Pollution Control Agency

Proposed Permanent Rules Relating to Exempt Sources and Conditionally Insignificant Activities

7005.0100 DEFINITIONS.

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

Subp. 4f. **Conditionally exempt stationary source.** "Conditionally exempt stationary source" means a stationary source listed in parts 7008.2100 to ~~7008.2250~~ 7008.2600 that complies with chapter 7008 and all applicable requirements as defined in part 7007.0100, subpart 7, and is not part of another stationary source.

[For text of subps 4g to 11e, see M.R.]

Subp. 11f. **Gasoline service station.** "Gasoline service station" means any stationary source that dispenses gasoline to vehicles. Bulk plants, petroleum distribution terminals, and refineries are not gasoline service stations. [Renumbered from part 7008.0100, subpart 2.]

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

7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.

Subpart 1. **No permit required.** The owners and operators of the following stationary sources are not required to obtain a permit under parts 7007.0100 to 7007.1850:

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

~~D. any stationary source with only emissions units that:~~

~~(1) are listed as insignificant activities in part 7007.1300, subparts 2 and 3;~~

~~(2) are conditionally insignificant activities under chapter 7008; or~~

~~(3) qualify under both subitems (1) and (2).~~

~~The owner or operator of a stationary source that has conditionally insignificant activities must comply with parts 7008.4000 to 7008.4110 to qualify for the permit exemption under this part. The owner or operator must maintain records that demonstrate that a permit is not required. These records must contain a list of all emissions units and the Minnesota Rules citation that defines those emissions units as an insignificant activity or conditionally insignificant activity. The records must be permanently kept at the stationary source or a central office and be readily available for examination and copying by the commissioner or a representative of the commissioner;~~

~~E.~~ D. a conditionally exempt stationary source under chapter 7008; and

~~F.~~ E. notwithstanding parts 7007.0200 and 7007.0250, any stationary source that would be covered by a permit solely because it is subject to one or more new source performance standards under Code of Federal Regulations, title 40, part 60, and that is subject only to the notification and record-keeping provisions of the applicable standards.

Subp. 2. [Repealed, 21 SR 165]

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

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

Subp. 2. **Permit reissuance after transition period.** Stationary sources operating under permits issued by the agency under parts 7007.0100 to 7007.1850 ~~shall~~ must apply for permit reissuance at least 180 days before the expiration of the existing permit, unless the permit specifies that the application must be submitted sooner. The agency ~~shall~~ must require in a permit that a reissuance application be submitted sooner if the agency determines that an earlier application is needed to minimize the possibility of expiration ~~prior to~~ before reissuance. The agency may make this determination if it anticipates a relatively lengthy

permit review process due to the complexity of the stationary source or anticipated involvement of the public. In no event shall the permit require application for reissuance sooner than ~~nine~~ 18 months ~~prior to the expiration of~~ before the permit expires.

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

7007.0850 PERMIT APPLICATION NOTICE AND COMMENT.

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

Subp. 2. **Public notice and comment.**

A. The agency ~~shall~~ must comply with the following procedures before issuing, reissuing, or making a major amendment to any part 70 permit.

(1) The agency ~~shall~~ must give notice:

(a) by ~~publication in a newspaper of general circulation in the area where the stationary source is located~~ electronically posting the notice for the duration of the comment period on the agency's Web site for public notices;

[For text of units (b) and (c), see M.R.]

(d) by other means if necessary to ~~assure~~ ensure adequate notice to the affected public.

(2) The notice ~~shall identify~~ must include, at a minimum:

(a) the name and location of the facility to be permitted;

(b) the name and address of the permittee;

(c) the name and address of the agency;

(d) the activity or activities involved in the permit action;

(e) the emissions change involved in any permit amendment;

(f) a copy of the draft permit;

(g) a statement of whether the facility has filed a pollution prevention progress report to the commissioner as required by Minnesota Statutes, section 115D.08;

(h) the name, address, and telephone number of a person; e-mail address of a person; or Web site address from ~~whom~~ which interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials, and all other materials available to the agency that are relevant to the permit decision;

(i) a brief description of the comment procedures required by this part; and

(j) the time and place of any meeting or hearing that may be held, including a statement of procedures to request a meeting or hearing under subpart 3, unless a meeting or hearing has already been scheduled.

(3) The agency ~~shall~~ must provide at least 30 days for public comment and ~~shall~~ must give notice of any public informational meeting or contested case hearing at least 30 days in advance of the meeting or hearing. ~~The provisions of~~ Part 7001.0110 applies to public comments received under this part.

(4) The agency ~~shall~~ must keep a record of the commenters and also of the issues raised during the public participation process, so that the administrator can determine whether a citizen petition may be granted. The records ~~shall~~ must be available to the public.

B. Before issuing or reissuing a state permit, the agency ~~shall~~ must comply with the procedures in item A, subitems (1) to (3). ~~However, instead of providing notice in a newspaper of general circulation as required by item A, subitem (1), unit (a), the agency may provide the notice in the State Register or other EPA approved general circulation notice procedure. The requirements of~~ This item also ~~apply~~ applies to any major amendment

to a state permit described in part 7007.1500, subpart 1, items C and D, if authorized or required by the administrator.

C. If the agency determines that a proposed major amendment to a state permit not described in item B involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency ~~shall~~ must comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. ~~However, the agency may provide the notice required by this item in either a newspaper of general circulation or the State Register.~~

D. (1) If the agency determines that a proposed minor or moderate amendment to a permit involves issues that generate or are likely to generate significant material adverse comment from the public, based on previous adverse public comment on the proposed amendment or related issues, the agency ~~shall~~ must comply with the procedures of item A, subitems (1) to (3), before issuing the amendment. ~~However, the agency may provide the notice required by this item in either a newspaper of general circulation or the State Register.~~

(2) A proposed minor permit amendment may be made subject to the public notice and comment procedures only if the agency notifies the permittee of ~~its~~ the agency's determination within 15 working days of receiving the minor amendment application. If the permittee ~~has~~ properly proceeded with a modification under part 7007.1450, subpart 7, before receiving the agency's determination, the permittee ~~will~~ is not ~~be~~ subject to enforcement action for proceeding, but ~~will be required to~~ must cease construction and operation of the modification within a reasonable period. The agency ~~will~~ must consult with the permittee on when it is reasonable to cease construction and operation. A proposed moderate permit amendment may be made subject to the public notice and comment procedures any time ~~prior to~~ before the ~~agency's issuance of~~ agency issues a letter of approval authorizing construction under part 7007.1450, subpart 7.

E. The agency ~~shall~~ must upon request provide a list ~~which~~ that summarizes current activities involving permit applications, minor, moderate, and major amendment applications, and requests for administrative amendments. The agency may use an electronic bulletin board in lieu of a written list.

Subp. 3. **Petitions for meetings and hearings.**

A. During the public comment period, a person may, in regard to any draft permit or amendment subject to public notice under subpart 2, items A to D, petition for:

~~A.~~ (1) a public informational meeting pursuant to parts 7000.0650, subpart 4, and 7001.0110, subpart 3; or

~~B.~~ (2) a contested case hearing pursuant to part 7000.1800~~; or~~.

~~C. placement of the permit on the agenda of an agency board meeting pursuant to part 7000.0650, subpart 3.~~

B. The decision to grant or deny the petition for a public informational meeting ~~shall~~ must be based on the criteria in part 7001.0120, and any meeting held ~~shall~~ must be in accordance with ~~that~~ subpart 2 and part 7001.0120. The decision to grant or deny the petition for a contested case hearing ~~shall~~ must be based on the criteria in part 7000.1900, and any hearing held ~~shall~~ must be in accordance with parts ~~7000.1700~~ 7000.1750 to 7000.2200~~,~~ and 7001.0130.

