculation of emissions from any activity
5 described in subparts 3 and 4 of the insignificant activities list and conditionally
6 insignificant activities. The agency shall request such a calculation if it finds that the
7 emissions from those activities, in addition to other emissions from the stationary
8 source, could make the stationary source subject to different applicable requirements
9 under parts 7007.0100 to 7007.1850.

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

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

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

13 **7007.1115 REGISTRATION PERMIT OPTION A.**

14 Subpart 1. **Eligibility.** The owner or operator of a stationary source may apply for a
15 registration permit under this part if the stationary source is required to obtain a permit
16 solely because it is subject to a new source performance standard listed in part
17 7007.1110, subpart 2, item C, and the owner or operator does not anticipate making
18 changes in the next year which will cause the stationary source to require a permit for
19 other reasons. Insignificant activities at the stationary source listed in part 7007.1300,
20 subparts 2 and 3, and conditionally insignificant activities, are not considered in the
21 eligibility determination under this subpart.

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

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

25 C. a copy of the applicable new source performance standards (NSPS) listed in part
26 7007.1110, subpart 2, item C, with the applicable portions of the standards highlighted,

1 including applicable parts of Code of Federal Regulations, title 40, part 60, subpart A,
2 General Provisions, or an NSPS checklist form provided by the commissioner, for each
3 affected facility as defined in Code of Federal Regulations, title 40, section 60.2.

4 Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and
5 3, and conditionally insignificant activities, are not required to be included in the
6 application.

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

8 **7007.1120 REGISTRATION PERMIT OPTION B.**

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

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

12 B. the only emissions from the stationary source are from VOC-containing
13 materials, or are from insignificant activities under part 7007.1300, subparts 2 and 3, ~~or~~
14 ~~conditionally insignificant activities except for part 7008.4100, conditionally insignificant~~
15 ~~VOC usage; and~~

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

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

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

20 E. the gallons of VOC-containing materials purchased or used in a calendar year
21 basis. If the stationary source has not been operated, the owner or operator shall
22 estimate the gallons of VOC-containing materials that will be purchased or used on a
23 calendar year basis during normal operation using a worksheet provided by the
24 commissioner. If the stationary source has been operated less than 12 months or has not
25 been operated a full calendar year on the date of application under this part, the owner
26 or operator shall calculate gallons of VOC-containing materials purchased or used by
27 multiplying 12 months by the larger of the two following monthly averages:

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

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

4 Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and
5 ~~3, and conditionally insignificant activities except for part 7008.4100, conditionally~~
6 ~~insignificant VOC usage, are not required to be included in the application.~~

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

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

10 D. have emissions from the stationary source only from VOC-containing materials
11 or from insignificant activities under part 7007.1300, subparts 2 and 3, ~~and conditionally~~
12 ~~insignificant activities except for part 7008.4100, conditionally insignificant VOC usage;~~

13 [For text of items E and F, see M.R.]

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

15 **7007.1125 REGISTRATION PERMIT OPTION C.**

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

20 A. all emissions units at the stationary source are included under calculations 1,
21 2A, 2B, and 3 in subpart 4, are insignificant activities under part 7007.1300, subparts 2
22 and 3, or are conditionally insignificant activities;

23 [For text of items B to D, see M.R.]

24 E. all VOC emissions from the stationary source are included under calculation 3
25 or all VOC emissions from the stationary source are from conditionally insignificant
26 activities in compliance with parts 7008.4000 and 7008.4100;

7007.1125

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

3 G. the owner or operator does not anticipate making changes in the next 12 months
4 which will cause the stationary source to be ineligible for this type of registration permit
5 under items A to F.

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

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

9 E. the calculations required by subpart 4. If the stationary source has not been
10 operated, the owner or operator shall estimate the gallons of VOC-containing materials,
11 amount of fuels burned, and hours of operation on a 12-month rolling sum basis during
12 normal operation in performing the calculations required in subpart 4. If the stationary
13 source has been operated less than 12 months on the date of application under this part,
14 the owner or operator shall perform the calculation in subpart 4 by calculating gallons
15 of VOC-containing materials purchased or used, amount of fuels purchased or used, or
16 hours of operation by multiplying by 12 the larger of the following:

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

18 (2) calculating an estimated monthly average for normal operations.

19 Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and
20 3, and conditionally insignificant activities, are not required to be included in the
21 application.

