

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

3 7002.0025 ANNUAL EMISSION FEE RATES.

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

5 Subp. 3. Facilities failing to submit emissions
6 inventories. If an emission reporting facility fails to submit
7 an emissions inventory as required by part 7019.3000, it shall
8 be assessed an annual fee for that facility that is \$X times
9 1-1/2 times the most recent actual emissions in tons for which
10 an emissions fee was assessed under part 7019.3000. If the
11 facility has never submitted an emissions inventory as required
12 under part 7019.3000, but has submitted a permit application
13 under chapter 7007, it shall be assessed an annual emission fee
14 for that facility that is \$X times 1-1/2 times the estimated
15 actual emissions as stated in the facility's permit application.

16 If the owner or operator of a facility that is required to
17 obtain a permit under chapter 7007 has not submitted a permit
18 application which includes an estimate of the actual emissions,
19 it shall be assessed an annual fee that is \$X times 1-1/2 times
20 the estimated potential to emit of that facility, as defined in
21 part 7005.0100, subpart 35a.

22 If a facility issued an option B registration permit fails
23 to submit an emission inventory, it shall be assessed an annual
24 fee of \$210.

25 7005.0100 DEFINITIONS.

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

1 Subp. 9b. **Efficiency factor.** "Efficiency factor" means:

2 A. the control efficiency listed in part 7011.0070,
3 subpart 1a, table A;

4 B. notwithstanding item A, where no control
5 efficiency is listed for a control equipment type in part
6 7011.0070, subpart 1a, table A, or where the commissioner has
7 determined that a more representative control efficiency is
8 available under this item, efficiency factor means a control
9 efficiency developed or approved by the commissioner and derived
10 from the following sources:

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

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

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

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

17 A. The emission factor listed in the Compilation of
18 Air Pollutant Emission Factors (AP-42), fifth edition, United
19 States Environmental Protection Agency, Technical Support
20 Division, Office of Air Quality Planning and Standards, Research
21 Triangle Park, North Carolina 27711, January 1995, as amended,
22 which is incorporated by reference and is available at the EPA
23 Internet site www.epa.gov/ttn/chief/ap42/index.html. It is not
24 subject to frequent change. Where more than one emission factor
25 is listed in AP-42, "emission factor" means the one approved by
26 the commissioner using best engineering judgment and based on
27 one or more of the considerations in item C, subitem (2).

1 B. The emission factor listed in Factor Information
2 Retrieval (FIRE) Data System, Version 6.25, United States
3 Environmental Protection Agency, Technical Support Division,
4 Office of Air Quality Planning and Standards, as amended, which
5 is incorporated by reference and is available at the EPA
6 Internet site www.epa.gov/ttnchie1/software/fire/index.html.
7 Where more than one emission factor is listed, emission factor
8 means the one approved by the commissioner using best
9 engineering judgment and based on one or more of the
10 considerations in item C, subitem (2). It is subject to
11 frequent change.

12 C. (1) An emission factor developed or approved by
13 the commissioner and derived from the following sources:

- 14 (a) other EPA publications including, but
15 not limited to, Locating and Estimating documents, Control
16 Technology Center documents, the preamble and background
17 information documents for New Source Performance Standards or
18 National Emission Standards for Hazardous Air Pollutants;
19 (b) EPA databases and computer programs;
20 (c) engineering publications;
21 (d) performance test data from the same or a
22 similar emission unit at the same or a similar facility;
23 (e) manufacturer's performance tests; or
24 (f) emission data developed by the regulated
25 party using the best engineering judgment criteria listed in
26 subitem (2).

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

1 [For text of subps 10b to 45, see M.R.]

2 7007.0100 DEFINITIONS.

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

4 Subp. 7. **Applicable requirement.** "Applicable requirement"
5 means all the following as they apply to emissions units in a
6 stationary source (including requirements that have been
7 promulgated or approved by the EPA or the commissioner through
8 rulemaking at the time of issuance but have future effective
9 compliance dates):

10 [For text of items A to S, see M.R.]

11 T. any standard or other requirement of the acid
12 deposition control rule under chapter 7021;

13 U. any standard or other requirement related to noise
14 pollution under chapter 7030;

15 V. any standard or other requirement established
16 under section 169A (Visibility Protection for Federal Class I
17 Areas) or 169B (Visibility) of the act including emission limits
18 established in the determination of best available retrofit
19 technology; and

20 W. any standard or other requirement of the federal
21 Clean Air Interstate Rule or a regulation adopted under it.

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

23 Subp. 9b. **Environmental management system or EMS.**

24 "Environmental management system" or "EMS" means an ongoing
25 program of planning, implementing, reviewing, and improving the
26 actions at a stationary source that the owner or operator takes
27 to meet its environmental obligations and legal requirements,

1 and to improve environmental performance, as measured by
2 pollutants emitted or discharged, waste generated, or other
3 objective measures. An EMS for a stationary source conforms to
4 the requirements of the ISO 14001 standard, "Environmental
5 management systems - Specification with guidance for use"
6 published by the International Organization for Standardization
7 (ISO), 2004. An EMS for a stationary source is either
8 registered to the ISO 14001 EMS standard by a certification body
9 accredited by the ANSI-ASQ National Accreditation Board (ANAB),
10 or is an EMS that conforms to the requirements of the ISO 14001
11 EMS standard as determined by an EMS auditor.

12 Subp. 9c. EMS audit. "EMS audit" means a systematic,
13 independent, and documented verification process, conducted by
14 an EMS auditor, objectively obtaining and evaluating evidence to
15 determine whether a stationary source's EMS conforms to the
16 requirements of the ISO 14001 EMS standard. EMS audits meet the
17 requirements of:

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

19 C. IAF Guidance on the Application of ISO/IEC Guide
20 66, International Accreditation Forum (IAF), 2003; and

21 D. Advisories, ANSI-ASQ National Accreditation Board
22 (ANAB).

23 The full scope of the stationary source's EMS is audited in
24 a two-year period.

25 Subp. 9d. EMS auditor. "EMS auditor" means a person
26 certified as an EMS lead auditor by RABQSA International
27 (RABQSA) to conduct ISO 14001 EMS audits who is not an owner,

1 operator, or employee of the stationary source or a subsidiary,
2 division, or subdivision of an owner, operator, or employee of
3 the stationary source. Other than previous EMS audits, an EMS
4 auditor shall not have provided EMS or other environmental
5 consulting services to the audited stationary source within the
6 two years prior to the EMS audit.

7 [For text of subps 9e to 24a, see M.R.]

8 Subp. 25. Title I condition. "Title I condition" means
9 one of the following types of permit conditions based on
10 requirements of title I of the act:

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

12 D. any condition which is part of a plan approved by
13 the EPA or submitted to the EPA and pending approval under
14 section 111(d) (Standards of Performance for New Stationary
15 Sources) or section 129 (Solid Waste Combustion) of the act.

16 Subp. 26. Title I modification. "Title I modification"
17 means any change that constitutes any of the following:

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

19 C. A new source review major stationary source: a
20 modification at a stationary source that is not an existing
21 major stationary source where the modification by itself would
22 exceed major stationary source thresholds as defined in Code of
23 Federal Regulations, title 40, section 52.21(b)(1)(i).

24 D. A new source performance standards modification:
25 any modification as defined in Code of Federal Regulations,
26 title 40, section 60.14, as amended, or any other rules adopted
27 by the administrator under section 111 of the act.

1 E. A hazardous air pollutant modification: any
2 modification as defined in Code of Federal Regulations, title
3 40, section 61.15, as amended, or any other rules adopted by the
4 administrator under section 112 of the act.

5 F. Plantwide applicability limit (PAL) establishment,
6 renewal, or increase: establishment, renewal, or increase in
7 emissions of an actual PAL as defined in Code of Federal
8 Regulations, title 40, section 51.165, paragraph (f), or 52.21,
9 paragraph (aa), as amended, or in any other rules adopted by the
10 administrator under part C or D of the act.

11 G. Any other change that constitutes a modification
12 under any provision of title I of the act.

13 [For text of subp 27, see M.R.]

14 7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

15 Subpart 1. No permit required. The following stationary
16 sources are not required to obtain a permit under parts
17 7007.0100 to 7007.1850:

18 A. any stationary source that is not described in
19 part 7007.0200, subparts 2 to 5, or 7007.0250;

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

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

25 (3) Code of Federal Regulations, title 40, part
26 60, subpart Kb, Standards of Performance for Volatile Organic
27 Liquid Storage Vessels (including Petroleum Liquid Storage

1 Vessels) for Which Construction, Reconstruction or Modification
2 Commenced after July 23, 1984 (incorporated by reference at part
3 7011.1520, item C), if all storage vessels subject to this
4 standard at the stationary source each have a capacity greater
5 than or equal to 40 cubic meters and less than 75 cubic meters;

6 (4) Code of Federal Regulations, title 40, part
7 60, subpart Dc, Standards of Performance for Small
8 Industrial-Commercial-Institutional Steam Generating Units
9 (incorporated by reference at part 7011.0570), if all steam
10 generating units subject to this standard at the stationary
11 source are only capable of combusting natural gas or propane;
12 and

13 (5) Code of Federal Regulations, title 40, part
14 60, subpart IIII, Standards of Performance for Stationary
15 Compression Ignition Internal Combustion Engines (incorporated
16 by reference at part 7011.3520), if all engines subject to this
17 standard at the stationary source each have a displacement less
18 than 30 liters per cylinder and did not rely on performance
19 testing of the affected unit to demonstrate compliance with the
20 standard;

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

22 7007.1100 GENERAL PERMITS.