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

7007.1144 CAPPED PERMIT; PUBLIC PARTICIPATION.

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

Subp. 5. **Petition for contested case hearing; exemptions.**

A. During the 30-day comment period, the person may also submit a petition for a contested case hearing on the application pursuant to part 7000.1800 ~~or for placement of~~

~~the permit on the agenda of an agency board meeting pursuant to part 7000.0650, subpart 3~~. The decision to grant or deny the petition for a contested case hearing ~~shall~~ must be based on the criteria in part 7000.1900, and any hearing ~~shall~~ must be held according to parts 7000.1750 to 7000.2200.

B. ~~The public participation process requirements in this part~~ Item A and subparts 3 and 4 do not apply to applications under part 7007.1142, subparts 2 and 5, in which a stationary source is transferring from one capped permit option to another or there is a change in name, mailing address, ownership, or control of the stationary source.

7007.1145 CAPPED PERMIT APPLICATION.

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

Subp. 2. **Information included.** This subpart describes the standard information that ~~will be~~ is required in a capped permit application. ~~It~~ This subpart does not limit the agency's statutory authority for requiring information in addition to that which is specifically listed. Applicants ~~shall~~ must submit the following information as required by the standard application form:

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

D. The following emissions-related information:

(1) A permit application shall provide the information required by this part for every emissions unit within the stationary source, except as provided otherwise in subitems (2) to (9) and information about fugitive emissions in the same manner as stack emissions, except that fugitive dust emissions from activities in part 7007.1300, subpart 3, item ~~J~~ G, must be included in the calculations under this subpart only if the stationary source is in a category in part 7007.0200, subpart 2, item B, subitems (1) to (27).

[For text of subitems (2) to (9), see M.R.]

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

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

7007.1147 CAPPED PERMIT CALCULATION OF ACTUAL EMISSIONS.

Subpart 1. **Methods used.** The owner or operator of a stationary source may use a calculation worksheet provided by the commissioner for calculating actual emissions under this part that is based on the calculation methods in subparts 2 to 6 or may use the calculation methods under subparts 2 to 6. The owner or operator must calculate actual emissions for each material or fuel used in each emissions unit, except that similar emissions units may be aggregated for emission calculation purposes. The owner or operator of a stationary source must use the calculation method in subpart 2 if the data described in subpart 2 are available for an emissions unit. The owner or operator must use the calculation method in subpart 3 if the data described in subpart 3 are available, unless data described in subpart 2 are available. The alternative methods described in subparts 4, 5, and 6 may be used by the owner or operator without advance notification to the commissioner. The commissioner ~~shall~~ must reject data submitted using the methods described in subparts 2 to 6 if the conditions set forth for the method are not fully met. To prevent double counting of emissions, the owner or operator must select one calculation method under this subpart for each emissions unit at the stationary source. Fugitive dust emissions from activities listed in part 7007.1300, subpart 3, item ~~J~~ G, must be included in the calculations under this subpart only if the stationary source is in a category listed in part 7007.0200, subpart 2, item B, subitems (1) to (27).

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

7007.1250 INSIGNIFICANT MODIFICATIONS.

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

Subp. 3. **Record-keeping requirements.** Except as described in subpart 4, modifications authorized under this part may be made without providing notice to the agency. However, the permittee ~~shall~~ must keep a record of the modification for all changes authorized under subpart 1, items A and B, except for those activities described in part 7007.1300, subpart 2. For changes authorized under subpart 1, item B, and part 7007.1300, subpart 3, item ~~I~~ F, the permittee ~~shall~~ must also keep calculations of the emissions increase as required by part 7007.1200, subpart 4, and a statement of the purpose for making the modification.

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

7007.1300 INSIGNIFICANT ACTIVITIES LIST.

Subpart 1. **Insignificant activities.**

A. The actions listed in this part, and operation of the emissions units listed in this part, are insignificant activities for purposes of parts 7007.0100 to 7007.1850. Listing in this part has no effect on any other law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to which the activity may be subject.

B. Calculation of emissions from the emissions units listed in this part must be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2).

C. Calculation of emissions from the emissions units listed in this part must be provided in a permit application if:

(1) the emissions units are described in subpart 3, item F; or

(2) the emissions units are described in subpart 4.

D. The emissions units listed in this part must be listed in a permit application, and calculation of emissions from these emissions units must be provided in the permit application if the emissions units:

(1) are subject to additional requirements under section 114(a)(3) (Monitoring Requirements) of the act or section 112 (Hazardous Air Pollutants) of the act;

(2) are part of a Title I modification; or

(3) if accounted for, make a stationary source subject to a part 70 permit.

Subp. 2. **Insignificant activities not required to be listed.** The ~~activities~~ emissions units described in this subpart are not required to be listed in a permit application under part 7007.0500, subpart 2, item C, subitem (2), except as required under subpart 1, item D. ~~Calculation of emissions from these activities must be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed in this subpart (a) are subject to additional requirements under section 114(a)(3) (Monitoring Requirements) or 112 (Hazardous Air Pollutants) of the act; (b) are part of a Title I modification; or (c) if accounted for, make a stationary source subject to a part 70 permit, then emissions from the emissions units must be provided in the permit application.~~

A. Fuel use:

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

(3) ~~fuel burning~~ fuel-burning equipment with a heat input capacity less than 19,000 Btu per hour, but only if the combined total heat input capacity of all ~~fuel burning~~ fuel-burning equipment at the stationary source with a heat input capacity less than 19,000 Btu per hour is less than or equal to a total heat input capacity of 420,000 Btu per hour. For example: Facility A has ten ~~fuel burning emission~~ fuel-burning emissions units, each with a heat input capacity of 18,000 Btu per hour. The ten units are all an insignificant activity under this subitem, because their combined heat input capacity is less than a total heat input capacity of 420,000 Btu per hour (i.e., 10 x 18,000 Btu/hr = 180,000 Btu/hr ≤ 420,000 Btu/hr). Facility B has 31 ~~fuel burning emission~~ fuel-burning emissions units, each with a heat input capacity of 18,000 Btu/hr. None of the 31 units are an insignificant activity under

this subitem, because their total combined heat input capacity is greater than 420,000 Btu per hour (i.e., 31 x 18,000 Btu/hr = 558,000 Btu/hr > 420,000 Btu/hr).

B. Plant upkeep:

(1) routine housekeeping or ~~plant upkeep~~ plant-upkeep activities not associated with primary production processes at the stationary source, such as painting buildings, retarring roofs, or paving parking lots~~, but excluding use of spray paint equipment (refer to subpart 3, item K, for use of spray paint equipment that may be considered a listed insignificant activity)~~;

[For text of subitems (2) to (4), see M.R.]

(5) janitorial activities; ~~and~~

(6) sampling connections used exclusively to withdraw materials for laboratory analysis and testing~~.~~; and

(7) use of handheld aerosol spray cans for routine building and equipment maintenance.

C. Fabrication operations:

(1) equipment used for the inspection of metal products;

(2) equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot or cold metals;

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

D. Processing operations:

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

(2) equipment for washing or drying fabricated glass or metal products, if no VOCs are used in the process, and no gas, oil, or solid fuel is burned; ~~and~~

(3) ~~blast cleaning~~ blast-cleaning operations using suspension of abrasive in water~~.~~ or sponge media;

(4) open tumblers with a batch capacity of 1,000 pounds or less used for cleaning or deburring metal products;

(5) handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning; and

(6) ultraviolet-light curing or disinfection processes.

