

1.1 **Pollution Control Agency**

1.2 **Adopted Exempt Rule Relating to Greenhouse Gas Permit Requirements**

1.3 **7005.0100 DEFINITIONS.**

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

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

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

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

1.10 [For text of units (a) to (d), see M.R.]

1.11 (e) manufacturer's performance tests; ~~or~~

1.12 (f) emission data developed by the regulated party using the best
1.13 engineering judgment criteria listed in subitem (2); or

1.14 (g) the General Reporting Protocol for the voluntary reporting program
1.15 of the Climate Registry.

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

1.17 [For text of subps 10b to 11c, see M.R.]

1.18 Subp. 11d. **Greenhouse gases or GHGs.** "Greenhouse gases" or "GHGs" means
1.19 the air pollutant defined in Code of Federal Regulations, title 40, section 86.1818-12,
1.20 paragraph (a), as amended, as the aggregate group of six greenhouse gases: carbon dioxide,
1.21 nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

1.22 [For text of subps 12 to 45, see M.R.]

1.23 **7007.0100 DEFINITIONS.**

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

2.2 Subp. 7c. **CO₂ equivalent emissions or CO₂e.** "CO₂ equivalent emissions" or
2.3 "CO₂e" has the meaning given under subpart 24a.

2.4 Subp. 7e **7d. Customary permit conditions.** "Customary permit conditions"
2.5 means the permit conditions related to amendments, deviation reporting, and calculation
2.6 frequency that are included in a state permit with environmental management systems
2.7 (EMS) provisions and are applicable if a stationary source is establishing or has lost
2.8 eligibility for the EMS provisions.

2.9 [For text of subps 8 to 18a, see M.R.]

2.10 Subp. 19. **Regulated air pollutant.** "Regulated air pollutant" means the following:

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

2.12 D. any class I or II substance listed pursuant to section 602 of the act
2.13 (Stratospheric Ozone Protection; Listing of class I and class II Substances); or

2.14 E. any pollutant subject to a standard promulgated under section 112 or
2.15 other requirements established under section 112 of the act (Hazardous Air Pollutants),
2.16 including sections 112(g)(2)(B) (construction or reconstruction of major source of
2.17 hazardous air pollutants), 112(j) (Equivalent Emission Limitation by Permit), and 112(r)
2.18 (Prevention of Accidental Releases), including the following:

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

2.20 (2) any pollutant for which the requirements of section 112(g)(2)(B)
2.21 (construction or reconstruction of a major source of hazardous air pollutants) of the act
2.22 have been met, but only with respect to the individual source subject to the section
2.23 112(g)(2)(B) requirement; or

2.24 F. greenhouse gases as defined in part 7005.0100, subpart 11d.

3.1 [For text of subps 20 to 24, see M.R.]

3.2 Subp. 24a. **Subject to regulation.** "Subject to regulation" means, for any air
3.3 pollutant, that the pollutant is subject to either a provision in the Clean Air Act or
3.4 a nationally applicable regulation codified by the administrator in Code of Federal
3.5 Regulations, title 40, chapter I, subchapter C (Air Programs), that requires actual control
3.6 of the quantity of emissions of that pollutant and the control requirement has taken effect
3.7 and is operative to control, limit, or restrict the quantity of emissions of that pollutant
3.8 released from the regulated activity, except that greenhouse gases (GHGs) as defined
3.9 under part 7005.0100, subpart 11d, are not subject to regulation unless, as of July 1, 2011,
3.10 the GHGs emissions are at a stationary source emitting or having the potential to emit
3.11 100,000 tons per year (tpy) CO₂ equivalent emissions. "CO₂ equivalent emissions" or
3.12 "CO₂e" represent an amount of GHGs emitted and that are computed by multiplying the
3.13 mass amount of emissions for each of the six greenhouse gases in the pollutant GHGs, by
3.14 the gas's associated global warming potential published in the Federal Register, volume
3.15 74, pages 56395 and 56396, as amended, to be codified as Table A-1 to subpart A of Code
3.16 of Federal Regulations, title 40, part 98, Global Warming Potentials, as amended, and
3.17 summing the resultant value for each to compute emissions as CO₂e.

3.18 Subp. ~~24a.~~ 24b. **Summary of EMS audit results.** "Summary of EMS audit results"
3.19 is a document signed by an EMS auditor, describing the date and scope of the audit,
3.20 and conformance, minor nonconformance, or any major nonconformance found in the
3.21 course of an EMS audit. For major nonconformance, the summary of EMS audit results
3.22 summarizes the objective evidence found by the EMS auditor, describes corrective actions
3.23 planned or completed by the stationary source, and details follow-up audit activity planned
3.24 or completed by the EMS auditor.