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

24 Subp. 2. **Public participation.** The agency shall follow
25 the same public participation procedures in part 7007.0850,
26 subparts 2 and 3, for individual permits except as stated
27 otherwise in this subpart. The notice of the agency's intent to

1 publish a general permit need not be published in newspapers of
2 general circulation but shall be published in the State
3 Register. The notice need not include any facility specific
4 information. The notice issued by the agency shall identify
5 criteria for stationary sources that qualify for the general
6 permit and identify the geographic area in which it applies. If
7 the general permit is sector-based, the notice shall state
8 whether a stationary source holding a registration permit issued
9 under parts 7007.1110 to 7007.1130 or a capped permit issued
10 under parts 7007.1140 to 7007.1148 must apply for the
11 sector-based general permit. The agency need not comply with
12 part 7007.0850, subpart 2, item A, subitem (4), unless the
13 stationary source category includes stationary sources subject
14 to the requirement to obtain part 70 permits.

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

16 7007.1102 INCORPORATIONS BY REFERENCE.

17 For the purpose of parts 7007.0100, subparts 9b, 9c, and
18 9e; 7007.1105; and 7007.1107, the documents in items A to E are
19 incorporated by reference. These documents are subject to
20 change, including numbering, title, consolidation,
21 reorganization, and minor wording revisions. The ISO documents
22 are published by the International Organization for
23 Standardization (ISO), Geneva, Switzerland. The documents in
24 items A to C are available at the American National Standards
25 Institute (ANSI), New York, New York 10036 (www.ansi.org), or
26 through the Minitex interlibrary loan system.

27 A. ISO 14001: Environmental management systems -

1 Specification with guidance for use, ISO, 2004.

2 B. ISO 19011: Guidelines for quality and/or
3 environmental management systems auditing, ISO, 2002.

4 C. ISO/International Electrotechnical Commission
5 (IEC) Guide 66: General requirements for bodies operating
6 assessment and certification/registration of environmental
7 management systems, ISO, 1999.

8 D. IAF Guidance on the Application of ISO/IEC Guide
9 66, International Accreditation Forum (IAF), 2003. This
10 publication is available through IAF (www.iaf.nu).

11 E. Advisories, ANSI-ASQ National Accreditation Board
12 (ANAB). These publications are available through ANAB, P.O. Box
13 3005, Milwaukee, Wisconsin 53201-0586 (www.anab.org).

14 7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

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

16 Subp. 2. Stationary sources that may not obtain a
17 registration permit.

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

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

22 (1) as a mitigation measure in an environmental
23 impact statement;

24 (2) in obtaining a negative declaration in an
25 environmental assessment worksheet; or

26 (3) in demonstrating compliance with any state or
27 national ambient air quality standard.

1 C. A stationary source may not obtain a registration
2 permit if it is subject to a new source performance standard
3 except when the stationary source is subject only to the
4 notification and record-keeping requirements of that standard,
5 or when the standard is one of the following:

6 [For text of subitems (1) to (8), see M.R.]

7 (9) Code of Federal Regulations, title 40, part
8 60, subpart 000, Standards of Performance for Nonmetallic
9 Mineral Processors (incorporated by reference in part
10 7011.3350), except that a stationary source subject to this
11 performance standard may not obtain a registration permit if
12 subpart 2b applies;

13 (10) Code of Federal Regulations, title 40, part
14 60, subpart TTT, Standards of Performance for Industrial Surface
15 Cleaning of Plastic Parts for Business Machines (incorporated by
16 reference in part 7011.2580);

17 (11) Code of Federal Regulations, title 40, part
18 60, subpart I, Standards of Performance for Hot Mix Asphalt
19 Facilities (incorporated by reference in part 7011.0909);

20 (12) Code of Federal Regulations, title 40, part
21 60, subpart GG, Standards of Performance for Stationary Gas
22 Turbines (incorporated by reference in part 7011.2350); and

23 (13) Code of Federal Regulations, title 40, part
24 60, subpart IIII, Standards of Performance for Stationary
25 Compression Ignition Internal Combustion Engines (incorporated
26 by reference in part 7011.3520), but only if the compression
27 ignition internal combustion engine has a displacement less than

1 30 liters per cylinder.

2 Subp. 2b. Additional limitations on stationary source
3 eligibility for a registration permit. A stationary source may
4 not obtain an option B, C, or D registration permit if:

5 A. the source qualifies for a sector-based state
6 general permit available under part 7007.1100, unless
7 specifically allowed under the general permit; or

8 B. the commissioner determines that site-specific
9 permit requirements are needed to ensure compliance with
10 applicable requirements or to protect human health or the
11 environment.

12 Any owner or operator of a stationary source that holds a
13 registration permit and is eligible for a sector-based general
14 permit that is available on or before January 1, 2007, shall
15 apply for the general permit on or before ~~October~~ December 31,
16 2008.

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

18 Subp. 5. Registration permit issuance, denial, and
19 revocation. The commissioner shall issue a registration permit
20 to the owner or operator of a stationary source if the owner or
21 operator has submitted a complete application for a registration
22 permit and the commissioner determines that the stationary
23 source qualifies for the registration permit under parts
24 7007.1110 to 7007.1130 for which the application was submitted,
25 and the commissioner anticipates that the stationary source will
26 comply with the registration permit. The commissioner shall
27 deny an application for a registration permit if the

1 commissioner determines that the stationary source does not
2 qualify for the registration permit under parts 7007.1110 to
3 7007.1130 for which the application was submitted or that the
4 stationary source will not be able to comply with the
5 registration permit. The grounds for permit denial in part
6 7007.1000, subparts 1, item H, and 2, items B to G, also
7 constitute grounds for the commissioner to deny a registration
8 permit application. The commissioner may revoke a registration
9 permit, if the commissioner finds that any of the grounds under
10 subpart 16 or under part 7007.1700, subpart 1, exist, by
11 following the procedure in part 7007.1700, subpart 2.

12 [For text of subps 6 to 15, see M.R.]

13 Subp. 15a. Relocation of stationary source issued a
14 registration permit. This subpart does not apply if the
15 registration permit already authorizes operation in more than
16 one location under subpart 20 and the proposed relocation is
17 within the scope of that authorization. This subpart applies
18 only to a stationary source that has been issued a registration
19 permit under parts 7007.1110 to 7007.1130 and that:

20 A. is relocating within or to an area that is
21 classified as attainment with respect to the National Ambient
22 Air Quality Standards;

23 B. does not trigger the need for air dispersion
24 modeling for the relocated source;

25 C. will qualify for the same type of registration
26 permit at the new location; and

27 D. will not operate a stationary source in both the

1 existing and new locations at the same time for any period of
2 time.

3 Prior to a change in the location of a stationary source
4 that meets the criteria in items A to D, the owner or operator
5 must provide 45 days advance written notice to the commissioner,
6 stating the exact location where the source will operate. If
7 any of items A to D are not met, the owner or operator must
8 obtain a new permit for the new location prior to operation in
9 the new location.

10 Subp. 16. Agency request for a different type of permit
11 application. The owner or operator shall submit an application
12 for a part 70, state, capped, or general permit, or a different
13 registration permit option, within 120 days of the
14 commissioner's written request for the application if the
15 commissioner determines that:

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

17 C. the stationary source qualifies for a different
18 registration permit option under parts 7007.1110 to 7007.1130;

19 D. the applicable requirements to which the
20 stationary source is subject are about to or have changed
21 substantially;

22 E. the permit application contains material mistakes
23 or inaccurate statements related to establishing eligibility for
24 the emissions standards, limitations, or other terms or
25 conditions of the permit and correction of such mistakes or
26 statements would result in ineligibility for the permit applied
27 for;

1 F. alterations or modifications to the permitted
2 facility will result in or have the potential to result in
3 alteration in the nature or quantity of regulated air pollutants
4 to be emitted by the permittee such that the permittee is no
5 longer eligible for the permit it holds; or

6 G. the commissioner receives information previously
7 unavailable to the commissioner that shows that the terms and
8 conditions of the permit do not accurately represent the actual
9 circumstances of the permitted facility.

10 [For text of subps 17 to 22, see M.R.]

11 7007.1120 REGISTRATION PERMIT OPTION B.

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

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

16 B. the only emissions from the stationary source are
17 from VOC-containing materials, or are from insignificant
18 activities under part 7007.1300, subparts 2 and 3, or are from
19 conditionally insignificant activities meeting the requirements
20 of parts 7008.4000 and 7008.4110; and

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

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

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

25 E. the gallons of VOC-containing materials purchased
26 or used in a calendar year. If the stationary source has not
27 been operated, the owner or operator shall estimate the gallons

1 of VOC-containing materials that will be purchased or used on a
2 calendar year basis during normal operation using a worksheet
3 provided by the commissioner. If the stationary source has been
4 operated less than 12 months or has not been operated a full
5 calendar year on the date of application under this part, the
6 owner or operator shall calculate gallons of VOC-containing
7 materials purchased or used by multiplying 12 months by the
8 larger of the two following monthly averages:

9 (1) the average monthly gallons purchased or
10 used; or

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

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

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

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

21 D. have emissions from the stationary source only
22 from VOC-containing materials or from insignificant activities
23 under part 7007.1300, subparts 2 and 3, or from conditionally
24 insignificant activities described in and meeting the
25 requirements of parts 7008.4000 and 7008.4110;

26 E. comply with part 7007.1110; and

27 F. comply with all applicable requirements, including

1 new source performance standards.