E. Storage tanks:

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

(3) ~~above and below ground fuel oil~~ above- and belowground fuel-oil storage tanks with a combined total tankage capacity less than 100,000 gallons; ~~and~~

(4) gasoline storage tanks with a combined total tankage capacity of less than 2,000 gallons~~.~~; and

(5) storage tanks holding inorganic liquids, including water, except for acids that volatilize HAPs and VOCs.

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

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

(1) ~~fuel burning~~ fuel-burning equipment with a total heat input capacity of 420,000 Btu/hour or greater; and

(2) emergency backup generators.

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

J. Miscellaneous:

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

(4) purging of natural gas and liquid petroleum gas lines;

[For text of subitem (5), see M.R.]

(6) funeral home embalming processes and associated ventilation systems; ~~and~~

(7) use of consumer products, including hazardous substances as that term is defined in the Federal Hazardous Substances Act, where the product is used at academic and health care institutions in the same manner as normal consumer use~~.~~;

(8) equipment used exclusively for packaging:

(a) lubricants or greases; or

(b) waterborne adhesives, coatings, or binders;

(9) equipment used exclusively for mixing and blending materials at ambient temperature to make waterborne adhesives, coatings, or binders;

(10) equipment used for hydraulic or hydrostatic testing;

(11) plasma- or laser-cutting operations using a water table;

(12) blueprint copiers and photographic processes;

(13) equipment used exclusively for melting or applying wax;

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

(15) solvent distillation equipment with a batch capacity of 55 gallons or less; and

(16) electric steam sterilizers.

[For text of item K, see M.R.]

L. Commercial self-service laundries, not including dry cleaners or industrial laundries.

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

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

B. Infrared electric ovens and indirect heating equipment:

(1) infrared electric ovens; and

(2) indirect heating equipment as defined in part ~~7011.0600, subpart 6~~ 7011.0500, subpart 9, with a heat input capacity less than 420,000 Btu per hour, but only if the total combined heat input capacity of all indirect heating equipment at the stationary source with a heat input capacity less than 420,000 Btu per hour is less than or equal to a total heat input capacity of 1,400,000 Btu per hour. For example: Facility A has three furnaces, each with a heat input capacity of 400,000 Btu per hour. The three units are all an insignificant activity to be listed under this subitem~~,~~ because their combined heat input capacity is less than 1,400,000 Btu per hour. Facility B has six furnaces, each with a total

heat input capacity of 400,000 Btu per hour. None of the six units is an insignificant activity under this subitem, because their total combined heat input capacity is greater than 1,400,000 Btu per hour. ~~For purposes of this subitem, "indirect heating equipment" has the meaning given under part 7011.0500, subpart 9.~~

~~C. Fabrication operations: equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot metals.~~

~~D. Processing operations:~~

~~(1) open tumblers with a batch capacity of 1,000 pounds or less; and~~

~~(2) equipment that vents particulate matter (PM), PM-10, or PM-2.5 inside a building, such as buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment, provided that emissions from the equipment are:~~

~~(a) vented inside of the building 100 percent of the time; and~~

~~(b) not vented through air filtering systems.~~

~~E.~~ C. Storage tanks:

(1) gasoline storage tanks with a combined total tankage capacity of not more than 10,000 gallons; and

(2) nonhazardous air pollutant VOC storage tanks with a combined total tankage capacity of not more than 10,000 gallons of nonhazardous air pollutant VOCs and with a vapor pressure of not more than 1.0 psia at 60 degrees Fahrenheit.

~~F. Cleaning operations: commercial laundries, not including dry cleaners and industrial launderers.~~

~~G.~~ D. Emissions from a laboratory~~, as defined in this item~~. For this item, "laboratory" means a place or activity devoted to experimental study or teaching in any

science, or to the testing and analysis of drugs, chemicals, chemical compounds or other substances, or similar activities, provided that the activities described in this sentence are conducted on a laboratory scale. Activities are conducted on a laboratory scale if the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by one person. If an emission facility manufactures or produces products for profit in any quantity, it may not be considered to be a laboratory under this item. Support activities necessary to the operation of the laboratory are considered to be part of the laboratory. Support activities do not include the provision of power to the laboratory from sources that provide power to multiple projects or from sources ~~which~~ that would otherwise require permitting, such as boilers that provide power to an entire facility.

~~H.~~ E. Miscellaneous: brazing, soldering, or welding equipment.

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

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

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

~~(4) blueprint copiers and photographic processes;~~

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

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

~~(7) cleaning operations: alkaline/phosphate cleaners and associated cleaners.~~

~~I.~~ F. Individual ~~emission~~ emissions units at a stationary source, each of which have a potential to emit the following pollutants in amounts less than:

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

(2) 2,000 pounds per year each of nitrogen oxide, sulfur dioxide, particulate matter, particulate matter less than ten microns, VOCs (including hazardous air pollutant-containing VOCs), and ozone; and

(3) 1,000 tons per year of CO_2e.

~~J.~~ G. Fugitive dust emissions from unpaved entrance roads and parking lots, except that a stationary source applying for an Option D registration permit under part 7007.1130 must include fugitive dust emissions in calculations when required under part 7007.1130, subpart 4.

~~K. Infrequent use of spray paint equipment for routine housekeeping or plant upkeep activities not associated with primary production processes at the stationary source, such as spray painting of buildings, machinery, vehicles, and other supporting equipment.~~

Subp. 4. **Insignificant activities required to be listed in a part 70 application.** If the owners and operators are applying for the initial part 70 permit for a stationary source, emissions units with emissions less than all the following limits but not included in subpart 2 must be listed in the part 70 permit application:

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

D. potential emissions up to 10,000 tons per year or actual emissions up to 1,000 tons per year CO_2e.

~~Calculation of emissions from the emissions units listed in this subpart shall be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed under this subpart are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or are part of a title I modification, or if accounted for, make a stationary source subject to a part 70 permit emissions from the emissions units must be calculated in the permit~~

~~application. If the applicant is applying for a state permit or an amendment to a state permit, this subpart does not apply.~~

Subp. 5. **~~Hazardous air pollutant~~ Threshold table; hazardous air pollutants.** The thresholds for hazardous air pollutants listed in the following table are for determining if an emissions unit qualifies as an insignificant activity under subpart 4, item C, subitem (1):

CAS#	Chemical Name	De Minimis Level (tons/year)
57147	1,1-Dimethyl hydrazine	0.008
79005	1,1,2- Trichloroethane	1
79345	1,1,2,2-Tetrachloroethane	0.3
96128	1,2-Dibromo-3-chloropropane	0.01
122667	1,2-Diphenylhydrazine	0.09
106887	1,2-Epoxybutane	1
75558	1,2-Propylenimine (2-Methyl aziridine)	0.003
120821	1,2,4-Trichlorobenzene	10
106990	1,3-Butadiene	0.07
542756	1,3-Dichloropropene	1
1120714	1,3-Propane sultone	0.03
106467	1,4-Dichlorobenzene(p)	3
123911	1,4-Dioxane (1,4-Diethyleneoxide)	6
53963	2-Acetylaminofluorine	0.005
532274	2-Chloroacetophenone	0.06
79469	2-Nitropropane	1
540841	2,2,4-Trimethylpentane	5
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin	6E-07
584849	2,4-Toluene diisocyanate	0.1