3.25 [For text of subps 25 to 28, see M.R.]

3.26 **7007.0150 PERMIT REQUIRED.**

4.1 Subpart 1. **Prohibition.**

4.2 A. No person may construct, modify, reconstruct, or operate an emissions unit,
4.3 emission facility, or stationary source except in compliance with an air emission permit
4.4 from the agency. Exceptions to the requirement to obtain a permit are located in part
4.5 7007.0300. Exceptions to the requirement to obtain a permit amendment are located in
4.6 parts 7007.1250 and 7007.1350. A person violates this subpart when the person begins
4.7 actual construction on a new source, reconstruction, or modification prior to obtaining
4.8 the permit or amendment, except as allowed in parts 7007.0750, subpart 7, 7007.1450,
4.9 subpart 7, and 7007.1500, subpart 3a.

4.10 B. Between January 2, 2011, and June 30, 2012, any modifications authorized
4.11 before January 2, 2011, under any state or part 70 permit must be assessed before actual
4.12 construction of the modification occurs to calculate whether the change is significant
4.13 under Code of Federal Regulations, title 40, section 52.21, for greenhouse gases as CO₂e
4.14 or increases the facility's potential to emit greenhouse gases as CO₂e. If greenhouse gases
4.15 as CO₂e will increase, the owner or operator must submit an appropriate application to
4.16 request authorization to make the modification. If the modification does not increase
4.17 greenhouse gases as CO₂e, the owner or operator must retain records of the determination
4.18 on site for five years from the date of the calculation.

4.19 C. If on July 1, 2011, a facility has any current air emission permit or
4.20 compliance schedule issued before July 1, 2011, that authorizes or allows a pending
4.21 modification, the owner or operator may not begin actual construction of any modification
4.22 until the potential to emit greenhouse gases as CO₂e has been calculated. The owner or
4.23 operator must calculate the potential to emit greenhouse gases as CO₂e from the existing
4.24 facility, any pending modification that is authorized by a permit or schedule for which

4.25 actual construction has not begun, and the total facility including pending, permitted
4.26 modifications.

5.1 (1) If the potential to emit greenhouse gases as CO₂e from any of these
5.2 three assessments exceeds the permit threshold for greenhouse gases in part 7007.0200,
5.3 subpart 2, regardless of any previously authorized modifications in the source's existing
5.4 air emissions permit, the owner or operator must submit a revised permit application
5.5 either as a major source of greenhouse gases or take federally enforceable limits to be
5.6 a nonmajor source.

5.7 (2) If the potential to emit greenhouse gases as CO₂e from all of these
5.8 three calculations are below the permit threshold for greenhouse gases in part 7007.0200,
5.9 subpart 2, then the pending modification may proceed to actual construction under the air
5.10 emission permit or compliance schedule issued before July 1, 2011. The owner or operator
5.11 must maintain records of the calculation on site until July 1, 2016.

5.12 D. If on July 1, 2011, an owner or operator determines that emissions under a
5.13 current air emission permit issued before July 1, 2011, authorizing a pending modification
5.14 meets or exceeds the permit threshold for greenhouse gases in part 7007.0200, subpart 2,
5.15 and decides not to proceed with the modification, then the owner or operator must submit
5.16 an application to revise the permit within 180 days of July 1, 2011.

5.17 E. By July 1, 2011, an owner or operator holding any existing part 70 or state
5.18 facility permit must calculate whether the facility's potential to emit greenhouse gases
5.19 meets or exceeds the permit threshold for greenhouse gases in part 7007.0200, subpart 2.

5.20 (1) If the potential to emit greenhouse gases as CO₂e does not exceed the
5.21 permit threshold for greenhouse gases, the owner or operator must retain records of the
5.22 calculation on site until January 2, 2016.

5.23 (2) If the potential to emit greenhouse gases as CO₂e exceeds the permit
5.24 threshold for greenhouse gases, then the owner or operator must notify the Pollution

5.25 Control Agency by June 30, 2011, if the facility can retain its current permit or submit an
5.26 application by June 30, 2012, to revise the permit.

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

6.2 **7007.0200 SOURCES REQUIRED OR ALLOWED TO OBTAIN A PART 70**
6.3 **PERMIT.**

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

6.5 Subp. 2. **Major sources.** Any "major source," which means any stationary source
6.6 that is described in item A, B, or C, must obtain a permit under this part.