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

3 7007.1125 REGISTRATION PERMIT OPTION C.

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

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

11 F. the 12-month rolling sum of calculations
12 determined under calculations 1, 2A, 2B, and 3 in subpart 4 is
13 less than 50; and

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

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

16 Subp. 3. Compliance requirements for Option C sources.

17 Unless a stationary source is eligible under subpart 3a, the
18 owner or operator of a stationary source issued a registration
19 permit under this part shall comply with all of the requirements
20 in items A to J.

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

22 F. The 12-month rolling sum determined by the
23 calculation in item D, the eligibility number, shall not exceed
24 50.

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

26 Subp. 3a. Compliance requirements for low-emitting Option
27 C sources. If the eligibility number determined by the

1 calculation in item D is less than 25 for the previous calendar
2 year, the owner or operator of a stationary source issued a
3 registration permit under this part shall comply with all of the
4 requirements in items A to E.

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

6 D. The owner or operator must add together and record
7 by April 1 of each calendar year the sum of the calculations
8 made in items A to C. This sum, the eligibility number, shall
9 not exceed 25 to be eligible under this subpart. If the
10 eligibility number exceeds 25, then the owner or operator must
11 comply with subpart 3 and have an eligibility number of less
12 than 25 for two consecutive calendar years before eligibility
13 for this subpart is reinstated.

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

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

17 Subp. 5. **Transition period.** Any owner or operator of a
18 stationary source that holds a registration permit option C and
19 is ineligible for a registration permit option C on or after
20 January 1, 2007, shall apply for another type of permit on or
21 before ~~April 30~~ December 31, 2008.

22 7007.1130 REGISTRATION PERMIT OPTION D.

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

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

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

1 G. if the calculations required by subpart 4 used
2 emission factors established by a performance test approved by
3 the commissioner under parts 7017.2001 to 7017.2060 and
4 reflected use of control equipment that is not listed in part
5 7011.0070, a copy of the portion of the control equipment
6 manufacturer's specifications which includes the operating
7 parameters. If the emissions are discharged to the control
8 equipment through a hood, then the owner or operator must
9 evaluate, on a form provided by the commissioner, whether the
10 hood conforms to the design and operating practices recommended
11 in "Industrial Ventilation - A Manual of Recommended Practice,
12 American Conference of Governmental Industrial Hygienists," and
13 must include with the permit application the certification
14 required in part 7011.0072, subpart 2.

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

18 **Subp. 3. Compliance requirements for Option D sources.**
19 Unless a stationary source is eligible under subpart 3a, the
20 owner or operator of a stationary source issued a permit under
21 this part shall comply with all of the requirements in items A
22 to L.

23 A. If the stationary source determined eligibility in
24 the permit application, in whole or in part, by calculating VOC
25 and hazardous air pollutant actual emissions from VOC-containing
26 or hazardous air pollutant-containing materials, purchased or
27 used (whichever was stated in the permit application), the owner

1 or operator must:

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

3 (2) maintain a record of the material safety data
4 sheet (MSDS), or a signed statement from the supplier stating
5 the maximum VOC or hazardous air pollutant content, for each
6 VOC-containing or hazardous air pollutant-containing material
7 purchased or used (whichever was stated in the permit
8 application);

9 (3) recalculate and record by the last day of
10 each month the 12-month rolling sum of actual VOC and hazardous
11 air pollutant emissions from VOC-containing and hazardous air
12 pollutant-containing materials purchased or used (whichever was
13 stated in the permit application) for the previous 12 months,
14 the date the calculation was made, and the calculation itself;
15 and

16 (4) if the owner or operator assumes a reduction
17 of emissions in using the materials balance method under subpart
18 4, item D, due to recycling of material off site, keep records
19 of the amount of material shipped off site for recycling and the
20 calculations done to determine the amount to subtract.

21 Acceptable records include the material safety data sheets,
22 invoices, shipping papers, and hazardous waste manifests.

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

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

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

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

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

7 K. If the stationary source determined eligibility in
8 the permit application, in whole or in part, by using fuel
9 sulfur data in the calculations in subpart 4, the owner or
10 operator must:

11 (1) record by the last day of each month the
12 amount of each fuel burned for each batch of fuel for the
13 previous month;

14 (2) maintain a record of the fuel sulfur content
15 certified verified by the-supplier vendor certification or
16 measured by an independent laboratory using ASTM methods for
17 each batch of fuel received; and

18 (3) recalculate and record by the last day of
19 each month the 12-month rolling sum of SO₂ emissions for the
20 previous 12 months, the date the calculation was made, and the
21 calculation itself using the calculation method in subpart 4.

22 L. If the stationary source determined eligibility in
23 the permit application, in whole or in part, by using hours of
24 operation in the calculations in subpart 4, the owner or
25 operator must:

26 (1) record by the last day of each month the
27 hours operated for each emissions unit, rounded to the nearest

1 hour for the previous month; and

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

6 Subp. 3a. **Compliance requirements for low-emitting Option**
7 **D sources.** If the actual emissions for the previous calendar
8 year of each pollutant are less than the emission eligibility
9 limits for each pollutant listed in Table 3A, then the owner or
10 operator shall comply with all of the requirements in items A to
11 F H.

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

13 G. If the stationary source determined eligibility in
14 the permit application, in whole or in part, by using fuel
15 sulfur data in the calculations in subpart 4, the owner or
16 operator must:

17 (1) maintain records of the amount of each fuel
18 burned for each batch of fuel for each calendar year;

19 (2) maintain a record of the fuel sulfur content
20 verified by vendor certification or measured by an independent
21 laboratory using ASTM methods for each batch of fuel received;
22 and

23 (3) calculate and record by April 1 of each
24 calendar year the sum of SO₂ emissions and the calculation
25 itself for the previous calendar year using the calculation
26 method in subpart 4.

27 H. If the stationary source determined eligibility in

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

4 (1) maintain records of the number of hours
5 operated for each emissions unit, rounded to the nearest hour
6 for each calendar year; and

7 (2) calculate and record by April 1 of each
8 calendar year the sum of emissions and the calculation itself
9 for the previous calendar year.

10 TABLE 3A
11 OPTION D EMISSION ELIGIBILITY LIMITS FOR
12 REDUCED RECORD KEEPING

POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
HAP	2.5 tons/year for a single HAP
	6.25 tons/year total for all HAPs
PM	25 tons/year
PM-10	25 tons/year for an Attainment Area
	0 tons/year for a Nonattainment Area
VOC	25 tons/year
SO ₂	25 tons/year
NO _x	25 tons/year
CO	25 tons/year
Pb	0.05 tons/year

25 Subp. 4. Calculation of actual emissions. The owner or
26 operator of a stationary source may use a calculation worksheet
27 provided by the commissioner for calculating actual emissions
28 under this part, or may use the calculation methods under items
29 A to E. The owner or operator must calculate actual emissions
30 for each emissions unit, except that similar emissions units may
31 be aggregated for emission calculation purposes. The owner or
32 operator of a stationary source shall use the calculation method
33 in item B instead of the calculation method in item A if the
34 data described in item B are available for the stationary

1 source. The alternative methods described in items C, D, and E
2 may be used by the owner or operator without advance
3 notification to the commissioner. The commissioner shall reject
4 data submitted using the methods described in items B to E if
5 the conditions set forth for the method are not fully met. To
6 prevent double counting of emissions, the owner or operator must
7 select one calculation method under this subpart for each
8 emissions unit at the stationary source. Fugitive dust
9 emissions must be included in the calculations under this
10 subpart only if the stationary source is in a category listed in
11 part 7007.0200, subpart 2, item B, subitems (1) to (27).

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

13 C. Emission factors from performance tests may be
14 used for the calculation of actual emissions, provided that:

15 (1) the emissions unit is either an uncontrolled
16 unit (for the tested pollutant) or is fitted with air pollution
17 control equipment subject to the monitoring and record-keeping
18 requirements of parts 7011.0060 to 7011.0080 or is fitted with
19 air pollution equipment that has met the requirements of subpart
20 6; and

21 (2) the performance tests met all the
22 requirements of parts 7017.2001 to 7017.2060, and all other
23 applicable state rules and federal regulations governing
24 performance tests. The owner or operator of a stationary source
25 that uses an emission factor developed from a performance test
26 shall use the calculation method under item A.

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

1 E. The owner or operator of a stationary source may
 2 determine sulfur dioxide actual emissions by measuring the
 3 sulfur content of the fuel and assuming that all of the sulfur
 4 in the fuel is oxidized to sulfur dioxide. The sulfur content
 5 of each batch of fuel received must be measured by an
 6 independent laboratory using ASTM methods or verified by vendor
 7 certification. The sulfur dioxide actual emissions shall be
 8 determined for each batch of fuel received by using the
 9 following equation:

10 $SO_2 = \%S/100 \times F/2,000 \times 2$, where

11 SO_2 = Sulfur dioxide emissions from a batch of fuel in tons.

12 $\%S$ = Weight percent sulfur in the fuel being burned.