51285	2,4-Dinitrophenol	1
121142	2,4-Dinitrotoluene	0.02
94757	2,4-D, salts, esters (2,4-Dichlorophenoxy acetic acid)	10
95807	2,4-Toluene diamine	0.02
95954	2,4,5-Trichlorophenol	1
88062	2,4,6-Trichlorophenol	6
91941	3,3-Dichlorobenzidene	0.2
119904	3,3'-Dimethoxybenzidine	0.1
119937	3,3'-Dimethyl benzidine	0.008
92671	4-Aminobiphenyl	1
92933	4-Nitrobiphenyl	1
100027	4-Nitrophenol	5
101144	4,4-Methylene bis(2-chloroaniline)	0.2
101779	4,4'-Methylenedianiline	1
534521	4,6-Dinitro-o-cresol, and salts	0.1
75070	Acetaldehyde	9
60355	Acetamide	1
75058	Acetonitrile	4
98862	Acetophenone	1
107028	Acrolein	0.04
79061	Acrylamide	0.02
79107	Acrylic acid	0.6
107131	Acrylonitrile	0.3
107051	Allyl chloride	1
62533	Aniline	1
71432	Benzene	2
92875	Benzidine	0.0003

98077	Benzotrichloride	0.006
100447	Benzyl chloride	0.1
57578	beta-Propiolactone	0.1
92524	Biphenyl	10
117817	Bis(2-ethylhexyl)phthalate(DEHP)	5
542881	Bis(chloromethyl)ether	0.0003
75252	Bromoform	10
156627	Calcium cyanamide	10
133062	Captan	10
63252	Carbaryl	10
75150	Carbon disulfide	1
56235	Carbon tetrachloride	1
463581	Carbonyl sulfide	5
120809	Catechol	5
133904	Chloramben	1
57749	Chlordane	0.01
7782505	Chlorine	0.1
79118	Chloroacetic acid	0.1
108907	Chlorobenzene	10
510156	Chlorobenzilate	0.4
67663	Chloroform	0.9
107302	Chloromethyl methyl ether	0.1
126998	Chloroprene	1
1319773	Cresols/Cresylic acid (isomers and mixture)	1
95487	o-Cresol	1
108394	m-Cresol	1
106445	p-Cresol	1

98828	Cumene	10
334883	Diazomethane	1
132649	Dibenzofuran	5
72559	DDE (p,p'-Dichlorodiphenyldichloroethylene)	0.01
84742	Dibutylphthalate	10
111444	Dichloroethyl ether (Bis(2-chloroethyl)ether)	0.06
62737	Dichlorvos	0.2
11422	Diethanolamine	5
64675	Diethyl sulfate	1
60117	Dimethyl aminoazobenzene	1
79447	Dimethyl carbamoyl chloride	0.02
68122	Dimethyl formamide	1
131113	Dimethyl phthalate	10
77781	Dimethyl sulfate	0.1
106898	Epichlorohydrin	2
140885	Ethyl acrylate	1
100414	Ethyl benzene	10
51796	Ethyl carbamate (Urethane)	0.8
75003	Ethyl chloride	10
106934	Ethylene dibromide (Dibromoethane)	0.1
107062	Ethylene dichloride (1,2-Dichloroethane)	0.8
107211	Ethylene glycol	10
151564	Ethylene imine (Aziridine)	0.003
75218	Ethylene oxide	0.1
96457	Ethylene thiourea	0.6
75343	Ethylidene dichloride (1,1-Dichloroethane)	1
50000	Formaldehyde	2

76448	Heptachlor	0.02
118741	Hexachlorobenzene	0.01
87683	Hexachlorobutadiene	0.9
77474	Hexachlorocyclopentadiene	0.1
67721	Hexachloroethane	5
822060	Hexamethylene,-1,6-diisocyanate	0.02
680319	Hexamethylphosphoramide	0.01
110543	Hexane	10
302012	Hydrazine	0.004
7647010	Hydrochloric acid	10
7664393	Hydrogen fluoride	0.1
123319	Hydroquinone	1
78591	Isophorone	10
58899	Lindane (hexachlorcyclohexane, gamma)	0.01
108316	Maleic anhydride	1
67561	Methanol	10
72435	Methoxychlor	10
74839	Methyl bromide (Bromomethane)	10
74873	Methyl chloride (Chloromethane)	10
71556	Methyl chloroform (1,1,1-Trichloroethane)	10
60344	Methyl hydrazine	0.06
74884	Methyl iodide (Iodomethane)	1
108101	Methyl isobutyl ketone	10
624839	Methyl isocyanate	0.1
80626	Methyl methacrylate	10
1634044	Methyl tert-butyl ether	10
12108133	Methylcyclopentadienyl manganese	0.1

75092	Methylene chloride (Dichloromethane)	10
101688	Methylene diphenyl diisocyanate	0.1
91203	Naphthalene	10
98953	Nitrobenzene	1
62759	N-Nitrosodimethylamine	0.001
69892	N-Nitrosomorpholine	1
684935	N-Nitroso-N-methylurea	0.0002
121697	N,N-Dimethylaniline	1
90040	o-Anisidine	1
95534	o-Toluidine	4
56382	Parathion	0.1
82688	Pentachloronitrobenzene (Quintobenzene)	0.3
87865	Pentachlorophenol	0.7
108952	Phenol	0.1
75445	Phosgene	0.1
7803512	Phosphine	5
7723140	Phosphorous	0.1
85449	Phthalic anhydride	5
1336363	Polychlorinated biphenyls (Aroclors)	0.009
106503	p-Phenylenediamine	10
123386	Propionaldehyde	5
114261	Propoxur (Baygone)	10
78875	Propylene dichloride (1,2-Dichloropropane)	1
75569	Propylene oxide	5
91225	Quinoline	0.006
106514	Quinone	5
100425	Styrene	1

96093	Styrene oxide	1
127184	Tetrachloroethylene (Perchloroethylene)	10
7550450	Titanium tetrachloride	0.1
108883	Toluene	10
8001352	Toxaphene (chlorinated camphene)	0.01
79016	Trichloroethylene	10
121448	Triethylamine	10
1582098	Trifluralin	9
108054	Vinyl acetate	1
593602	Vinyl bromide (bromoethene)	0.6
75014	Vinyl chloride	0.2
75354	Vinylidene chloride (1,1-Dichloroethylene)	0.4
1330207	Xylenes (isomers and mixture)	10
108383	m-Xylenes	10
95476	o-Xylenes	10
106423	p-Xylenes	10
-	Arsenic and inorganic arsenic compounds	0.005
7784421	Arsine	0.1
-	Antimony compounds (except those specifically listed)*	5
1309644	Antimony trioxide	1
1345046	Antimony trisulfide	0.1
7783702	Antimony pentafluoride	0.1
28300745	Antimony potassium tartrate	1
-	Beryllium compounds (except Beryllium salts)	0.008
-	Beryllium salts	0.00002
-	Cadmium compounds	0.01
130618	Cadmium oxide	0.01

	- Chromium compounds (except Hexavalent and Trivalent)	5
	- Hexavalent Chromium compounds	0.002
	- Trivalent Chromium compounds	5
10025737	Chromic chloride	0.1
744084	Cobalt metal (and compounds, except those specifically listed)*	0.1
10210681	Cobalt carbonyl	0.1
62207765	Fluomine	0.1
	- Coke oven emissions	0.03
	- Cyanide compounds (except those specifically listed)*	5
143339	Sodium cyanide	0.1
151508	Potassium cyanide	0.1
	- Glycol ethers (except those specifically listed)*	5
110805	2-Ethoxy ethanol	10
111762	Ethylene glycol monobutyl ether	10
108864	2-Methoxy ethanol	10
	- Lead and compounds (except those specifically listed)*	0.01
75741	Tetramethyl lead	0.01
78002	Tetraethyl lead	0.01
7439965	Manganese and compounds (except those specifically listed)*	0.8
12108133	Methylcyclopentadienyl manganese	0.1
	- Mercury compounds (except those specifically listed)*	0.01
10045940	Mercuric nitrate	0.01
748794	Mercuric chloride	0.01
62384	Phenyl mercuric acetate	0.01
	- Elemental Mercury	0.01
	- Mineral fiber compounds (except those specifically listed)*	a