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

6.8 B. A major stationary source of air pollutants, as defined in section 302 of the
6.9 act (General Provisions; Definitions), that directly emits or has the potential to emit,
6.10 100 tons per year or more of any air pollutant (including any major source of fugitive
6.11 emissions of any such pollutant, as determined by rule by the administrator) and, effective
6.12 July 1, 2011, 100,000 tons per year CO₂e of greenhouse gases. The fugitive emissions of
6.13 a stationary source shall not be considered in determining whether it is a major stationary
6.14 source for the purposes of section 302(j) of the act, unless the stationary source belongs
6.15 to one of the following categories of stationary sources:

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

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

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

6.19 **7007.0400 PERMIT REISSUANCE APPLICATIONS AFTER TRANSITION;**
6.20 **NEW SOURCE AND PERMIT AMENDMENT APPLICATIONS; APPLICATIONS**
6.21 **FOR SOURCES NEWLY SUBJECT TO A PART 70 OR STATE PERMIT**
6.22 **REQUIREMENT.**

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

Subp. 5. **Applications; newly subject to requirement to obtain part 70 or state permit due to new regulations.** If a new regulation affecting a stationary source would make the source subject for the first time to the requirement to obtain a part 70 or state permit, the owner or operator shall submit an application for a total facility permit within 365 days of the effective date of the regulation.

7007.0500 CONTENT OF PERMIT APPLICATION.

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

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

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

C. The following emissions-related information:

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

(6) A permit application shall provide the information on actual emissions for the preceding calendar year required in this subitem. Notwithstanding the previous sentence, if actual emission data are not available for the preceding calendar year, the application shall provide an estimate of actual annual emissions required in this subitem.

(a) The permittee shall provide actual emission rates, in tons per year, of criteria pollutants and of greenhouse gases unless the permittee has submitted an emissions inventory as required by parts 7019.3000 and 7019.3010.

[For text of unit (b), see M.R.]

[For text of subitems (7) to (11), see M.R.]

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

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

7.22 **7007.1105 ELIGIBILITY FOR ENVIRONMENTAL MANAGEMENT SYSTEM**
7.23 **(EMS) PROVISIONS IN STATE PERMITS.**

8.1 Subpart 1. **Eligibility for existing stationary sources.** If the commissioner
8.2 determines that an owner or operator meets the requirements of items A and B, then a
8.3 stationary source applying for and qualifying for a state permit with the EMS provisions
8.4 described in part 7007.1107, subparts 2 and 3, may request inclusion of the EMS
8.5 provisions in its permit.

8.6 A. The owner or operator has implemented an ISO 14001-registered EMS at the
8.7 stationary source, or has implemented an EMS conforming to the requirements of the ISO
8.8 14001 standard as determined by an EMS auditor.

8.9 B. The owner or operator has applied for a permit to establish facility-wide
8.10 emission limits for the following pollutants, if they are emitted by the stationary source:
8.11 NO_x, SO₂, PM, PM-10, CO, VOC, Pb, greenhouse gases, and hazardous air pollutants.
8.12 The commissioner may establish emission limits for other regulated pollutants described
8.13 under part 7007.0200, subpart 2, that are emitted by the stationary source.

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

8.15 **7007.1107 APPLICATION AND PERMIT CONTENT RELATED TO INCLUSION**
8.16 **OF EMS PROVISIONS IN STATE PERMITS.**

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

8.18 Subp. 2. **EMS provisions: flexibility in amendment, reporting, and calculation**
8.19 **procedures.** If a stationary source meets the eligibility requirements in part 7007.1105,
8.20 the agency shall include the conditions specified in this subpart in the stationary source's
8.21 state permit.

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

8.23 C. An owner or operator shall comply with the requirements related to
8.24 calculation frequency in subitems (1) to (3).

(1) If the actual emissions of any pollutant listed in this subitem are less than the "Eligibility Limit for Reduced Calculation" for that pollutant for the previous calendar year, then the owner or operator may calculate and record actual emissions for that pollutant on a calendar year basis. The owner or operator shall by January 30 of each year calculate and record the sum of actual emissions for the previous calendar year. This calculation must be made pursuant to the requirements of the permit. Unless otherwise specified in the permit, this calculation must include all emissions units at the stationary source, except for insignificant activities under part 7007.1300, subparts 2 and 3, and conditionally insignificant activities under chapter 7008. The following pollutants have the listed "Eligibility Limit for Reduced Calculation":

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

(h) CO, 25 tons/year; ~~and~~

(i) Pb, 0.050 tons/year; and

(j) CO₂e, 25,000 tons/year.

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

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

7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

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

Subp. 11a. Regulatory change rendering stationary source ineligible for registration permit or changing applicable registration permit option.