13 F = Amount of fuel burned by weight in pounds.

14 $2,000$ = Pounds per ton.

15 2 or $64/32$ = Pounds of sulfur dioxide per pound of sulfur
 16 in one pound-mole.

17 The total sulfur dioxide emissions for the year shall be
 18 the sum total of the individual batch totals.

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

20 7007.1140 CAPPED PERMIT ELIGIBILITY REQUIREMENTS.

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

22 Subp. 2. Sources that may not obtain a capped permit.

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

24 E. No stationary source may obtain a capped permit if
 25 it is subject to a new source performance standard other than
 26 one of the following:

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

1 (11) Code of Federal Regulations, title 40, part
2 60, subpart JJJ, Standards of Performance for Petroleum Dry
3 Cleaners, incorporated by reference in part 7011.3250;

4 (12) Code of Federal Regulations, title 40, part
5 60, subpart TTT, Standards of Performance for Industrial Surface
6 Cleaning of Plastic Parts for Business Machines, incorporated by
7 reference in part 7011.2580; and

8 (13) Code of Federal Regulations, title 40, part
9 60, subpart IIII, Standards of Performance for Stationary
10 Compression Ignition Internal Combustion Engines, incorporated
11 by reference in part 7011.3520, but only if the compression
12 ignition internal combustion engine has a displacement less than
13 30 liters per cylinder or is an emergency engine with a
14 displacement greater than 30 liters per cylinder.

15 7007.1200 CALCULATING EMISSION CHANGES FOR PERMIT AMENDMENTS.

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

17 Subp. 4. **Record-keeping requirements.** When this part
18 applies and the permittee determines that no permit amendment or
19 agency notification is required prior to making the change, the
20 permittee must retain records of all calculations required under
21 this part. For expiring permits, these records shall be kept
22 for a period of five years from the date the change was made or
23 until permit reissuance, whichever is longer. For nonexpiring
24 permits, these records shall be kept for a period of five years
25 from the date that the change was made. The records shall be
26 kept at the stationary source for the current calendar year of
27 operation and may be kept at the stationary source or office of

1 the stationary source for all other years. The records may be
2 maintained in either electronic or paper format.

3 7007.1250 INSIGNIFICANT MODIFICATIONS.

4 Subpart 1. When an insignificant modification can be
5 made. The permittee may make a modification described in either
6 item A or B at a permitted stationary source without getting a
7 permit amendment, unless the modification is prohibited by
8 subpart 2. However, if the modification triggers new
9 monitoring, record keeping, or reporting requirements under
10 applicable requirements or parts 7007.0100 to 7007.1850, the
11 permittee shall initiate an administrative amendment under part
12 7007.1400 to include the new requirements no more than 30 days
13 after making the modification.

14 A. Construction or operation of any emissions unit,
15 or undertaking any activity, that is on the insignificant
16 activities list in part 7007.1300, subparts 2 and 3, or that is
17 described as and meets the requirements of a conditionally
18 insignificant activity under parts 7008.4000 and 7008.4110.

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

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

21 Subp. 3. Record-keeping requirements. Except as described
22 in subpart 4, modifications authorized under this part may be
23 made without providing notice to the agency. However, the
24 permittee shall keep a record of the modification for all
25 changes authorized under subpart 1, items A and B, except for
26 those activities described in part 7007.1300, subpart 2. For
27 changes authorized under subpart 1, item B, and part 7007.1300,

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

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

5 7007.1300 INSIGNIFICANT ACTIVITIES LIST.

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

7 Subp. 2. Insignificant activities not required to be
8 listed. The activities described in this subpart are not
9 required to be listed in a permit application under part
10 7007.0500, subpart 2, item C, subitem (2).

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

12 C. Fabrication operations:

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

14 (4) mixers, blenders, roll mills, or calendars
15 for rubber or plastics for which no materials in powder form are
16 added and in which no organic solvents, diluents, or thinners
17 are used.

18 [For text of items D to K, see M.R.]

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

20 7007.3000 PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY.

21 Any person who constructs, modifies, reconstructs, or
22 operates an emissions unit, emission facility, or stationary
23 source must meet the requirements of Code of Federal
24 Regulations, title 40, part 52.21, as amended, entitled
25 "Prevention of Significant Deterioration of Air Quality," which
26 is adopted and incorporated by reference.

1 All applications and other information required pursuant to
2 Code of Federal Regulations, title 40, part 52.21, from
3 emissions units, emission facilities, and stationary sources
4 located in Minnesota shall be submitted to the commissioner.

5 7007.5000 BEST AVAILABLE RETROFIT TECHNOLOGY.

6 Subpart 1. **Incorporation by reference.** Code of Federal
7 Regulations, title 40, part 51.301 (Definitions), as amended, is
8 incorporated by reference. Appendix Y (Guidelines for Best
9 Available Retrofit Technology (BART) Determinations Under the
10 Regional Haze Rule) of Code of Federal Regulations, title 40,
11 part 51, as amended, is incorporated by reference.

12 Subp. 2. **BART determination.** The owner or operator of a
13 stationary source shall submit a best available retrofit
14 technology (BART) analysis to the commissioner if the
15 commissioner determines the stationary source is subject to BART
16 according to Code of Federal Regulations, title 40, part 51,
17 Appendix Y (Guidelines for BART Determinations Under the
18 Regional Haze Rule). The owner or operator shall prepare the
19 BART analysis according to section IV of Appendix Y of Code of
20 Federal Regulations, title 40, part 51, as directed by the
21 commissioner. The owner or operator of a stationary source
22 shall submit the BART analysis 180 days after receipt of written
23 notification by the commissioner that a BART analysis is
24 required. The commissioner shall make the BART determination
25 according to Appendix Y of Code of Federal Regulations, title
26 40, part 51.

27 Subp. 3. **BART implementation.** The owner of each

1 BART-eligible source subject to BART shall install and operate
2 BART no later than five years after the United States
3 Environmental Protection Agency approval of Minnesota's regional
4 haze state implementation plan. The owner or operator of each
5 source subject to BART shall operate and maintain the control
6 equipment or work practices required by this part and shall
7 establish procedures to ensure such equipment or work practices
8 are properly operated and maintained.

9 7011.0060 DEFINITIONS.

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

11 Subp. 3e. Hood. "Hood" means a shaped inlet to a
12 pollution control system that does not totally surround
13 emissions from an emissions unit, that is designed, used, and
14 maintained to capture and discharge the air emissions through
15 ductwork to control equipment, and that conforms to the design
16 and operating practices recommended in "Industrial Ventilation -
17 A Manual of Recommended Practice, American Conference of
18 Governmental Industrial Hygienists." This document is subject
19 to frequent change. A spray booth can be a hood if it meets the
20 definition in this subpart.

21 Subp. 4. Listed control equipment. "Listed control
22 equipment" means the control equipment at a stationary source
23 listed in part 7011.0070, subpart 1a, Table A.

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

25 7011.0061 INCORPORATION BY REFERENCE.

26 For the purpose of parts 7011.0060 to 7011.0080, the

1 document, Industrial Ventilation - A Manual of Recommended
2 Practice, American Conference of Governmental Industrial
3 Hygienists (1984), 1300 Kemper Meadow Drive, Cincinnati, Ohio
4 45240, is incorporated by reference. American Conference of
5 Governmental Industrial Hygienists is the author and publisher.
6 This document is available through the Minitex interlibrary loan
7 system (University of Minnesota Library). This document is
8 subject to frequent change.

9 7011.0065 APPLICABILITY.

10 Subpart 1. **Applicability.** The owner or operator of a
11 stationary source shall comply with parts 7011.0060 to 7011.0080
12 if the owner or operator elected to use the control equipment
13 efficiencies for listed control equipment established pursuant
14 to part 7011.0070 to calculate potential to emit, from emissions
15 units that discharge through the listed control equipment, to:

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

17 Subp. 2. [See repealer.]

18 7011.0070 LISTED CONTROL EQUIPMENT AND CONTROL EQUIPMENT
19 EFFICIENCIES.

20 Subpart 1. **Listed control equipment efficiencies.**

21 A. Unless a part 70, state, or general permit
22 specifies a different control efficiency, the owner or operator
23 of a stationary source must at all times attain at least the
24 control efficiency listed in Table A for each piece of listed
25 control equipment at the stationary source. The applicable
26 control efficiency for a type of listed control equipment and a

1 given pollutant is determined by whether air emissions are
2 discharged to the control equipment through a hood that is
3 certified as described in part 7011.0072, through a noncertified
4 hood, or through a total enclosure. The control equipment
5 efficiencies in Table A do not apply to any hazardous air
6 pollutant.

7 B. The use of the control efficiencies listed in
8 Table A under subpart 1a that are associated with a hood that is
9 not certified is limited to the owner or operator of a
10 stationary source that qualifies for a registration permit under
11 parts 7007.1110 to 7007.1130.