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

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

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

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

7 [For text of subps 3a and 4, see M.R.]

8 **7007.1130 REGISTRATION PERMIT OPTION D.**

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

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

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

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

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

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

1 Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and
2 3, or conditionally insignificant activities, are not required to be included in the
3 application.

4 Subp. 3. **Compliance requirements for Option D sources.** Unless a stationary source
5 is eligible under subpart 3a, the owner or operator of a stationary source issued a permit
6 under this part shall comply with all of the requirements in items A to J.

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

8 E. The owner or operator must recalculate and record by the last day of each
9 month, pursuant to subpart 4, the 12-month rolling sum of actual emissions from the
10 stationary source for the previous 12 months, the date the calculation was made, and the
11 calculation itself. This calculation must include all emissions units at the stationary
12 source and the information required by subpart 4, item B, subitem (3), if continuous
13 emissions monitor (CEM) data is used in the calculation. This calculation need not
14 include emissions from insignificant activities under part 7007.1300, subparts 2 and 3, or
15 conditionally insignificant activities.

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

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

18 **7007.1300 INSIGNIFICANT ACTIVITIES LIST.**

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

20 Subp. 3. **Insignificant activities required to be listed.** The activities described in this
21 subpart must be listed in a permit application, and calculation of emissions from these
22 activities shall be provided if required by the agency, under part 7007.0500, subpart 2,
23 item C, subitem (2). If emissions units listed in this subpart are subject to additional
24 requirements under section 114(a)(3) of the act (Monitoring Requirements) or section
25 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or, if
26 accounted for, make a stationary source subject to a part 70 permit, emissions from the
27 emissions units must be calculated in the permit application.

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

2 H. Miscellaneous:

3 (1) equipment used exclusively for packaging lubricants or greases;

4 (2) equipment used for hydraulic or hydrostatic testing;

5 (3) brazing, soldering, or welding equipment;

6 (4) blueprint copiers and photographic processes;

7 (5) equipment used exclusively for melting or application of wax;

8 (6) nonasbestos equipment used exclusively for bonding lining to brake shoes;

9 and

10 (7) cleaning operations: alkaline/phosphate cleaners, associated cleaners, and
11 associated burners.

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

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

14 **CONDITIONALLY INSIGNIFICANT AND CONDITIONALLY**
15 **EXEMPT AIR EMISSIONS**

16 **7008.0050 SCOPE.**

17 This chapter establishes the conditions under which eligible stationary sources are
18 exempt from the requirement to apply for and obtain an air emission permit as
19 provided under part 7007.0300. This chapter also establishes the conditions under which
20 certain activities will qualify as insignificant activities for purposes of parts 7007.0100 to
21 7007.1850.

22 **7008.0100 DEFINITIONS.**

23 Subpart 1. **Scope.** The definitions in this part apply to the terms used in this chapter.
24 The definitions in parts 7000.0100, 7005.0100, and 7007.0100 apply to the terms used in
25 this chapter unless the terms are otherwise defined in this part.

7008.0100

1 Subp. 2. **Gasoline service station.** "Gasoline service station" means any stationary
2 source that dispenses gasoline to vehicles. Bulk plants, petroleum distribution terminals,
3 and refineries are not gasoline service stations.

4 Subp. 3. **Refueling positions.** "Refueling positions" means the number of vehicles
5 that could be receiving gasoline simultaneously at a gasoline service station.

6 Subp. 4. **Stage-one vapor recovery.** "Stage-one vapor recovery" means pipes or hoses,
7 or both, that create a closed system connecting a gasoline unloading tank and a gasoline
8 receiving tank so that the vapors displaced from the receiving tank are transferred to the
9 unloading tank.

10 **7008.0200 GENERAL REQUIREMENTS.**

11 A. Filing an application for a permit under chapter 7007 by the owner or operator
12 of a stationary source does not stay any condition or requirement of this chapter until a
13 permit is issued.

14 B. The owner or operator shall furnish to the commissioner, within a reasonable
15 time, any information that the commissioner may request in writing to determine
16 whether the conditions of this chapter have been violated. Upon request, the owner or
17 operator shall also furnish to the commissioner copies of records to be kept by the
18 owner or operator as required by this chapter. The owner or operator shall maintain
19 records for the current calendar year at the subject stationary source. The owner or
20 operator shall maintain copies of records required by this chapter for five years from the
21 date the record was made. For all years prior to the current calendar year, the owner or
22 operator shall maintain the records at the subject stationary source or at an office of the
23 owner or operator.