A. If a stationary source having a registration permit becomes subject to a new regulatory requirement due to its emissions of greenhouse gases that results in the stationary source no longer being able to qualify for or meet the requirements for its current registration permit, then the owner or operator must:

(1) submit a written notification to the commissioner within 30 days of the effective date of a new regulation that results in the stationary source no longer being able to qualify for or meet the requirements for its registration permit. The notification must include a description of the regulatory change and a statement of what type of permit application the owner or operator will submit; and

(2) submit either:

(a) a registration permit application for another option category within 30 days of the effective date of a new regulation that results in the stationary source no longer being able to qualify for or meet the requirements for its registration permit; or

(b) a part 70, state, or general permit application within 180 days of the effective date of the regulatory change.

B. Once a stationary source has made a change rendering it ineligible for all registration permit options under parts 7007.1110 to 7007.1130, the stationary source may become eligible for a registration permit again only if it meets the requirements of subpart 14.

C. If the owner or operator fails to submit the required permit application in the time required by this subpart, the owner or operator is considered to not hold a valid permit and is in violation of part 7007.0150, subpart 1. The owner or operator must submit the required permit application for the appropriate air emission permit within the time limits given in item A.

[For text of subps 12 to 22, see M.R.]

7007.1125 REGISTRATION PERMIT OPTION C.

Subpart 1. **Eligibility.** The owner or operator of a stationary source may apply for a registration permit under this part if the stationary source consists of only indirect heating

11.1 units (boilers), reciprocating internal combustion engines, and/or emissions from use of
11.2 VOC-containing materials, and meets the following criteria:

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

11.4 F. the 12-month rolling sum of calculations determined under calculations 1,
11.5 2A, 2B, and 3 in subpart 4 is less than 50; ~~and~~

11.6 G. the owner or operator does not anticipate making changes in the next 12
11.7 months which will cause the stationary source to be ineligible for this type of registration
11.8 permit under items A to F; and H; and

11.9 H. the stationary source does not use or generate nitrous oxide, other than from
11.10 combustion units, and does not use or generate hydrofluorocarbons, perfluorocarbons, or
11.11 sulfur hexafluoride.

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

11.13 Subp. 3. **Compliance requirements for Option C sources.** Unless a stationary
11.14 source is eligible under subpart 3a, the owner or operator of a stationary source issued a
11.15 registration permit under this part shall comply with all of the requirements in items
11.16 A to ~~J~~ K.

11.17 [For text of items A to J, see M.R.]

11.18 K. If the registration permit was issued before January 2, 2011, the owner or
11.19 operator must begin record keeping for greenhouse gases as CO₂e on January 2, 2011.

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

11.21 **7007.1130 REGISTRATION PERMIT OPTION D.**

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

12.1 Subp. 3. **Compliance requirements for Option D sources.** Unless a stationary
12.2 source is eligible under subpart 3a, the owner or operator of a stationary source issued a
12.3 permit under this part shall comply with all of the requirements in items A to ~~E~~ N.

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

12.5 B. If the stationary source determined eligibility in the permit application,
12.6 in whole or in part, by using fuel burned in the calculations in subpart 4, the owner or
12.7 operator must:

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

12.10 (2) recalculate and record by the last day of each month the 12-month
12.11 rolling sum of emissions for the previous 12 months, the date the calculation was made,
12.12 and the calculation itself. This calculation must also include greenhouse gases as CO₂e
12.13 effective January 2, 2011.

12.14 [For text of items C to L, see M.R.]

12.15 M. If the stationary source determined eligibility in the permit application,
12.16 in whole or in part, by calculating actual emissions as CO₂e of hydrofluorocarbons,
12.17 perfluorocarbons, nitrous oxide, and sulfur hexafluoride, purchased or used (whichever
12.18 was stated in the permit application), the owner or operator must:

12.19 (1) record, by the last day of each month, the amount purchased or
12.20 used (whichever was stated in the permit application) of each material containing
12.21 hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride and the mass
12.22 content of these pollutants for the previous calendar month;

12.23 (2) maintain a record of the material safety data sheet (MSDS) or a
12.24 signed statement from the supplier stating the maximum content of hydrofluorocarbons,
12.25 perfluorocarbons, nitrous oxide, and sulfur hexafluoride in each material containing

13.1 hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride purchased
13.2 or used (whichever was stated in the permit application);

13.3 (3) calculate and record, by the last day of each month, the 12-month
13.4 rolling sum of actual emissions as CO₂e of hydrofluorocarbons, perfluorocarbons,
13.5 nitrous oxide, and sulfur hexafluoride purchased or used (whichever was stated in the
13.6 permit application) for the previous 12 months, the date the calculation was made, and
13.7 the calculation itself; and

13.8 (4) if the owner or operator assumes a reduction of emissions in using
13.9 the material balance method under subpart 4, item D, due to recycling or disposal of
13.10 material off-site, keep records of the amount of material shipped off-site for recycling and
13.11 the calculations done to determine the amount to subtract. Acceptable records include
13.12 monitoring records, material safety data sheets, invoices, shipping papers, and hazardous
13.13 waste manifests.