12 Subp. 1a. **Exceptions where control efficiency disallowed.**
13 The owner or operator may not use a control efficiency listed in
14 Table A if:

15 A. the commissioner determines that the listed
16 efficiency is inapplicable or is not representative of the
17 source due to complexity of the process or source of emissions,
18 lack of reliable data, presence of a pollutant or constituent
19 such as condensable particulate matter or an organic compound
20 significantly more difficult to control than the overall VOC gas
21 stream that makes the categorical efficiency nonrepresentative,
22 or other site-specific conditions; or

23 B. the commissioner determines that alternate
24 site-specific requirements are necessary to ensure compliance
25 with applicable requirements or to protect human health or the
26 environment.

27 CONTROL EQUIPMENT EFFICIENCY-TABLE A

ID#	CONTROL EQUIPMENT DESCRIPTION	POLLUTANT	CONTROL EFFICIENCY		
			TOTAL ENCLOSURE	HOOD: CERTIFIED	HOOD: NOT CERTIFIED
Table A - Section 1 - Equipment Designed Primarily for Particulate Matter Control					
PM CONTROL CATEGORY- CYCLONES means a device where airflow is forced to spin in a vortex through a tube					
007	Centrifugal Collector (cyclone)-high efficiency means: a cyclonic device with parameters stated in drawing 1 and table 1	PM PM-10	90% 78%	72% 62%	54% 46%
008	Centrifugal Collector (cyclone)-medium efficiency means: a cyclonic device with parameters stated in drawing 1 and table 1	PM PM-10	80% 60%	64% 48%	48% 36%
009	Centrifugal Collector (cyclone)-low efficiency means: a cyclonic device with parameters stated in drawing 1 and table 1	PM PM-10	25% 25%	20% 20%	15% 15%
076	Multiple Cyclone without Fly Ash Reinjection means: a cyclonic device with more than one tube where fly ash is not reinjected	PM PM-10	90% 72%	72% 58%	54% 43%
057, 085	Wet Cyclone Separator or Cyclonic Scrubbers means: a cyclonic device that sprays water into a cyclone	PM, PM-10	84%	68%	51%
010, 011	PM CONTROL CATEGORY- ELECTROSTATIC				

1	012, PRECIPITATORS means:				
2	128, a control device in				
3	146 which the incoming				
4	particulate matter				
5	receives an electrical				
6	charge and is then				
7	collected on a surface				
8	with the opposite				
9	electrical charge				
10					
11	-assumed efficiency for	PM-10	40%	NA	NA
12	boiler fly ash control				
13					
14	-assumed efficiency for	PM	98%	78%	59%
15	other applications	PM-10	94%	75%	56%
16					
17	PM CONTROL CATEGORY-				
18	OTHER CONTROLS				
19					
20	016, Fabric Filter means:	PM	99%	79%	59%
21	017, a control device in	PM-10	93%	74%	56%
22	018 which the incoming gas				
23	stream passes through				
24	a porous fabric filter				
25	forming a dust cake				
26					
27	052 Spray Tower means: a	PM	85%	68%	51%
28	control device in which	PM-10	84%	68%	51%
29	the incoming gas stream				
30	passes through a				
31	chamber in which it				
32	contacts a liquid				
33	spray				
34					
35	053 Venturi Scrubber means:	PM	94%	76%	57%
36	a control device in	PM-10	84%	68%	51%
37	which the incoming gas				
38	stream passes through				
39	a venturi into which				
40	a low pressure liquid				
41	is introduced				
42					
43	055 Impingement Plate	PM	77%	62%	46%
44	Scrubber means: a	PM-10	77%	62%	46%
45	control device in				
46	which the incoming gas				
47	stream passes a liquid				
48	spray and is then				
49	directed at high				
50	velocity into a plate				
51					
52	056, Mechanically Aided	PM	64%	52%	39%
53	113 Separator means:	PM-10	5%	4%	3%
54	a device that relies				

1	on inertia for				
2	separating particles				
3	from a gas stream				
4					
5	Wall	PM	85%	68%	51%
6	or Panel Filter	PM-10	85%	68%	51%
7	058 means: a control				
8	device in which the				
9	exiting gas stream				
10	passes through a panel				
11	of coarse fibers.				
12	Other Wall Filters				
13	means removable panels				
14	for cleaning and				
15	replacement, or liquid				
16	curtains for				
17	particulate removal				
18	that provide little				
19	resistance to air				
20	flow				
21					
22	101 HEPA Filter or	PM	99.98%	80%	60%
23	ULPA Filter means:	PM-10	99.98%	80%	60%
24	a high efficiency wall				
25	or panel filter				
26	designed for				
27	collection of				
28	submicron particles				
29					
30	503 Charged Scrubber means:	PM	94%	76%	57%
31	a control device in	PM-10	84%	68%	51%
32	which electric power				
33	is used to precharge				
34	particulate matter in				
35	the gas stream as a				
36	means of increasing the				
37	scrubber's collection				
38	efficiency for fine				
39	particles				
40					
41	517 Condensation Scrubber	PM	94%	76%	57%
42	means: a control	PM-10	84%	68%	51%
43	device in which steam				
44	is injected into a wet				
45	scrubber to create				
46	supersaturated				
47	conditions and promote				
48	condensation of water on				
49	fine particulate matter				
50	in the gas stream				
51					

52 Table A - Section 2 - Equipment Designed for VOC Control

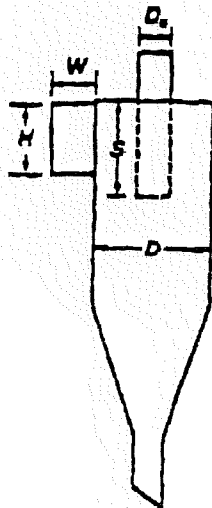
53 (includes efficiencies for pollutants where there is a

1 co-benefit of control)

2 VOC CONTROL CATEGORY

3					
4	019, Catalytic Afterburners	VOC	94%	76%	57%
5	020, (catalytic	PM	62%	50%	37%
6	109, oxidation) means: a	PM-10	62%	50%	38%
7	116, device used to reduce	CO	94%	76%	57%
8	509 VOCs to the products				
9	of combustion through				
10	catalytic				
11	(use of a catalyst)				
12	oxidation in a				
13	combustion chamber				
14					
15	021, Thermal Afterburners	VOC	97%	78%	58%
16	022, (thermal oxidation)	PM	62%	50%	37%
17	131, means: a device used	PM-10	62%	50%	37%
18	133, to reduce VOCs to the	CO	97%	78%	58%
19	510 products of combustion				
20	through thermal (high				
21	temperature) oxidation				
22	in a combustion chamber				
23					
24	023 Flaring or Direct	VOC	98%	79%	59%
25	Combustor means: a	PM	61%	50%	37%
26	device in which air,	PM-10	61%	50%	37%
27	combustible organic	CO	98%	79%	59%
28	waste gases, and				
29	supplementary fuel				
30	(if needed) react				
31	in the flame zone				
32	(e.g., at the flare				
33	tip) to destroy the				
34	VOCs				
35					

Drawing 1



36
37
38
39
40
41
42
43
44

1 Drawing 1

2 7011.0070 T=1: 18 Picas - Insert Cyclone type drawing here.

3 Table 1
4 Cyclone Type

5 Ratio	High	Medium	Low
6 Dimensions	Efficiency	Efficiency	Efficiency
7 Height of			
8 inlet, H/D	≤0.44	>0.44 and <0.8	≥0.8
9 Width of			
10 inlet, W/D	≤0.2	>0.2 and <0.375	≥0.375
11 Diameter of			
12 gas exit, D_e/D	≤0.4	>0.4 and <0.75	≥0.75
13 Length of			
14 vortex			
15 finder, S/D	≤0.5	>0.5 and <0.875	≥0.875

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

19 Subp. 1b. Transition period. Any owner or operator of a
20 stationary source that used the control efficiencies in part
21 7011.0070 to qualify for its permit and is ineligible for its
22 permit on or after January 1, 2007, shall apply for another type
23 of permit on or before ~~April 30~~ December 31, 2008.

24 Subp. 2. Alternative control equipment and capture
25 efficiencies; control efficiencies for hazardous air
26 pollutants. The owner or operator of a stationary source may
27 use an alternative control equipment efficiency or capture
28 efficiency or both for the control equipment listed in subpart
29 1, if the actual control efficiency or capture efficiency has
30 been verified by a performance test approved by the commissioner
31 under parts 7017.2001 to 7017.2060. The owner or operator of a

1 stationary source may use a control equipment efficiency for
2 listed control equipment for a hazardous air pollutant, if the
3 control efficiency has been verified by a performance test
4 approved by the commissioner under parts 7017.2001 to
5 7017.2060. The request for the alternative control efficiency
6 or capture efficiency or both may be made through a permit
7 application for a part 70, state, registration, capped, or
8 general permit, or in a required notice or application submitted
9 under parts 7007.1150 to 7007.1500. The owner or operator of a
10 stationary source must attain at all times the alternative
11 control efficiency or capture efficiency or both for a piece of
12 listed control equipment at the stationary source established
13 under this subpart.

14 Subp. 3. [See repealer.]

15 Subp. 4. [See repealer.]

16 7011.0072 REQUIREMENTS FOR CERTIFIED HOODS.

17 Subpart 1. **Applicability.** This part applies only to
18 certified hoods and hoods the owner or operator elects to be
19 certified. Nothing in this part shall be construed to allow the
20 owner or operator of an emission facility to violate an
21 applicable requirement or compliance document. Hoods evaluated
22 before June 8, 1999, using a form, the contents of which differ
23 from the content in subpart 3, are not required to be
24 reevaluated, unless requested by the commissioner to demonstrate
25 continued conformity with the design and operating practices
26 described in the manual incorporated by reference under part
27 7011.0061.