1332214	Asbestos	a
	- Erionite	a
	- Silica (crystalline)	a
	- Talc (containing asbestos from fibers)	a
	- Glass wool	a
	- Rock wool	a
	- Slag wool	a
	- Ceramic fibers	a
	- Nickel compounds (except those specifically listed)*	1
13463393	Nickel Carbonyl	0.1
12035722	Nickel refinery dust	0.08
	- Nickel subsulfide	0.04
	- Polycyclic organic matter-POM (except those specifically listed)*	0.01
56553	Benz(a)anthracene	0.01
50328	Benzo(a)pyrene	0.01
205992	Benzo(b)fluoranthene	0.01
57976	7,12-Dimethylbenz(a)anthracene	0.01
225514	Benz(c)acridine	0.01
218019	Chrysene	0.01
53703	Dibenz(ah)anthracene	0.01
189559	1,2:7,8-Dibenzopyrene	0.01
193395	Indeno(1,2,3-cd)pyrene	0.01
	- Dioxins & Furans (TCDD equivalent)**	-
7782492	Selenium and compounds (except those specifically listed)*	0.1
7488564	Selenium sulfide (mono and di)	0.1
7783075	Hydrogen selenide	0.1

10102188	Sodium selenite	0.1
13410010	Sodium selenate	0.1
99999918	Radionuclides (including radon)	b

* - For this chemical group, specific compounds or subgroups are named specifically in this table. For the remainder of the chemicals of the chemical group, a single de minimis value is listed, which applies to compounds ~~which~~ that are not named specifically.

** - The "toxic equivalent factor" method in EPA/625/3-89-016 (U.S. EPA (1989) Interim procedures for estimating risk associated with exposure to mixtures) ~~should~~ must be used for PCDD/PCDF mixtures. A different de minimis level will be determined for each mixture depending on the equivalency factors used, which are compound specific. For purposes of this part, the document EPA/625/3-89-016, Interim Procedures for Estimating Risk Associated with Exposure to Mixtures, U.S. EPA (1989), is incorporated by reference. The Environmental Protection Agency is the author and publisher. This document is available at the University of Minnesota through the Minitex interlibrary loan system. This document is subject to frequent change.

a - De minimis values are zero. Currently available data do not support assignment of a "trivial" emission rate; therefore, the value assigned will be policy based.

b - The EPA relies on Code of Federal Regulations, title 40, part 61, subparts B and I, and appendix E, and assigns a de minimis level based on an effective dose equivalent of 0.3 ~~milliem~~ millirem per year for a seven-year exposure period that would result in a cancer risk of one per million. The individual radionuclides subject to de minimis levels are contained in Code of Federal Regulations, title 40, part 61.

7008.0100 DEFINITIONS.

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

Subp. 2. [Renumbered as part 7005.0100, subpart 11f.]

Subp. 2a. [See repealer.]

Subp. 2b. [Renumbered as subpart 13.]

Subp. 2c. [Renumbered as subpart 15.]

Subp. 3. [Renumbered as subpart 14.]

Subp. 4. [Renumbered as subpart 16.]

Subp. 5. [See repealer.]

Subp. 6. **Auto-body refinishing facility.** "Auto-body refinishing facility" means a stationary source engaged primarily in repairing collision damage and refinishing automobiles and light-duty trucks. Auto-body refinishing facility includes a stationary source that does not repair collision damage but only paints automobiles and light-duty trucks or customizes repainting for used automobiles and light-duty trucks.

Subp. 7. **Cleaning material.** "Cleaning material" means a solvent that contains either a VOC or hazardous air pollutant and is used to remove contaminants and other materials including dirt, grease, oil, and dried or wet coatings from:

A. a surface before or after applying coating; or

B. equipment associated with coating application, including spray booths, spray guns, racks, tanks, and hangers.

Subp. 8. **Coating.** "Coating" means a material including paint, stain, sealant, varnish, liquid-plastic coating, caulk, ink, adhesive, primer, deadener, and maskant that contains either a VOC or hazardous air pollutant and is applied to a surface for decorative, protective, or functional purposes. "Liquid-plastic coating" means a coating made from fine-particle-size polyvinyl chloride in a solution referred to as a plastisol. Coating does not include:

A. decorative, protective, or functional materials that consist only of protective oils for metals, acids, or bases or any combination of these substances; or

B. paper film or plastic film that is precoated with an adhesive by the film manufacturer.

Subp. 9. **Coating facility.** "Coating facility" means a stationary source that applies coating to the surface of parts and products.

Subp. 10. **Finishing operations.** "Finishing operations" means buffing, abrasive blasting, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment, but does not include abrasive blasting for removing lead-containing paint.

Subp. 11. **Insignificant facility.** "Insignificant facility" means a stationary source that has only emissions units that are listed as insignificant activities in part 7007.1300, subpart 2 or 3, or conditionally insignificant activities, or both, that comply with part 7008.2600.

Subp. 12. **Material usage.** "Material usage" means an activity at a stationary source, such as applying or using a coating, cleaning material, or solvent, that emits only a VOC, a hazardous air pollutant, or particulate matter or a combination thereof when emissions of these pollutants can be calculated as described in part 7008.4100. Material usage does not include material processes such as sanding, milling, materials reacting to form new materials, fuel usage, or grain or other material handling.

Subp. 13. **Recycling.** "Recycling" means the reclamation or reuse of waste VOC-containing or hazardous air pollutant-containing materials from material usage activities. For purposes of this subpart, "reclamation" has the meaning given in part 7045.0020, subpart 73c, and "reuse" has the meaning given in part 7045.0020, subpart 75a. [Renumbered from subpart 2b.]

Subp. 14. **Refueling positions.** "Refueling positions" means the number of vehicles that could be receiving gasoline simultaneously at a gasoline service station. [Renumbered from subpart 3.]

Subp. 15. **Solids.** "Solids" means the nonvolatile portion of the material applied or used in a material usage activity. [Renumbered from subpart 2c.]

Subp. 16. **Stage-one vapor recovery.** "Stage-one vapor recovery" means pipes or hoses, or both, that create a closed system connecting a gasoline unloading tank and a gasoline receiving tank so that the vapors displaced from the receiving tank are transferred to the unloading tank. [Renumbered from subpart 4.]

Subp. 17. **Transfer efficiency.** "Transfer efficiency" means the ratio of the weight of solids in the material that adheres to an object to the total weight of solids in the material used in the application process. Transfer efficiency varies with the type of application method and is obtained from the application equipment manufacturer. If the manufacturer provides a range for the transfer efficiency, the transfer efficiency for calculating emissions of particulate matter is the minimum specified in the range.

Subp. 18. **Woodworking facility.** "Woodworking facility" means a stationary source that manufacturers, refinishes, and restores parts or products primarily made of wood, but including incidental use of other materials such as metal, plastic, or ceramic.

7008.0200 GENERAL REQUIREMENTS.

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

F. The owner or operator of a stationary source that operates without a permit according to this chapter must comply with part 7007.0400, subpart 4, when making a change or modification that disqualifies the stationary source for a permit exemption under part 7007.0300.