13.14 N. If the stationary source determined eligibility in the permit application, in
13.15 whole or in part, by calculating actual emissions as CO₂e of carbon dioxide, nitrous oxide,
13.16 or methane resulting from a chemical process such as fermentation, wastewater treatment,
13.17 or decomposition, the owner or operator must:

13.18 (1) record, by the last day of each month, the amount of carbon dioxide,
13.19 nitrous oxide, or methane generated by the chemical processes for the previous calendar
13.20 month;

13.21 (2) calculate and record, by the last day of each month, the 12-month
13.22 rolling sum of actual emissions as CO₂e of carbon dioxide, nitrous oxide, or methane for
13.23 the previous 12 months, the date the calculation was made, and the calculation itself; and

13.24 (3) if the owner or operator assumes a reduction of emissions in using
13.25 the material balance method under subpart 4, item D, due to the collection and reuse,
13.26 recycling, or disposal of carbon dioxide, nitrous oxide, or methane on-or off-site, keep

14.1 records of the amount of carbon dioxide, nitrous oxide, or methane used or shipped off-site
14.2 and the calculations done to determine the amount to subtract. Acceptable records include
14.3 monitoring records, invoices, shipping papers, operating data for air pollution control
14.4 equipment, or process equipment.

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

14.9 A. If the stationary source determined eligibility in the permit application, in
14.10 whole or in part, by calculating greenhouse gases (GHGs) as CO₂e, VOC₂ and HAP
14.11 actual emissions from GHGs-containing, VOC-containing, or HAP-containing materials,
14.12 purchased or used (whichever was stated in the permit application), the owner or operator
14.13 must:

14.14 (1) maintain records of the amount of each GHGs-containing,
14.15 VOC-containing, or HAP-containing material purchased or used (whichever was stated in
14.16 the permit application), and the GHGs or VOC content each calendar year;

14.17 (2) maintain a record of the material safety data sheet (MSDS), or a signed
14.18 statement from the supplier stating the maximum GHGs, VOC₂ or HAP content, for
14.19 each GHGs-containing, VOC-containing, or HAP-containing material purchased or used
14.20 (whichever was stated in the permit application); and

14.21 (3) calculate and record₂ by April 1 of each calendar year₂ the sum of
14.22 actual GHGs emissions as CO₂e, VOC emissions, and hazardous air emissions from
14.23 GHGs-containing, VOC-containing, and HAP-containing materials purchased or used
14.24 (whichever was stated in the permit application), and the calculation itself for the previous
14.25 calendar year.

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

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

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

15.6 TABLE 3A
 15.7 OPTION D EMISSION ELIGIBILITY LIMITS FOR
 15.8 REDUCED RECORD KEEPING

15.9	POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
15.10	HAP	2.5 tons/year for a single HAP
15.11		6.25 tons/year total for all HAPs
15.12	PM	25 tons/year
15.13	PM-10	25 tons/year for an Attainment Area
15.14		0 tons/year for a Nonattainment Area
15.15	VOC	25 tons/year
15.16	SO ₂	25 tons/year
15.17	NO _x	25 tons/year
15.18	CO	25 tons/year
15.19	Pb	0.05 tons/year
15.20	CO _{2e}	<u>25,000 tons/year</u>

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

15.22 H. If the stationary source determined eligibility in the permit application, in
 15.23 whole or in part, by using hours of operation in the calculations in subpart 4, the owner or
 15.24 operator must:

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

- 16.1 (2) calculate and record by April 1 of each calendar year the sum of
 16.2 emissions and the calculation itself for the previous calendar year.