1 Subp. 2. **Certification required.** In order to use a
2 certified hood control efficiency value in part 7011.0070,
3 subpart 1a, Table A, the owner or operator of a stationary
4 source must:

5 A. arrange for a testing company to conduct a hood
6 evaluation;

7 B. document, on a form provided by the commissioner,
8 that the hood conforms to the design and operating practices
9 recommended in the manual incorporated by reference under part
10 7011.0061 and must include with the permit application a
11 certification statement as specified in item C, if the hood
12 exists at the time of application. If the hood does not exist
13 at the time of application, then the certification required in
14 item C shall be sent to the commissioner within 30 days after
15 start-up. The form used to demonstrate that the hood conforms
16 to the required design and operating practices shall contain the
17 elements listed in subpart 3; and

18 C. include on the form required under item B a
19 certification statement signed by the responsible official,
20 stating as follows: "I certify under penalty of law that the
21 aforementioned hood(s) has (have) been evaluated under my
22 direction or supervision by qualified personnel and that, to the
23 best of my knowledge and belief, the (each) hood conforms to the
24 design and operating practices recommended in "Industrial
25 Ventilation - A Manual of Recommended Practice, American
26 Conference of Governmental Industrial Hygienists.""

27 Subp. 3. **Contents of hood evaluation form.** The hood

1 evaluation form required in subpart 2 shall include:

2 A. hood dimensions recommended by the manual
3 incorporated by reference under part 7011.0061;

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

6 C. minimum recommended air flow into the hood;

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

9 E. capture velocity test plan; and

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

13 Subp. 4. **Monitoring and record keeping.** The owner or
14 operator of a certified hood shall:

15 A. maintain at the stationary source the most current
16 record of each hood evaluation required by part 7011.0070; and

17 B. measure the fan rotation speed, fan power draw,
18 face velocity, or other comparable air flow indicator for each
19 hood and maintain a yearly summary of these measurements. Each
20 yearly summary shall be maintained at the stationary source for
21 a minimum of five years.

22 7011.0075 LISTED CONTROL EQUIPMENT GENERAL REQUIREMENTS.

23 Subpart 1. **Operation of control equipment.** The owner or
24 operator of a stationary source shall operate all listed control
25 equipment located at the stationary source whenever operating
26 the emission units controlled by the listed control equipment in
27 compliance with parts 7011.0060 to 7011.0080. Unless

1 specifically allowed by a part 70, state, or general permit,
2 each piece of listed control equipment, with the exception of
3 low-temperature fabric filters (ID #018) using visible emissions
4 as the monitoring parameter under part 7011.0080, shall at all
5 times be operated in the range established by the control
6 equipment manufacturer's specifications for each monitoring
7 parameter listed in part 7011.0080, or within the operating
8 parameters set by the commissioner as the result of the most
9 recent performance test conducted to determine control
10 efficiency under parts 7017.2001 to 7017.2060 if those are more
11 restrictive.

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

23 A. an owner or operator has failed to disclose fully
24 all facts relevant to the proposed monitoring parameter range of
25 the control device or the owner or operator has knowingly
26 submitted false or misleading information to the commissioner;

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

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

2 Subp. 3. Installation of monitoring equipment. The owner
3 or operator of a stationary source shall install monitoring
4 equipment to measure the operating parameters of all listed
5 control equipment as specified by parts 7011.0072 and 7011.0080
6 or by source specific monitoring requirements specified in a
7 part 70, state, or general permit. The monitoring equipment
8 must be installed prior to operation of any new process
9 equipment controlled by the control equipment or, for stationary
10 sources in operation on December 27, 1994, by the application
11 deadline listed in part 7007.0350, subpart 1, item A. The owner
12 or operator of a stationary source shall operate the monitoring
13 equipment for each piece of listed control equipment at all
14 times the listed control equipment is required to operate in
15 compliance with part 7011.0075.

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

17 Subp. 6. Demonstration of capture and control equipment
18 efficiency. The owner or operator shall, upon request of the
19 commissioner or the administrator, conduct a performance test
20 under parts 7017.2001 to 7017.2060 to determine the capture
21 efficiency of a hood or other capture device or to determine the
22 efficiency of the control equipment. In addition to the reasons
23 specified in part 7017.2020, subpart 1, the commissioner or the
24 administrator may make such a request to verify that the capture
25 device or control equipment at a stationary source is attaining
26 the efficiency assumed under part 7011.0070.

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

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

3 The owner or operator of a stationary source shall comply
4 with the monitoring and record keeping required for listed
5 control equipment by the table in this part. The owner or
6 operator shall maintain the records required by this part for a
7 minimum of five years from the date the record was made. Unless
8 a specific format is required, the records may be maintained in
9 either electronic or paper format. For certified hoods, the
10 owner or operator shall comply with part 7011.0072.

11 Identifi- 12 cation 13 Number(s)	Pollution Control Equipment Type	Monitoring Parameter(s)	Record-keeping Requirement
15 A. Equipment designed for particulate matter control			
16 007, 008, 17 009, 076,	Centrifugal collector (cyclone)	Pressure drop	Record pressure drop every 24 hours if in operation
21 010, 011, 22 012, 128, 23 146	Electrostatic precipitator	Secondary Voltage, secondary current, and, if used, conditioning agent flow rate	Continuous readout of flue gas-temperature, voltage, and secondary current. If used, daily record of conditioning agent flow rate
33 016, 017	Fabric filter (bag house), high temperature (T>250°F), medium temperature (180°F> T<250°F)	Pressure drop	Record pressure drop every 24 hours if in operation
42 018	Fabric filter	Pressure drop	Record pressure

1		(bag house),	or visible	drop every 24
2		low temperature	emissions	hours if in
3		(T<180°F)	observation	operation; or
4			from filter	Record whether
5			outlet during	any visible
6			an entire	emissions are
7			cleaning	observed and the
8			cycle; unless	time period of
9			the	observation
10			commissioner	every 24 hours
11			specifies	if in
12			pressure drop	operation; or
13			and/or visible	record both if
14			emissions as	the commissioner
15			the indicator(s)	requires
16			of fabric	monitoring of
17			filter	both parameters
18			performance	
19				
20	052	Spray tower	Liquid flow	Record each
21			rate and	parameter every
22			pressure drop	24 hours if
23				in operation
24				
25	053, 055	Venturi scrubber,	Pressure drop	Record each
26		impingement plate	and liquid	parameter every
27		scrubber	flow rate	24 hours if
28				in operation
29				
30	056, 113	Mechanically aided	Pressure drop	Record every
31		separator		24 hours if in
32				operation
33				
34	058, 101	HEPA and other	Condition of	Record of
35		wall filters	the filters,	filter(s)
36			including, but	condition every
37			not limited	24 hours if
38			to, alignment,	in operation
39			saturation,	
40			and tears	
41			and holes	
42				
43	057, 085	Wet cyclone	Pressure drop;	Record each
44		separator	and water	parameter every
45			pressure	24 hours if
46				in operation
47				
48	503	Charged scrubber	Pressure drop	Record each
49			and liquid flow	parameter every
50			rate	24 hours if
51				in operation
52				
53	517	Condensation	Pressure drop	Record each
54		scrubber	and either	parameter every

1 steam supply 24 hours if
 2 rate or in operation
 3 blowdown rate
 4

5 B. Equipment designed for volatile organic compound

6 control

7 021, 022, Thermal Combustion Record
 8 131, 133, afterburner temperature or temperatures
 9 510 inlet and at least once
 10 outlet every 15 minutes
 11 temperatures
 12

13 019, 020, Catalytic Inlet and Record
 14 109, 116, afterburner outlet temperatures
 15 509 temperatures; or manual
 16 and catalyst readings at
 17 bed reactivity least once
 18 as per every 15
 19 manufacturer's minutes; and
 20 specifications record
 21 results of
 22 catalyst bed
 23 reactivity
 24

25 023 Flaring Temperature Record
 26 indicating temperatures
 27 presence of at least once
 28 a flame every 15
 29 minutes

30 7011.0730 TABLE 1.

31	32 Process Weight Rate	33 Emission Rate
34	(pounds/hour)	(pounds/hour)
35	100	0.55
36	500	1.53
37	1,000	2.25
38	5,000	6.34
39	10,000	9.73
40	20,000	14.99
41	60,000	29.60
42	80,000	31.19
43	120,000	33.28
44	160,000	34.85
45	200,000	36.11
46	400,000	40.35
47	1,000,000	46.72

48 Interpolation of the data in this part for the process

49 weight rates up to 60,000 pounds/hour shall be accomplished by

1 the use of the equation:

$$2 \quad E = 3.59P^{0.62}$$

3 <

$$4 \quad P = 30 \text{ tons/hour}$$

5 and interpolation and extrapolation of the data for process

6 weight rates in excess of 60,000 pounds/hour shall be

7 accomplished by use of the equation:

$$8 \quad E = 17.31P^{0.16}$$

$$9 \quad P > 30 \text{ tons/hour}$$

10 where:

11 E = emissions in pounds per hour;

12 P = process weight rate in tons per hour.

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

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

16 Subp. 3. Prohibited discharges. A commodity facility that
17 is not required to be controlled under subpart 2 must be
18 controlled if the facility meets one of the descriptions listed
19 in part 7011.1015 where the table indicates "control required."
20 For a facility where control is required under part 7011.1015,
21 no owner, operator, or other person who conducts activities at
22 the facility may allow:

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

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

25 INCINERATORS

26 7011.1299 STANDARDS OF PERFORMANCE FOR INCINERATORS.