24 C. All reports, recordkeeping, testing, and monitoring submittals to the
25 commissioner under this chapter must include a certification made by a responsible
26 official. The certification must state that, based on information and belief formed after

1 reasonable inquiry, the statements and information in the document are true, accurate,
2 and complete.

3 D. The owner or operator shall at all times properly operate and maintain the
4 facilities and systems of treatment and control, and the appurtenances related to them
5 that are installed or used by the owner or operator, to achieve compliance with this
6 chapter. Proper operation and maintenance includes effective performance, adequate
7 funding, adequate operator staffing and training, and adequate laboratory and process
8 controls, including appropriate quality assurance procedures.

9 E. The owner or operator shall maintain sufficient records to demonstrate the
10 proper operation and maintenance of treatment and control and the appurtenances
11 related to them that are installed or used by the owner or operator to achieve
12 compliance with this chapter. The records must include at least a description of any
13 maintenance, inspection, and repair activity; the date the activity was completed; and
14 any corrective action taken. If an emissions unit can be operated without the associated
15 control equipment, the owner or operator shall maintain a record of control equipment
16 operation while the emissions unit is operated.

17 **7008.0300 PERMITS.**

18 Subpart 1. **Existing permit or permit application.** If the owner or operator has
19 submitted a complete application for a permit for a stationary source that could
20 otherwise be conditionally exempt from the requirement to obtain a permit under this
21 chapter, then the owner or operator may withdraw the original application by giving
22 notice in writing to the commissioner. If a permit has been issued for a stationary source
23 that could otherwise be conditionally exempt from the requirement to obtain a permit
24 under this chapter, the owner or operator may request the commissioner to void the
25 permit because the owner or operator intends to comply with this chapter.

26 Subp. 2. **Application for permit.** The owner or operator shall submit an application

1 for a part 70, state, general, or registration permit, within 120 days of the commissioner's
2 written request for the application if the commissioner determines that:

3 A. the stationary source has a history of noncompliance with applicable
4 requirements;

5 B. the stationary source is not eligible for the conditional exemption from the
6 requirement to obtain a permit as provided by part 7007.0300, subpart 1;

7 C. the applicable requirements to which the stationary source is subject have
8 changed substantially; and or

9 D. the stationary source endangers human health or the environment and that a
10 change in the operation of the stationary source would remove the danger to human
11 health or the environment.

12 **Subp. 3. No circumvention; permit shield.**

13 A. The owner or operator of a stationary source that claims to be exempt from the
14 requirement to obtain a permit under this chapter is subject to enforcement action for
15 operation without a permit if the commissioner later determines that the stationary
16 source does not qualify for the conditional exemption.

17 B. The permit shield under part 7007.1800 does not apply to any stationary source
18 that is exempt from the requirement to obtain a permit under this chapter.

19 **7008.2000 CONDITIONALLY EXEMPT STATIONARY SOURCES; ELIGIBILITY.**

20 ~~To be eligible to operate without a permit under this chapter, the stationary source~~
21 ~~may not have any other emissions or emissions units that would require a permit listed~~
22 ~~in chapter 7007. Any stationary source that has no other emissions or emissions units~~
23 ~~that would require a permit under chapter 7007 may operate without a permit under~~
24 ~~this chapter.~~ To be eligible to operate without a permit under this chapter, the stationary
25 source must comply with all general and technical standards established by this chapter
26 and all applicable requirements as defined in part 7007.0100, subpart 7.

1 If the stationary source has other emissions or emissions units, the owner or operator
2 shall determine if a permit is required as provided in part 7007.0150. If the limits
3 provided in this chapter are used as provided in part 7007.0150, subpart 4, for certain
4 emissions units, the stationary source must comply with all general and technical
5 standards established in this chapter for those emissions units.

6 **7008.2100 GASOLINE SERVICE STATIONS TECHNICAL STANDARDS.**

7 Subpart 1. **Eligibility.** To be eligible to operate without a permit under this chapter,
8 the stationary source must comply with this part in addition to the general operating
9 requirements in part 7008.0200.

10 A. Gasoline receipt and dispensing operations must account for substantially all of
11 the emissions from the facility. All other emissions from the stationary source must be
12 from insignificant activities under part 7007.1300, subparts 2 and 3, or conditionally
13 insignificant activities.