16.3 **TABLE 3A**

16.4 ~~OPTION D EMISSION ELIGIBILITY LIMITS FOR~~
 16.5 ~~REDUCED RECORD KEEPING~~

16.6	POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
16.7	HAP	2.5 tons/year for a single HAP
16.8		6.25 tons/year total for all HAPs
16.9	PM	25 tons/year
16.10	PM-10	25 tons/year for an Attainment Area
16.11		0 tons/year for a Nonattainment Area
16.12	VOC	25 tons/year
16.13	SO ₂	25 tons/year
16.14	NO _x	25 tons/year
16.15	CO	25 tons/year
16.16	Pb	0.05 tons/year

- 16.17 Subp. 4. **Calculation of actual emissions.** The owner or operator of a stationary
 16.18 source may use a calculation worksheet provided by the commissioner for calculating
 16.19 actual emissions under this part, or may use the calculation methods under items A to E.
 16.20 The owner or operator must calculate actual emissions for each emissions unit, except
 16.21 that similar emissions units may be aggregated for emission calculation purposes. The
 16.22 owner or operator of a stationary source shall use the calculation method in item B
 16.23 instead of the calculation method in item A if the data described in item B are available
 16.24 for the stationary source. The alternative methods described in items C, D, and E may
 16.25 be used by the owner or operator without advance notification to the commissioner. The
 16.26 commissioner shall reject data submitted using the methods described in items B to E if
 16.27 the conditions set forth for the method are not fully met. To prevent double counting of
 16.28 emissions, the owner or operator must select one calculation method under this subpart for

17.1 each emissions unit at the stationary source. Fugitive dust emissions must be included in
17.2 the calculations under this subpart only if the stationary source is in a category listed in
17.3 part 7007.0200, subpart 2, item B, subitems (1) to (27).

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

17.5 D. A material balance method may be used to calculate greenhouse gases as
17.6 CO₂e and VOC actual emissions. The owner or operator of a stationary source that uses
17.7 material balance to calculate greenhouse gases as CO₂e and VOC actual emissions shall
17.8 determine total greenhouse gases as CO₂e and VOC actual emissions (E) using the
17.9 following equation: in this item. A separate calculation must be made for each individual
17.10 gas comprising the pollutant greenhouse gases and the results converted to CO₂e. The
17.11 amount of CO₂e from each individual gas comprising the pollutant greenhouse gases must
17.12 be added together for the total tons per year of CO₂e.

17.13 $E = (a - b - c) \times (1 - d)$, where

17.14 a = the amount of VOC or each individual gas comprising the pollutant greenhouse
17.15 gases entering the process or the amount of carbon dioxide, nitrous oxide, or methane
17.16 generated. A signed statement from the supplier or the material safety data sheet must be
17.17 submitted stating the maximum amount of VOC or each individual gas comprising the
17.18 pollutant greenhouse gases in any material that was used in the process.

17.19 b = the amount of VOC or each individual gas comprising the pollutant greenhouse
17.20 gases incorporated permanently into the product. This includes VOCs or each individual
17.21 gas comprising the pollutant greenhouse gases chemically transformed in production. It
17.22 does not include latent VOC or each individual gas comprising the pollutant greenhouse
17.23 gases remaining in the product that will at some time be released to the atmosphere. An
17.24 explanation of this calculation must also be submitted.

17.25 c = the amount of VOC or each individual gas comprising the pollutant greenhouse
17.26 gases, if any, leaving the process as waste, or otherwise not incorporated into the product
17.27 and not emitted to the air.

18.1 d = the control efficiency (percent expressed as a decimal fraction of 1.00) determined
 18.2 according to part 7011.0070.

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

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

18.8 TABLE 3

18.9 OPTION D EMISSIONS THRESHOLDS

18.10 POLLUTANT	THRESHOLD (ton/year)
18.11 HAP	5 tons/year for a single HAP
18.12	12.5 tons/year total for all HAPs
18.13 PM	50 tons/year
18.14 PM-10	50 tons/year for an Attainment Area
18.15	25 tons/year for a Nonattainment Area
18.16 VOC	50 tons/year
18.17 SO ₂	50 tons/year
18.18 NO _x	50 tons/year
18.19 CO	50 tons/year
18.20 Pb	0.5 tons/year
18.21 <u>CO₂e</u>	<u>50,000 tons/year</u>

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

18.23 **7007.1141 CAPPED PERMIT EMISSION THRESHOLDS.**

18.24 Subpart 1. **Option 1 emission thresholds.**

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

18.26 G. CO, 90 tons per year; ~~and~~

19.1 H. Pb, 0.50 tons per year; and

19.2 I. CO₂e, 90,000 tons per year.

19.3 Subp. 2. **Option 2 emission thresholds.**

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

19.5 G. CO, 85 tons per year; ~~and~~

19.6 H. Pb, 0.50 tons per year; and

19.7 I. CO₂e, 85,000 tons per year.

19.8 **7007.1146 CAPPED PERMIT COMPLIANCE REQUIREMENTS.**

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

19.10 Subp. 2. **Record keeping requirements.** The owner or operator of a stationary
19.11 source issued a capped permit shall comply with all of the requirements relevant to the
19.12 stationary source in items A to G. The owner or operator of a stationary source issued a
19.13 capped permit shall comply with items H and I at all times.