7008.2100 GASOLINE SERVICE STATIONS; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. To be eligible to operate without a permit under this chapter, the ~~stationary source~~ owner or operator of a gasoline service station must comply with this part ~~in addition to the general operating requirements in~~ and part ~~7008.0200~~ 7008.2000.

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

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

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

[For text of units (a) and (b), see M.R.]

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

[For text of units (a) and (b), see M.R.]

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

Subp. 2. **Record keeping.** The owner or operator of a gasoline service station ~~shall~~ must maintain records for each calendar month of the number of gallons of gasoline throughput.

Subp. 3. **Notification.**

A. The owner or operator of a gasoline service station ~~shall~~ must submit a notification to the commissioner ~~within 90 days of April 28, 2003, or~~ at least 90 days ~~prior to commencement of~~ before beginning construction of a gasoline service station if the number of refueling positions is greater than the following:

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

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

[For text of subitems (1) to (4), see M.R.]

7008.2200 CONCRETE MANUFACTURING; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.** To be eligible to operate without a permit under this chapter, the owner or operator of a concrete manufacturing stationary source must ~~meet the requirements of~~ comply with this part and parts ~~7008.2250~~ 7008.2000 and 7011.0850 to 7011.0859 ~~in addition to the general operating requirements in part 7008.0200~~.

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

Subp. 6. **Record keeping.** The owner or operator of a concrete manufacturing stationary source must maintain records that contain:

A. the calendar-year production of unhardened concrete in tons to demonstrate compliance with subpart 2;

B. documentation of compliance with the requirements for conditionally insignificant activities;

C. the types of fuel combusted in nonmobile emissions units in each calendar year to demonstrate compliance with subpart 3, items A to C, and the amounts of fuel combusted in nonmobile internal combustion engines to demonstrate compliance with subpart 3, item C; and

D. documentation of compliance with subpart 2, items A and B, if the owner or operator elects to receive credit for reducing emissions by controlling road dust.

7008.2300 AUTO-BODY REFINISHING; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. To be eligible to operate without a permit under this chapter, the owner or operator of an auto-body refinishing facility must comply with this part and part 7008.2000.

B. Painting automobiles and automobile parts must account for substantially all emissions from the auto-body refinishing facility. All other emissions from the stationary source must be from insignificant activities in part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4110, or both.

C. The owner or operator of an auto-body refinishing facility must purchase or use less than 2,000 gallons of coating and cleaning materials, combined, each calendar year.

Subp. 2. **Operational requirements.** The owner or operator of an auto-body refinishing facility must:

A. ensure all painters are trained in proper spray application of surface coatings and proper setup and maintenance of spray equipment;

B. ensure spray-painting operations, excluding those done by spray guns with three ounces or less cup capacity, are completed inside a particulate-control system that is designed to confine and direct paint overspray, fumes, and vapors to a powered ventilation

system and is equipped with either dry filtration or a water-wash system to capture paint overspray;

C. operate and maintain spray-painting application equipment, exhaust filtration systems, and spray booths according to the manufacturer's specification;

D. ensure all spray-gun cleaning is done so that an atomized mist or spray of gun-cleaning solvent and paint residue is not created outside a container that collects used gun-cleaning solvent. Spray-gun cleaning may be done, for example, by hand cleaning parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray-gun washer. A combination of nonatomizing methods may also be used; and

E. comply with the requirements for booth specifications, stripping management practices, overspray-capture efficiency, spray-gun specifications, solvent storage, and training in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 3. **Record keeping.**

A. The owner or operator of an auto-body refinishing facility must maintain:

(1) documentation that each painter has completed the training specified in subpart 2, item A;

(2) a record of inspection, maintenance, and repair activities for the spray-painting equipment, exhaust filtration system, and spray booths;

(3) a record of the number of gallons of coating and cleaning materials purchased or used for each calendar year; and

(4) if the owner or operator ships waste material from coating and cleaning activities off-site for recycling, records of the gallons of material shipped off-site for recycling.

B. If the owner or operator ships waste material from coating and cleaning activities off-site for recycling, the gallons of material recycled may be subtracted from the amount of combined coating and cleaning materials used. For purposes of this item, "recycling" means reclamation or reuse, as defined in part 7045.0020, of a coating or cleaning material.

C. The owner or operator must comply with the requirements for monitoring, record keeping, and reporting in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 4. **Notification.**

A. If the owner or operator of an auto-body refinishing facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

(1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and

(2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of an auto-body refinishing facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate an auto-body refinishing facility.

C. The notification required under this subpart must contain:

(1) the owner's name;

(2) the operator's name, if different than the owner's name;

(3) the facility name and address; and

(4) the number of gallons of coating and cleaning materials purchased or used in the last calendar year or, if the facility is not completed, the anticipated number of gallons of coating and cleaning materials to be purchased.

7008.2400 COATING FACILITY; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. The owner or operator of a coating facility that is not an auto-body refinishing facility and that has no other emissions or emissions units that would require a permit under chapter 7007 may operate without a permit under this chapter. To be eligible to operate without a permit under this chapter, the owner or operator of a coating facility must comply with this part and part 7008.2000.

B. Coating must account for substantially all emissions from the coating facility. All other emissions from the coating facility must be from insignificant activities under part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4110, or both.

C. The owner or operator of a coating facility must purchase or use less than 2,000 gallons of coating and cleaning materials, combined, each calendar year.

Subp. 2. **Operational requirements.** The owner or operator of a coating facility must:

A. ensure all painters are trained in proper spray application of surface coatings and proper setup and maintenance of spray equipment;

B. ensure spray-painting operations, excluding those done by spray guns with three ounces or less cup capacity, are completed inside a particulate-control system that is designed to confine and direct paint overspray, fumes, and vapors to a powered ventilation system and is equipped with either dry filtration or a water-wash system to capture paint overspray;

C. operate and maintain spray-painting application equipment, exhaust filtration systems, and spray booths according to the manufacturer's specification;

D. ensure all spray-gun cleaning is done so that an atomized mist or spray of gun-cleaning solvent and paint residue is not created outside a container that collects used gun-cleaning solvent. Spray-gun cleaning may be done, for example, by hand cleaning parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray-gun washer. A combination of nonatomizing methods may also be used; and

E. comply with the requirements for booth specifications, stripping management practices, overspray-capture efficiency, spray-gun specifications, solvent storage, and training in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 3. **Record keeping.**

A. The owner or operator of a coating facility must maintain:

(1) documentation that each painter has completed the training specified in subpart 2, item A;

(2) a record of inspection, maintenance, and repair activities for the spray-painting application equipment, exhaust filtration system, and spray booths;

(3) a record of the number of gallons of coating and cleaning materials purchased or used for each calendar year; and

(4) if the owner or operator ships waste material from coating and cleaning activities off-site for recycling, records of the gallons of material shipped off-site for recycling.

B. If the owner or operator ships waste material from coating and cleaning activities off-site for recycling, the gallons of material recycled may be subtracted from the amount

of combined coating and cleaning materials used. For purposes of this item, "recycling" means reclamation or reuse, as defined in part 7045.0020, of a coating or cleaning material.

C. The owner or operator must comply with the requirements for monitoring, record keeping, and reporting in Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as applicable.

Subp. 4. **Notification.**

A. If the owner or operator of a coating facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

(1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and

(2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of a coating facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate a coating facility.

C. The notification required under this subpart must contain:

(1) the owner's name;

(2) the operator's name, if different than the owner's name;

(3) the facility name and address; and

(4) the number of gallons of coating and cleaning materials purchased or used in the last calendar year or, if the facility is not completed, the anticipated number of gallons of coating and cleaning materials to be purchased.