14 B. The owner or operator of a gasoline service station shall have monthly gasoline
15 throughput quantities that are less than the following:

16 (1) for gasoline service stations located in ozone attainment areas or marginal or
17 moderate ozone nonattainment areas:

18 (a) gasoline service stations with stage-one vapor recovery, 630,000 gallons of
19 gasoline per month; and

20 (b) gasoline service stations without stage-one vapor recovery, 380,000
21 gallons of gasoline per month; and

22 (2) for gasoline service stations located in serious ozone nonattainment areas:

23 (a) gasoline service stations with stage-one vapor recovery, 310,000 gallons of
24 gasoline per month; and

25 (b) gasoline service stations without stage-one vapor recovery, 190,000
26 gallons of gasoline per month.

1 C. Stage-one vapor recovery systems must comply with the requirements of part
2 7011.0870.

3 Subp. 2. **Recordkeeping.** The owner or operator of a gasoline service station shall
4 maintain records for each calendar month of the number of gallons of gasoline
5 throughput.

6 Subp. 3. **Notification.**

7 A. The owner or operator of a gasoline service station shall submit a notification to
8 the commissioner within 90 days of the effective date of this part or at least 90 days
9 prior to commencement of construction of a gasoline service station if the number of
10 refueling positions is greater than the following:

11 (1) for ozone attainment areas or marginal or moderate ozone nonattainment
12 areas:

13 (a) gasoline service stations with stage-one vapor recovery with 30 or more
14 refueling positions; and

15 (b) gasoline service stations without stage-one vapor recovery with 18 or
16 more refueling positions; and

17 (2) for ozone serious nonattainment areas:

18 (a) gasoline service stations with stage-one vapor recovery with 15 or more
19 refueling positions; and

20 (b) gasoline service stations without stage-one vapor recovery with ten or
21 more refueling positions.

22 B. The notification in item A shall contain the following:

23 (1) the owner's name;

24 (2) the operator's name if different from the owner's name;

25 (3) the facility name and location; and

(4) the maximum monthly gasoline throughput, in gallons, in the previous 12 months or anticipated maximum monthly throughput if the facility is not completed.

7008.2200 CONCRETE MANUFACTURING TECHNICAL STANDARDS.

Subpart 1. **Eligibility.** To be eligible to operate without a permit under this chapter, a concrete manufacturing stationary source must meet the requirements of this part and ~~part parts~~ 7008.2250 and 7011.0850 to 7011.0859 in addition to the general operating requirements in part 7008.0200.

Subp. 2. **Production limitation.** Production must be limited to less than 300,000 tons of unhardened concrete in any calendar year for owners or operators that elect not to receive emissions reduction credit for road dust control. Production must be limited to less than 360,000 tons of unhardened concrete in any calendar year for owners or operators that elect to receive credit for road dust control on unpaved roads by:

- A. recording the date and time of the road dust control action and the initials of the person making the record;
- B. recording the amount of water or dust suppressant applied; and
- C. if a commercially available dust suppressant is used, applying it in accordance with the manufacturer's guidelines.

Subp. 3. **Authorized emissions units and activities.** The concrete manufacturing plant may contain only the emissions units and activities described in items A to D:

- A. Storage piles, aggregate transfer, cementitious material transfer, weigh hopper loading, mixers, mixer loading, truck loading, block forming equipment, mobile vehicle sources such as trucks, front-end loaders, and forklifts, and aggregate heaters used solely to improve the flowability of aggregate used in manufacturing concrete burning only natural gas, propane, or No. 1 or No. 2 fuel oil or a combination of these fuels.
- B. Individual indirect heating equipment, as defined in part 7011.0500, subpart 9, with a rated heat input capacity less than 10,000,000 Btu per hour burning only natural gas, propane, or No. 1 or No. 2 fuel oil or a combination of these fuels.

1 C. Nonmobile internal combustion engines, such as emergency generators,
2 burning less than 37,500 gallons per calendar year of gasoline, No. 1 fuel oil, or No. 2
3 fuel oil combined.