19.14 A. If the stationary source determined eligibility in the permit application, in
19.15 whole or in part, or demonstrates compliance, in whole or in part, by using a material
19.16 balance that relies on the content of materials in the calculations in part 7007.1147, the
19.17 owner or operator must:

19.18 (1) record, by the last day of each month, the amount of each
19.19 pollutant-containing material (for example: VOC, greenhouse gases, particulate matter
19.20 of solids, or HAP) purchased or used, and the relevant pollutant content for the previous
19.21 calendar month;

19.22 (2) maintain a record of the material safety data sheet (MSDS), or a signed
19.23 statement from the supplier stating the maximum solids, VOC, greenhouse gases, or
19.24 hazardous air pollutant content, for each pollutant-containing material purchased or used;

20.1 [For text of subitems (3) and (4), see M.R.]

20.2 [For text of items B to H, see M.R.]

20.3 I. The owner or operator of a stationary source with a capped permit must
20.4 keep daily operating records that would allow the owner or operator to calculate actual
20.5 emissions of any pollutant for which a threshold has been established under part
20.6 7007.1141 for that period of time not previously accounted for in the 12-month rolling sum
20.7 calculation required under item H. The owner or operator shall provide these records and
20.8 calculations if requested to do so by the commissioner. If the capped permit was issued
20.9 by January 2, 2011, the owner or operator must begin record keeping for greenhouse
20.10 gases on January 2, 2011.

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

20.12 **7007.1300 INSIGNIFICANT ACTIVITIES LIST.**

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

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

20.17 A. Fuel use:

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

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

20.21 (3) fuel burning equipment with a capacity less than ~~30,000~~ 19,000 Btu per
20.22 hour, but only if the combined total capacity of all fuel burning equipment at the stationary
20.23 source with a capacity less than ~~30,000~~ 19,000 Btu per hour is less than or equal to ~~500,000~~
20.24 420,000 Btu per hour. For example: Facility A has ten fuel burning emission units, each
20.25 with a capacity of ~~25,000~~ 18,000 Btu per hour. The ten units are all an insignificant

21.1 activity under this subitem, because their combined capacity is less than ~~500,000~~ 420,000
21.2 Btu per hour (i.e., $10 \times \del{25,000} \underline{18,000}$ Btu/hr = ~~250,000~~ 180,000 Btu/hr $\leq \del{500,000} \underline{420,000}$
21.3 Btu/hr). Facility B has ~~21~~ 31 fuel burning emission units, each with a capacity of ~~25,000~~
21.4 18,000 Btu/hr. None of the ~~21~~ 31 units are an insignificant activity under this subitem,
21.5 because their total combined capacity is greater than ~~500,000~~ 420,000 Btu per hour (i.e.,
21.6 ~~21~~ 31 $\times \del{25,000} \underline{18,000}$ Btu/hr = ~~525,000~~ 558,000 Btu/hr $> \del{500,000} \underline{420,000}$ Btu/hr).

21.7 [For text of items B to F, see M.R.]

21.8 G. Residential activities: typical emissions from residential structures, not
21.9 including:

21.10 (1) fuel burning equipment with a total capacity of ~~500,000~~ 420,000
21.11 Btu/hour or greater; and

21.12 (2) emergency backup generators.

21.13 [For text of items H to K, see M.R.]

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

21.22 A. Fuel use: space heaters fueled by kerosene, natural gas, or propane, but only
21.23 if the combined total capacity of all space heaters at the stationary source is less than or
21.24 equal to 420,000 Btu per hour. A space heater is a heating unit that is not connected
21.25 to piping or ducting to distribute the heat.

22.1 B. Furnaces and boilers:

22.2 (1) infrared electric ovens; and

22.3 (2) ~~fuel-burning~~ indirect heating equipment with a capacity less than22.4 ~~500,000~~ 420,000 Btu per hour, but only if the total combined capacity of all ~~fuel-burning~~22.5 indirect heating equipment at the stationary source with a capacity less than ~~500,000~~22.6 420,000 Btu per hour is less than or equal to ~~2,000,000~~ 1,400,000 Btu per hour. For22.7 example: Facility A has three ~~fuel-burning emission units~~ furnaces, each with a capacity

22.8 of 400,000 Btu per hour. The three units are all an insignificant activity to be listed under

22.9 this subitem, because their combined capacity is less than ~~2,000,000~~ 1,400,000 Btu per22.10 hour. Facility B has six ~~fuel-burning emission units~~ furnaces, each with a capacity of

22.11 400,000 Btu per hour. None of the six units is an insignificant activity under this subitem,

22.12 because their total combined capacity is greater than ~~2,000,000~~ 1,400,000 Btu per hour.22.13 For purposes of this subitem, "indirect heating equipment" has the meaning given under22.14 part 7011.0500, subpart 9.