7008.2500 WOODWORKING FACILITY; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. To be eligible to operate without a permit under this chapter, the owner or operator of a woodworking facility must comply with this part and part 7008.2000.

B. Equipment for manufacturing, refinishing, and restoring wood products and ovens for curing or drying wood products must account for substantially all the emissions from the woodworking facility.

C. All other emissions from the woodworking facility must be from insignificant activities under part 7007.1300, subpart 2 or 3, or conditionally insignificant activities that comply with parts 7008.4000 and 7008.4100, or both.

Subp. 2. **Operational requirements.** The owner or operator of a woodworking facility must:

A. ensure that equipment for manufacturing, refinishing, and restoring wood products vents emissions to control equipment meeting the requirements in subpart 3 at all times the equipment is operating;

B. operate and maintain the control equipment as required by the manufacturer's specifications and part 7008.0200, item D;

C. ensure that opacity from the control-equipment exhaust does not exceed 20 percent opacity when venting externally;

D. when emissions are vented externally, check the control-equipment exhaust for any visible emissions once each day of operation during daylight hours except during inclement weather. If visible emissions are observed for longer than six minutes, the owner or operator must:

(1) inspect the control equipment; and

(2) take corrective actions, including repairing or replacing control-equipment components when necessary; and

E. inspect the control equipment once each calendar quarter or more frequently according to the manufacturer's specification.

Subp. 3. **Control requirements.**

A. The owner or operator of a woodworking facility must comply with the applicable requirement for control equipment in items B to F.

B. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is less than or equal to 17,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.03 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

C. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 17,000 standard cubic feet per minute but less than or equal to 26,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.02 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

D. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 26,000 standard cubic feet per minute but less than or equal to 53,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.01 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

E. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 53,000 standard cubic feet per minute but less than or equal to 106,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.005 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

F. If the aggregate exhaust airflow rate from all wood-product manufacturing, refinishing, and restoring equipment is greater than 106,000 standard cubic feet per minute but less than or equal to 177,000 standard cubic feet per minute, the owner or operator of a woodworking facility must install, operate, and maintain control equipment designed to emit particulate matter in a concentration less than or equal to 0.003 grains per standard cubic foot of exhaust gas on all wood-product manufacturing, refinishing, and restoring equipment.

Subp. 4. **Record keeping.** The owner or operator of a woodworking facility must maintain:

A. a record of inspection, maintenance, and repair activities performed pursuant to the manufacturer's specifications for the control equipment;

B. records for each calendar year of the design airflow rate from the control equipment associated with each wood-product manufacturing, refinishing, and restoring equipment;

C. records for each calendar year of the manufacturer's design particulate matter concentration from each control equipment installed; and

D. records of the date and time of each visible emission check and whether or not any visible emissions were observed.

Subp. 5. **Notification.**

A. If the owner or operator of a woodworking facility covered by a permit issued under parts 7007.0050 to 7007.1850 intends to operate without a permit according to this chapter, the owner or operator must:

(1) request that the commissioner void the permit issued under parts 7007.0050 to 7007.1850 for the stationary source before operating under this chapter; and

(2) notify the commissioner in a format specified by the commissioner.

B. The owner or operator of a woodworking facility not described in item A must notify the commissioner in a format specified by the commissioner within 90 days after the effective date of this part or within 90 days after beginning to operate a woodworking facility.

C. The notification required under this subpart must contain:

(1) the owner's name;

(2) the operator's name, if different than the owner's name;

(3) the facility name and address; and

(4) the manufacturer's design particulate matter concentration and airflow rate from each control equipment installed or, if the facility is not completed, the anticipated manufacturer's design particulate matter concentration and airflow rate from each control equipment.

7008.2600 INSIGNIFICANT FACILITY; TECHNICAL STANDARDS.

Subpart 1. **Eligibility.**

A. To be eligible to operate without a permit under this chapter, the owner or operator of an insignificant facility must comply with this part and part 7008.2000.

B. The insignificant facility must have only emissions units that:

(1) are listed as insignificant activities in part 7007.1300, subpart 2 or 3;

(2) are conditionally insignificant activities; or

(3) qualify under subitems (1) and (2).

C. The owner or operator of an insignificant facility must limit the number of emissions units at the facility so that potential emissions from the facility are less than the thresholds in this item, calculated according to subpart 4:

(1) total HAP emissions - 10 tons per year;

(2) NO_x emissions - 100 tons per year;

(3) SO_2 emissions - 50 tons per year;

(4) particulate matter emissions - 100 tons per year;

(5) PM-10 emissions - 25 tons per year;

(6) VOC emissions - 100 tons per year;

(7) CO emissions - 100 tons per year;

(8) Pb emissions - 0.50 tons per year; and

(9) CO_2e emissions - 100,000 tons per year.

Subp. 2. **Operational requirements.** The owner or operator of an insignificant facility must ensure that:

A. emissions units at the facility comply with all applicable requirements, as defined in part 7007.0100, subpart 7; and

B. conditionally insignificant activities at the facility comply with parts 7008.4000 to 7008.4110.

Subp. 3. **Record keeping.**

A. The owner or operator of an insignificant facility must maintain a record of all emissions units and the Minnesota Rules citation that defines each emissions unit as an insignificant activity or conditionally insignificant activity.

B. The records must be permanently kept on site at the facility or central office and be readily available for the commissioner to examine and copy.

Subp. 4. **Calculating emissions.** The owner or operator of an insignificant facility must calculate emissions to determine eligibility under this part as provided in this subpart. The owner or operator must:

A. use the electronic spreadsheet "Insignificant Facility PTE" provided by the commissioner to identify the number of emissions units and the Minnesota Rules citation that defines each emissions unit as an insignificant activity or conditionally insignificant activity to determine potential emissions from the insignificant facility. The "Insignificant Facility PTE" electronic spreadsheet is incorporated by reference, is not subject to frequent change, and is available on the agency's Web site at https://www.pca.state.mn.us/regulations/minnesota-rulemaking; or

B. calculate the facility's potential emissions as defined in part 7005.0100, subpart 35a, except that emissions caused by activities described in part 7007.1300, subpart 2, must not be considered in the calculation of potential emissions.

7008.4000 CONDITIONALLY INSIGNIFICANT ACTIVITIES.

A. If operated in compliance with this part and parts 7008.4100 and 7008.4110, the activities and operation of the emissions units listed in parts 7008.4100 and 7008.4110 are insignificant activities for purposes of parts 7007.0100 to 7007.1850. ~~To qualify for the exemption from permitting in part 7007.0300, subpart 1, item D, subitem (2) or (3), the owner or operator of a stationary source that has the potential to emit any pollutant in excess~~

~~of a permitting threshold in chapter 7007 must comply with the requirements of parts 7008.4000 to 7008.4110.~~ Listing in part 7008.4100 or 7008.4110 has no effect on any other law, including laws enforced by the agency other than parts 7007.0100 to 7007.1850, to which the activity may be subject.

B. If a permit is required under chapter 7007:

(1) the ~~activities~~ emissions units described in parts 7008.4100 and 7008.4110 must be listed in a permit application~~,~~; and

(2) calculation of emissions from these ~~activities shall~~ emissions units must be provided if required by the agency~~,~~ under part 7007.0500, subpart 2, item C, subitem (2). ~~If emissions units listed in part 7008.4100 or 7008.4110 are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or, if accounted for, make a stationary source subject to a part 70 permit, emissions from the emissions units must be calculated in the permit application.~~

C. Calculation of emissions from the emissions units described in parts 7008.4100 and 7008.4110 must be provided in a permit application for a part 70 permit or an amendment to a part 70 permit.