27 Code of Federal Regulations, title 40, part 60, subpart E,
28 as amended, entitled "Standards of Performance for
29 Incinerators," is incorporated by reference.

1 VOC EMISSIONS FROM SOCFI REACTOR PROCESSES

2 7011.3430 STANDARDS OF PERFORMANCE FOR VOC EMISSIONS FROM SOCFI
3 REACTOR PROCESSES.

4 Code of Federal Regulations, title 40, part 60, subpart
5 RRR, as amended, entitled "Standard of Performance for Volatile
6 Organic Compound Emissions From Synthetic Organic Chemical
7 Manufacturing Industry (SOCFI) Reactor Processes," is
8 incorporated by reference, except that the authorities
9 identified in section 60.718, paragraph (b), are not delegated
10 to the commissioner and are retained by the administrator.

11 7011.3520 STANDARDS OF PERFORMANCE FOR STATIONARY COMPRESSION
12 IGNITION INTERNAL COMBUSTION ENGINES.

13 Code of Federal Regulations, title 40, part 60, subpart
14 IIII, as amended, entitled "Standards of Performance for
15 Stationary Compression Ignition Internal Combustion Engines," is
16 incorporated by reference.

17 7011.8010 SITE REMEDIATION.

18 Code of Federal Regulations, title 40, part 63, subpart
19 GGGG, as amended, entitled "National Emission Standards for
20 Hazardous Air Pollutants: Site Remediation," is incorporated by
21 reference, except that the authorities identified in section
22 63.7956, paragraph (c), are not delegated to the commissioner
23 and are retained by the administrator.

24 7011.8020 PRIMARY MAGNESIUM REFINING.

25 Code of Federal Regulations, title 40, part 63, subpart

1 TTTTT, as amended, entitled "National Emission Standards for
2 Hazardous Air Pollutants for Primary Magnesium Refining," is
3 incorporated by reference, except that the authorities
4 identified in section 63.9941, paragraph (c), are not delegated
5 to the commissioner and are retained by the administrator.

6 7011.8030 TACONITE IRON ORE PROCESSING.

7 Code of Federal Regulations, title 40, part 63, subpart
8 RRRRR, as amended, entitled "National Emission Standards for
9 Hazardous Air Pollutants: Taconite Iron Ore Processing," is
10 incorporated by reference, except that the authorities
11 identified in section 63.9651, paragraph (c), are not delegated
12 to the commissioner and are retained by the administrator.

13 7011.8040 IRON AND STEEL FOUNDRIES.

14 Code of Federal Regulations, title 40, part 63, subpart
15 EEEEE, as amended, entitled "National Emission Standards for
16 Hazardous Air Pollutants for Iron and Steel Foundries," is
17 incorporated by reference, except that the authorities
18 identified in section 63.7761, paragraph (c), are not delegated
19 to the commissioner and are retained by the administrator.

20 7011.8050 MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING.

21 Code of Federal Regulations, title 40, part 63, subpart
22 FFFF, as amended, entitled "National Emission Standards for
23 Hazardous Air Pollutants: Miscellaneous Organic Chemical
24 Manufacturing," is incorporated by reference, except that the
25 authorities identified in section 63.2545, paragraph (b), are
26 not delegated to the commissioner and are retained by the

1 administrator.

2 7011.8060 SURFACE COATING OF METAL CANS.

3 Code of Federal Regulations, title 40, part 63, subpart
4 KKKK, as amended, entitled "National Emission Standards for
5 Hazardous Air Pollutants: Surface Coating of Metal Cans," is
6 incorporated by reference, except that the authorities
7 identified in section 63.3560, paragraph (c), are not delegated
8 to the commissioner and are retained by the administrator.

9 7011.8070 MISCELLANEOUS COATING MANUFACTURING.

10 Code of Federal Regulations, title 40, part 63, subpart
11 HHHHH, as amended, entitled "National Emission Standards for
12 Hazardous Air Pollutants: Miscellaneous Coating Manufacturing,"
13 is incorporated by reference, except that the authorities
14 identified in section 63.8100, paragraph (b), are not delegated
15 to the commissioner and are retained by the administrator.

16 7011.8080 MERCURY EMISSIONS FROM MERCURY CELL CHLOR-ALKALI
17 PLANTS.

18 Code of Federal Regulations, title 40, part 63, subpart
19 IIIII, as amended, entitled "National Emission Standards for
20 Hazardous Air Pollutants: Mercury Emissions from Mercury Cell
21 Chlor-Alkali Plants," is incorporated by reference, except that
22 the authorities identified in section 63.8264, paragraph (c),
23 are not delegated to the commissioner and are retained by the
24 administrator.

25 7011.8090 SURFACE COATING OF MISCELLANEOUS METAL PARTS AND

1 PRODUCTS.

2 Code of Federal Regulations, title 40, part 63, subpart
3 MMMM, as amended, entitled "National Emission Standards for
4 Hazardous Air Pollutants for Surface Coating of Miscellaneous
5 Metal Parts and Products," is incorporated by reference, except
6 that the authorities identified in section 63.3980, paragraph
7 (c), are not delegated to the commissioner and are retained by
8 the administrator.

9 7011.8100 LIME MANUFACTURING PLANTS.

10 Code of Federal Regulations, title 40, part 63, subpart
11 AAAAA, as amended, entitled "National Emission Standards for
12 Hazardous Air Pollutants for Lime Manufacturing Plants," is
13 incorporated by reference, except that the authorities
14 identified in section 63.7141, paragraph (c), are not delegated
15 to the commissioner and are retained by the administrator.

16 7011.8110 ORGANIC LIQUIDS DISTRIBUTION (NONGASOLINE).

17 Code of Federal Regulations, title 40, part 63, subpart
18 EEEE, as amended, entitled "National Emission Standards for
19 Hazardous Air Pollutants: Organic Liquids Distribution
20 (Nongasoline)," is incorporated by reference, except that the
21 authorities identified in section 63.2402, paragraph (b), are
22 not delegated to the commissioner and are retained by the
23 administrator.

24 7011.8120 STATIONARY COMBUSTION TURBINES.

25 Code of Federal Regulations, title 40, part 63, subpart
26 YYYY, as amended, entitled "National Emission Standards for

1 Hazardous Air Pollutants for Stationary Combustion Turbines," is
2 incorporated by reference, except that the authorities
3 identified in section 63.6170, paragraph (c), are not delegated
4 to the commissioner and are retained by the administrator.

5 7011.8130 SURFACE COATING OF PLASTIC PARTS AND PRODUCTS.

6 Code of Federal Regulations, title 40, part 63, subpart
7 PPPP, as amended, entitled "National Emission Standards for
8 Hazardous Air Pollutants for Surface Coating of Plastic Parts
9 and Products," is incorporated by reference, except that the
10 authorities identified in section 63.4580, paragraph (c), are
11 not delegated to the commissioner and are retained by the
12 administrator.

13 7011.8140 SURFACE COATING OF AUTOMOBILES AND LIGHT-DUTY TRUCKS.

14 Code of Federal Regulations, title 40, part 63, subpart
15 IIII, as amended, entitled "National Emission Standards for
16 Hazardous Air Pollutants: Surface Coating of Automobiles and
17 Light-Duty Trucks," is incorporated by reference, except that
18 the authorities identified in section 63.3175, paragraph (c),
19 are not delegated to the commissioner and are retained by the
20 administrator.

21 7011.8150 STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES.

22 Code of Federal Regulations, title 40, part 63, subpart
23 ZZZZ, as amended, entitled "National Emission Standards for
24 Hazardous Air Pollutants for Stationary Reciprocating Internal
25 Combustion Engines," is incorporated by reference, except that
26 the authorities identified in section 63.6670, paragraph (c),

1 are not delegated to the commissioner and are retained by the
2 administrator.

3 7011.8160 PLYWOOD AND COMPOSITE WOOD PRODUCTS.

4 Code of Federal Regulations, title 40, part 63, subpart
5 DDDD, as amended, entitled "National Emission Standards for
6 Hazardous Air Pollutants: Plywood and Composite Wood Products,"
7 is incorporated by reference, except that the authorities
8 identified in section 63.2291, paragraph (c), are not delegated
9 to the commissioner and are retained by the administrator.

10 7011.8170 INDUSTRIAL PROCESS COOLING TOWERS.

11 Code of Federal Regulations, title 40, part 63, subpart Q,
12 as amended, entitled "National Emission Standards for Hazardous
13 Air Pollutants for Industrial Process Cooling Towers," is
14 incorporated by reference, except that the authorities
15 identified in section 63.407, paragraph (c), are not delegated
16 to the commissioner and are retained by the administrator.

17 7017.2005 DEFINITIONS.