22.15 [For text of items C to H, see M.R.]

22.16 I. Individual emission units at a stationary source, each of which have a

22.17 potential to emit the following pollutants in amounts less than:

22.18 (1) 4,000 pounds per year of carbon monoxide; ~~and~~

22.19 (2) 2,000 pounds per year each of nitrogen oxide, sulfur dioxide,

22.20 particulate matter, particulate matter less than ten microns, VOCs (including hazardous air

22.21 pollutant-containing VOCs), and ozone; and22.22 (3) 1,000 tons per year of CO₂e.

22.23 [For text of items J and K, see M.R.]

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

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

23.6 B. potential emissions of 2.28 pounds per hour or actual emissions of one ton
23.7 per year for particulate matter, particulate matter less than ten microns, nitrogen oxide,
23.8 sulfur dioxide, and VOCs; ~~and~~

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

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

23.12 (2) combined HAP actual emissions of one ton per year unless the
23.13 emissions unit emits one or more of the following HAPs: carbon tetrachloride;
23.14 1,2-dibromo-3-chloropropane; ethylene dibromide; hexachlorobenzene; polycyclic
23.15 organic matter; antimony compounds; arsenic compounds, including inorganic
23.16 arsine; cadmium compounds; chromium compounds; lead compounds; manganese
23.17 compounds; mercury compounds; nickel compounds; selenium compounds;
23.18 2,3,7,8-tetrachlorodibenzo-p-dioxin; or dibenzofuran. If the emissions unit emits one or
23.19 more of the HAPs listed in this subitem, the emissions unit is not an insignificant activity
23.20 under this subitem; and

23.21 D. potential emissions up to 10,000 tons per year or actual emissions up to
23.22 1,000 tons per year CO₂e.

23.23 Calculation of emissions from the emissions units listed in this subpart shall be
23.24 provided if required by the agency under part 7007.0500, subpart 2, item C, subitem
23.25 (2). If emissions units listed under this subpart are subject to additional requirements
23.26 under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act

24.1 (Hazardous Air Pollutants), or are part of a title I modification, or if accounted for, make a
24.2 stationary source subject to a part 70 permit emissions from the emissions units must be
24.3 calculated in the permit application. If the applicant is applying for a state permit or an
24.4 amendment to a state permit, this subpart does not apply.

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

24.6 **7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.**

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

24.8 Subp. 2. **Minor amendment applicability.** Except as provided in subpart 1, the
24.9 agency may amend a permit to allow a modification under the minor permit amendment
24.10 process of this part; if the modification will not cause an increase in emissions of an air
24.11 pollutant listed below in an amount greater than the threshold or, if a regulatory change
24.12 results in existing insignificant activities no longer qualifying as such, to incorporate those
24.13 emission units or activities into the facility's permit:

24.14	Pollutant	Threshold
24.15	NO _x	9.13 pounds per hour
24.16	SO ₂	9.13 pounds per hour
24.17	VOCs	9.13 pounds per hour
24.18	PM-10	3.42 pounds per hour
24.19	CO	22.80 pounds per hour
24.20	Lead	.11 pounds per hour

24.21 For purposes of this part, whether or not the modification will cause an increase in
24.22 emissions shall be calculated as described in part 7007.1200. Modifications which would
24.23 otherwise qualify for a minor or moderate amendment under this part may be title I
24.24 modifications, for which a major amendment is required, using the methods of calculation
24.25 required under title I of the act. Permittees are reminded to review the definition of title I
24.26 modifications and requirements of title I of the act.

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

25.2 Subp. 4. **Minor or moderate application requirements.** An application requesting
25.3 the use of minor or moderate permit amendment procedures shall meet the requirements
25.4 of part 7007.0600, subpart 1, and shall also include the following:

25.5 A. a description of the modification or regulatory change, the emissions
25.6 resulting from the modification, the emission units or activities affected by the regulatory
25.7 change, and any new applicable requirements that will apply if the modification occurs;

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

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

25.10 **EFFECTIVE PERIOD.** The amendments to Minnesota Rules, parts 7005.0100 to
25.11 7007.1450, are effective for a period of two years from publication in the State Register.