4 D. Miscellaneous units and activities as described in subitem (1) or (2):

5 (1) For the entire stationary source, total VOC-containing material usage or
6 purchases of less than 500 gallons in any calendar year or conditionally insignificant
7 VOC usage. If the owner or operator ships VOC off site for recycling, the amount
8 recycled may be subtracted from the amount of VOC purchased or used. "Recycling"
9 means the reclamation or reuse, as defined in part 7045.0020, of a VOC. If the owner or
10 operator ships VOC off site for recycling, the owner or operator shall keep records of the
11 amount of material shipped off site for recycling and the calculations done to determine
12 the amount to subtract. Acceptable records include: material safety data sheets, invoices,
13 shipping papers, and/or hazardous waste manifests.

14 (2) Any of the insignificant activities listed in part 7007.1300, subpart 2 or 3, or
15 conditionally insignificant activities.

16 Subp. 4. **PM-10 nonattainment areas.** The concrete manufacturing plant may not be
17 located in areas designated as nonattainment for PM-10.

18 Subp. 5. **Crushing operations.** Crushing operations may be located at the concrete
19 manufacturing plant site and are not considered part of the concrete manufacturing
20 plant unless more than 50 percent of the material processed by the crusher or crushers is
21 used by the concrete manufacturing plant in the manufacture of concrete. The owner or
22 operator of the crusher and associated operations shall obtain an air emissions permit
23 for the crusher or crushers and associated operations if they are described under part
24 7007.0200 or 7007.0250.

25 **7008.2250 RECORDKEEPING FOR CONCRETE MANUFACTURING PLANTS.**

26 The owner or operator of a concrete manufacturing plant shall comply with the
27 recordkeeping listed in items A to D.

1 A. The owner or operator shall maintain records of the calendar year production of
2 unhardened concrete in tons to demonstrate compliance with part 7008.2200, subpart 2.

3 B. The owner or operator shall maintain records to demonstrate compliance with
4 the conditionally insignificant activities.

5 C. The owner or operator shall maintain records of the types of fuel combusted in
6 nonmobile emissions units in each calendar year to demonstrate compliance with part
7 7008.2200, subpart 3, items A to C, and maintain records of the amounts of fuel
8 combusted in nonmobile internal combustion engines to demonstrate compliance with
9 part 7008.2200, subpart 3, item C.

10 D. If the owner or operator elects to receive emissions reduction credit for road
11 dust control, the owner or operator shall maintain records to demonstrate compliance
12 with part 7008.2200, subpart 2, items A and B.

13 **7008.4000 CONDITIONALLY INSIGNIFICANT ACTIVITIES.**

14 If operated in compliance with this part and part 7008.4100, the activities and
15 operation of the emissions units listed in this part are insignificant activities for
16 purposes of parts 7007.0100 to 7007.1850. Listing in this part has no effect on any other
17 law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to
18 which the activity may be subject.

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

1 **7008.4100 CONDITIONALLY INSIGNIFICANT VOC USAGE.**

2 Subpart 1. **Applicability.** This part applies to any stationary source claiming VOC
3 usage as a conditionally insignificant activity.

4 Subp. 2. **VOC usage limit.** The stationary source must limit its use of VOC to less
5 than 200 gallons or 2,000 pounds in each calendar year period calculated according to
6 the method in subpart 4. All VOC usage from all emissions units at the stationary source
7 must be accounted for in the calculated annual usage. This limit applies regardless of
8 the hazardous air pollutant content of the VOC.

9 Subp. 3. **Recordkeeping.** The owner or operator claiming VOC usage as a
10 conditionally insignificant activity shall:

11 A. maintain records for each calendar year of the number of gallons of
12 VOC-containing materials purchased or used and the maximum VOC content of each
13 material;

14 B. maintain a record of the material safety data sheet (MSDS), or a signed
15 statement from the supplier stating the maximum VOC content, for each material;

16 C. if the owner or operator ships VOCs off-site for recycling, keep records of the
17 amount of material shipped ~~off-site~~ off-site for recycling and the calculations done to
18 determine the amount to subtract. Acceptable records include: the material safety data
19 sheets, invoices, shipping papers, and/or hazardous waste manifests; and

20 D. if requested by the commissioner, calculate and record for any of the previous
21 five calendar years the sum of the actual number of gallons of VOC purchased or used,
22 the calculation itself, and a list of the associated emissions units in which it was used.