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

19 Subp. 4. **Performance test.** "Performance test" means the
20 quantification of emissions or determination of the physical,
21 chemical, or aesthetic properties of those emissions from an
22 emissions unit by means of conducting one or more test runs at
23 an emission facility. When requested or approved by the
24 commissioner, a performance test includes the determination of
25 capture efficiency, collection efficiency, control efficiency,
26 or destruction efficiency associated with a hood or emissions

1 unit or control device. The terms "capture efficiency,"
2 "collection efficiency," "control efficiency," "destruction
3 efficiency," and "hood" have the meanings given in part
4 7011.0060.

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

6 Subp. 6. **Test run.** "Test run" means the procedure for
7 sampling or analyzing emissions during a performance test at or
8 before the emission point of an emissions unit over a defined
9 length of time at specified operating conditions.

10 [For text of subps 7 and 8, see M.R.]

11 7017.2020 PERFORMANCE TESTS GENERAL REQUIREMENTS.

12 Subpart 1. **Testing required.** The owner or operator of an
13 emission facility shall arrange to conduct a performance test at
14 any emission facility at the times required by an applicable
15 requirement or compliance document and at additional times if
16 the commissioner requests a performance test in order to:

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

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

19 7019.3000 EMISSION INVENTORY.

20 Subpart 1. **Emission inventory required.**

21 A. All owners or operators of emission reporting
22 facilities, as defined in part 7002.0015, subpart 3a, shall
23 submit an annual emission inventory report to the agency, in a
24 format specified by the commissioner, relating to ammonia,
25 carbon monoxide, particulate matter, and all chargeable
26 pollutants as defined in part 7002.0015, subpart 2a. The report

1 shall be submitted on or before April 1 of the year following
2 the year being reported. The responsible official, as defined
3 in part 7007.0100, subpart 21, must sign the report and shall
4 make the following certification:

5 "I certify under penalty of law that this document and
6 all attachments were prepared under my direction or
7 supervision by qualified personnel. The information
8 submitted is, to the best of my knowledge and belief,
9 true, accurate, and complete. I understand that the
10 data provided in this document will be used by the
11 MPCA to calculate a fee, which the facility will be
12 required to pay under Minnesota Rules, part 7002.0065,
13 based on the tons of pollution emitted by the
14 facility."

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

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

17 7019.3020 CALCULATION OF ACTUAL EMISSIONS FOR EMISSION INVENTORY.

18 A. Emissions from all emissions units shall be
19 reported in the annual emissions inventory report in a format
20 specified by the commissioner. Emissions from insignificant
21 activities listed in part 7007.1300, subpart 2, shall not be
22 reported. Emissions from insignificant activities listed in
23 part 7007.1300, subparts 3 and 4, and conditionally
24 insignificant activities listed in part 7008.4000 shall be
25 reported if the commissioner or owner or operator has determined
26 that emissions from those activities are not insignificant for
27 purposes of permitting under parts 7007.0100 to 7007.1850 or for

1 those activities required to be quantified by a facility issued
2 a capped permit option 1. Notwithstanding the previous
3 sentence, the commissioner may request an inventory of fugitive
4 emissions from roads and parking lots, defined as insignificant
5 under part 7007.1300, subpart 3, item J, upon determining that
6 emissions from these sources represent a substantial portion of
7 the facility's total emissions.

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

9 D. All owners or operators of emission reporting
10 facilities which have obtained an air emission permit under part
11 7007.1130, registration permit option D, shall report the actual
12 emissions calculated for purposes of compliance demonstration
13 required in part 7007.1130, subpart 3, item E, for the calendar
14 year for which emissions are being reported in a format
15 specified by the commissioner.

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

17 7019.3030 METHOD OF CALCULATION.

18 A. The owner or operator of an emission reporting
19 facility, except one issued an option C or D registration permit
20 under part 7007.1125 or 7007.1130 or a capped permit under parts
21 7007.1140 to 7007.1148, shall calculate the facility's actual
22 emissions using the methods listed in subitems (1) to (4). The
23 methods are listed in a hierarchy of the most preferred method
24 to the least preferred method. The most preferred method
25 available shall be used. Where more than one method is listed
26 in the subitem, they are considered to be equal in the hierarchy
27 and any can be used.

1 (1) part 7019.3040 (continuous emission monitor
2 data);

3 (2) part 7019.3050, item B (performance test
4 data);

5 (3) part 7019.3060 (VOC material balance,
6 7019.3070 (SO₂ material balance), 7019.3080 (emission factor),
7 or 7019.3090 (enforceable limitations), as applicable; or

8 (4) part 7019.3100 (facility proposal).

9 B. The owner or operator of a facility issued an
10 option B registration permit under part 7007.1120 that chooses
11 to be assessed a fee under part 7002.0025, subpart 1, item C,
12 subitem (1), shall calculate the facility's actual emissions
13 using the methods listed in part 7019.3060.

14 The owner or operator of a facility issued an option B
15 registration permit under part 7007.1120 that chooses to be
16 assessed a fee under part 7002.0025, subpart 1, item C, subitem
17 (1), shall not consider the effects of pollution control
18 equipment on emissions from the use of VOC-containing materials
19 when calculating actual emissions for an emissions inventory.

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

21 7019.3050 PERFORMANCE TEST DATA.

22 A. If an emission reporting facility has collected
23 representative emission data through the use of performance
24 tests in compliance with the preconditions in items B and C, and
25 if CEM data under part 7019.3040 is not available, the facility
26 shall calculate its emissions based on performance tests. If
27 the emission data is unrepresentative because fuel or material

1 feed used under the test conditions is substantially different
2 than the conditions under which the emissions unit is normally
3 operated or because the emissions unit has been modified, the
4 facility shall calculate its emissions based on the next highest
5 available method. Emissions unit operating load variation from
6 test load does not make the data unrepresentative. In the event
7 that the facility has collected emission data through the use of
8 performance tests and determines that the data is
9 unrepresentative for any reason, the facility shall submit an
10 explanation of why the data is unrepresentative with the
11 emissions calculated using the next highest available method.
12 The commissioner shall determine if the conditions of the
13 performance test were representative based upon the operating
14 data supplied by the facility for the year of the inventory.

15 B. All the requirements of parts 7017.2001 to
16 7017.2060, including the requirement to notify the commissioner
17 prior to conducting performance tests as required in part
18 7017.2030, subpart 1, all other applicable state and federal
19 laws, and all applicable air emission permit conditions relating
20 to performance testing have been complied with.

21 C. For facilities that are required to conduct annual
22 performance testing, the test was performed during the calendar
23 year for which the emissions are being calculated. If the
24 commissioner granted the facility an extension to a testing
25 deadline that resulted in the test being performed after the
26 calendar year but prior to the emissions inventory submittal
27 deadline, the data from that test may be used. For facilities

1 that are not required to conduct annual performance testing, the
2 emission factors used are derived from the most recently
3 conducted performance test. Unless required under item D,
4 performance test data may not be more than ten years older than
5 the last date of the emission inventory period and must be
6 representative of operating conditions during the calendar year
7 for which the emission inventory is being submitted.

8 D. If the most recently conducted performance test
9 data is more than ten years older than the last date of the
10 emission inventory period, then the emission factor derived from
11 the performance test shall be used if it results in higher
12 calculated emissions than any default emission factor allowed
13 under part 7019.3060, 7019.3070, or 7019.3080, as applicable,
14 unless an alternative factor is approved by the commissioner
15 under part 7019.3100 (facility proposal) or unless continuous
16 emission monitor data that satisfies the conditions of part
17 7019.3040 is available. The performance test data must be
18 representative of operating conditions during the calendar year
19 for which the emission inventory is being submitted.

20 7019.3080 EMISSION FACTORS.

21 If the methods in parts 7019.3040 and 7019.3050 are
22 unavailable to an emission reporting facility or a facility
23 issued an option B registration permit under part 7007.1120 that
24 chooses to be assessed a fee under part 7002.0025, subpart 1,
25 item C, subitem (1), the facility may calculate its emissions
26 using emission factors as defined in part 7005.0100, subpart
27 10a, and as described in this part. This method may be used in

1 conjunction with or instead of material balance and enforceable
2 limitations methods described in parts 7019.3060, 7019.3070, and
3 7019.3090, where applicable. Calculations of actual emissions
4 shall be based on operating data multiplied by an emission
5 factor. Operating data necessary to apply the emission factor
6 used in the calculation of emissions in this method shall be
7 included in the emission inventory. Operating data means the
8 data necessary to apply the emission factor to calculate
9 emissions. For example, tons of material handled is the
10 necessary operating data for an emissions factor expressed as
11 "tons of pollutant/ton of material handled."

12 Control equipment efficiency shall be based on efficiency
13 factors as defined in part 7005.0100, subpart 9b, or shall be
14 based on the efficiency verified by a performance test conducted
15 according to parts 7017.2001 to 7017.2060 and 7019.3050.
16 Calculations of actual emissions from an emission unit through a
17 pollution control system that uses a hood, as defined in part
18 7011.0060, subpart 2, as the emission capture device shall be
19 based on a capture efficiency of 80 percent. If an alternative
20 capture efficiency has been determined by a performance test
21 conducted according to parts 7017.2001 to 7017.2060 and
22 7019.3050, that capture efficiency shall be used in the
23 calculation of actual emissions.

24 **REPEALER.** Minnesota Rules, parts 7011.0065, subpart 2; and
25 7011.0070, subparts 3 and 4, are repealed.