

Pollution Control Agency**Adopted Exempt Permanent Rules Relating to Fugitive Emissions and Determining Potential to Emit****7005.0100 DEFINITIONS.**

[For text of subps 1 to 35, see M.R.]

Subp. 35a. **Potential emissions, potential to emit.** "Potential emissions" or "potential to emit" means the maximum capacity while operating at the maximum hours of operation of an emissions unit, emission facility, or stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restriction on hours of operation or on the type or amount of material combusted, stored, or processed, must be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable.

Secondary emissions must not be counted in determining the potential to emit of an emissions unit, emission facility, or stationary source. Fugitive emissions shall not be counted when determining potential to emit, unless ~~an~~ required under part 7007.0200, subpart 2, item B, or applicable state rule or federal regulation states otherwise.

[For text of subps 35b to 45, see M.R.]