23 Subp. 4. **Calculating VOC usage.** An owner or operator claiming VOC usage as a
24 conditionally insignificant activity must calculate VOC usage using one of the method
25 in this subpart methods in item A or B. If the owner or operator ships spent VOC off-site
26 for recycling, the amount recycled may be subtracted from the amount of VOC used.

1 "Recycling" means the reclamation or reuse, as defined in part 7045.0020, of a VOC. If
2 the owner or operator ships VOC off-site for recycling, the owner or operator shall keep
3 records of the amount of material shipped off-site for recycling and the calculations
4 done to determine the amount to subtract.

5 A. Gallons of VOC: gallons of VOC used per calendar year equals volume
6 percentage of VOC multiplied by the gallons of VOC-containing material purchased or
7 used in a calendar year, except that if the owner or operator ships spent VOC off site for
8 recycling, the amount recycled may be subtracted from the amount of VOC used.
9 ~~"Recycling" means the reclamation or reuse, as defined in part 7045.0020, of a VOC. If~~
10 ~~the owner or operator ships VOC off site for recycling, the owner or operator shall keep~~
11 ~~records of the amount of material shipped off site for recycling and the calculations~~
12 ~~done to determine the amount to subtract.~~

13 B. Pounds of VOC: pounds of VOC used per calendar year equals gallons
14 purchased or used in a calendar year multiplied by the pounds VOC per gallon; or
15 pounds purchased or used in a calendar year multiplied by weight percent of VOC.

16 **7011.0850 DEFINITIONS.**

17 Subpart 1. **Scope.** The definition in this part applies to the terms used in parts
18 7011.0850 to ~~7011.0870~~ 7011.0859. The definitions in parts 7005.0100, 7007.0100, and
19 7011.0060 apply to the terms used in parts 7011.0850 to ~~7011.0870~~ 7011.0859, unless the
20 terms are otherwise defined in this part.

21 Subp. 2. [See repealer.]

22 Subp. 3. [See repealer.]

23 Subp. 4. [See repealer.]

24 Subp. 5. [See repealer.]

25 Subp. 6. **Fabric filter.** "Fabric filter" means a control device in which the incoming gas
26 stream passes through a porous filter forming a dust cake.

1 **7011.0865 INCORPORATIONS BY REFERENCE.**

2 A. For the purpose of part 7011.0870, the documents in items B and C are
3 incorporated by reference. These documents are not subject to frequent change.

4 B. California Environmental Protection Agency, Air Resources Board, Vapor
5 Recovery Certification Procedure CP-201, Certification Procedure for Vapor Recovery
6 Systems of Dispensing Facilities, February 1, 2001. This publication is available through
7 the Minitex interlibrary loan system.

8 C. United States Environmental Protection Agency, Office of Air Quality Planning
9 and Standards, Design Criteria for Stage I Vapor Control Systems - Gasoline Service
10 Stations, November 1975. This publication is available through the Minitex interlibrary
11 loan system.

12 **7011.0870 STAGE-ONE VAPOR RECOVERY.**

13 Subpart 1. **Applicability.** The owner or operator of a gasoline service station required
14 to install and operate a stage-one vapor recovery system shall comply with this part.

15 Subp. 2. **System design.** Stage-one vapor recovery systems must:

16 A. conform with the requirements of Design Criteria for Stage I Vapor Control
17 Systems - Gasoline Service Stations as incorporated by reference in part 7011.0865;

18 B. incorporate a submerged fill pipe in each storage tank; and

19 C. have a vent system that is equipped with a pressure vacuum valve that
20 complies with Vapor Recovery Certification Procedure CP-201, as incorporated by
21 reference in part 7011.0865.

22 Subp. 3. **System Operation and Maintenance.**

23 A. The owner or operator of a gasoline service station with a vapor recovery
24 system shall not accept gasoline without the vapor recovery system properly connected.

25 B. The owner or operator of a gasoline service station with stage-one vapor
26 recovery shall:

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1 (1) maintain and operate the vapor recovery system in accordance with
2 manufacturer's specifications;

3 (2) promptly repair any malfunction of the system;

4 (3) keep on the premises a copy of the manufacturer's operation and
5 maintenance instructions and make these instructions available to the commissioner or
6 an authorized representative of the commissioner on request; and

7 (4) maintain system monitoring or testing devices in proper working order.

8 **REPEALER.** Minnesota Rules, parts 7011.0850, subparts 2, 3, 4, and 5, and 7011.0860, are
9 repealed.