D. The emissions units described in parts 7008.4100 and 7008.4110 must be listed in a permit application, and calculation of emissions from these emissions units must be provided in the permit application if the emissions units:

(1) are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants);

(2) are part of a Title I modification; or

(3) if accounted for, make a stationary source subject to a part 70 permit.

7008.4100 CONDITIONALLY INSIGNIFICANT ACTIVITY; MATERIAL USAGE.

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

Subp. 2. **Material usage limits.** The owner or operator must limit emissions from all material usage as provided in items A and B at the stationary source to qualify as a conditionally insignificant activity under this part.

A. VOCs. The owner or operator must limit VOC emissions to less than ~~2,000~~ 10,000 pounds, or VOC-containing material usage to less than ~~200~~ 1,000 gallons, in each calendar year ~~period~~. Pounds of VOC emissions must be calculated according to the method in subpart 4. All VOC emissions from all material usage activities at the stationary source must be accounted for in the annual calculation. This limit applies regardless of the hazardous air pollutant content of the VOC.

B. Particulate matter. The owner or operator must limit emissions of particulate matter~~, PM-10, and PM-2.5~~ to less than 8,000 pounds ~~each~~ in each calendar year ~~period~~, calculated according to the method in subpart 5. All particulate matter~~, PM-10, and PM-2.5~~ emissions from all material usage activities at the stationary source must be accounted for in the annual calculation. This limit applies regardless of the hazardous air pollutant content of the particulate matter.

Subp. 3. **Record keeping.** The owner or operator of a stationary source claiming material usage as a conditionally insignificant activity must:

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

F. if requested by the commissioner, calculate and record for any of the previous five calendar years:

(1) the VOC emissions using the method in subpart 4;

(2) the particulate matter~~, PM-10, and PM-2.5~~ emissions using the method in subpart 5;

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

Subp. 4. **Calculating VOC emissions.** An owner or operator claiming material usage as a conditionally insignificant activity must calculate VOC emissions using one of the methods in item A or B. If the owner or operator ships waste material from material usage activities off-site for recycling, the amount of VOC recycled may be subtracted from the amount of VOC calculated in item A or B:

A. ~~gallons~~ pounds of VOC emissions per calendar year equal gallons of VOC-containing material purchased or used in a calendar year multiplied by the ~~volume percentage~~ pounds of VOC per gallon; or

B. pounds of VOC emissions per calendar year equal ~~gallons of VOC-containing material purchased or used in a calendar year multiplied by the pounds of VOC per gallon or~~ pounds of VOC-containing material purchased or used in a calendar year multiplied by weight percent of VOC per gallon.

Subp. 5. **Calculating particulate matter~~, PM-10, and PM-2.5~~ emissions.**

A. An owner or operator claiming material usage as a conditionally insignificant activity must calculate particulate matter~~, PM-10, and PM-2.5~~ emissions ~~individually~~ using one of the following methods ~~in item A or B~~:

~~A.~~ (1) pounds of particulate matter~~, PM-10, and PM-2.5~~ emissions per calendar year equal gallons of solids-containing material purchased or used in a calendar year multiplied by the pounds of solids per gallon; or

~~B.~~ (2) pounds of particulate matter~~, PM-10, and PM-2.5~~ emissions per calendar year equal pounds of solids-containing material purchased or used in a calendar year multiplied by weight percent of solids per gallon.

B. For material usage activities that involve spray application of materials, the owner or operator may apply a transfer efficiency in the calculation of particulate matter~~,~~

~~PM-10, and PM-2.5~~ emissions by multiplying the result determined ~~by~~ in item A ~~or B~~ by (1 - transfer efficiency). The owner or operator may also apply a control efficiency, alone or in addition to the transfer efficiency, in calculating emissions of particulate matter by multiplying the result determined in item A by (1 - control efficiency). The control efficiency used in this calculation must be determined according to part 7011.0070 for listed control equipment and may be used only if the owner or operator is in compliance with parts 7011.0060 to 7011.0080.

7008.4110 CONDITIONALLY INSIGNIFICANT ~~PM AND PM-10 EMITTING~~ ACTIVITY; FINISHING OPERATIONS.

Subpart 1. **Applicability.** This part applies to the owner or operator of a stationary source claiming ~~particulate matter (PM) or particulate matter of less than ten microns (PM10) venting equipment as a conditionally insignificant activity~~ finishing operations that emit only particulate matter as a conditionally insignificant activity. To qualify as a conditionally insignificant activity under this part, all finishing operations at the stationary source must be included in the limits under subpart 2. If lead is a component of any finishing operation at the stationary source, this part does not apply. All particulate matter is considered filterable particulate matter under this part.

Subp. 2. **Requirements.** ~~Emissions from equipment venting PM or PM10 inside a building, for example: buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning equipment,~~ The owner or operator of a stationary source claiming finishing operations as a conditionally insignificant activity must ~~be~~:

A. ~~filtered through an air cleaning system~~ install, operate, and maintain control equipment designed to control emissions of particulate matter on the finishing operations; and

B. ~~vented inside of the building 100 percent of the time.~~ limit emissions of particulate matter from all finishing operations to less than 10,000 pounds in each calendar year, calculated according to the method in subpart 4. All emissions of particulate matter from all finishing operations at the stationary source must be accounted for in the annual calculation.

Subp. 3. **Monitoring and record keeping.** The owner or operator of a stationary source claiming ~~PM or PM-10 venting equipment~~ finishing operations as a conditionally insignificant activity must:

A. operate the ~~air cleaning system~~ control equipment as required by the manufacturer's specification and part 7008.0200, item D;

B. inspect the ~~air cleaning system as required by~~ control equipment once each calendar quarter or more frequently according to the manufacturer's specification;

C. maintain the ~~air cleaning system~~ control equipment according to the manufacturer's specification; ~~and~~

D. maintain a record of inspection, maintenance, and repair activities and the manufacturer's inspection, maintenance, and repair specifications for the ~~air cleaning system~~ control equipment for at least five years~~.~~;

E. maintain records for each calendar year of the hours operated for the control equipment associated with each finishing operation;

F. maintain records for each calendar year of the design airflow rate from the control equipment associated with each finishing operation; and

G. if the default value is not used, maintain records for each calendar year of the manufacturer's design concentration for particulate matter from the control equipment associated with each finishing operation.

Subp. 4. **Calculating emissions of particulate matter.** The owner or operator claiming finishing operations as a conditionally insignificant activity must calculate emissions of particulate matter from each control equipment according to the following equation:

$$E = OP \times EF \times Q_{Air} \times (1 \text{ lb}/7{,}000 \text{ grains}) \times (60 \text{ minutes}/1 \text{ hour})$$

Where:

E = actual emissions from the control equipment, in pounds per calendar year

OP = hours of operations of the control equipment per calendar year

EF = design concentration for particulate matter from the control equipment, in grains per standard cubic foot, but if the manufacturer's design value is unknown, then the default value is 0.07 grains per standard cubic foot for cyclones or 0.03 grains per standard cubic foot for fabric filters

Q_{Air} = design airflow rate from the control equipment, in standard cubic feet per minute.

7011.0561 ~~CONTROL OF~~ CONTROLLING MERCURY FROM ELECTRIC GENERATING UNITS.

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

Subp. 4. **Performance standards for mercury emissions.** Unless the commissioner establishes an alternative mercury emissions reduction under Minnesota Statutes, section 216B.687~~, subdivision 3~~, the owners or operators of coal-fired electric generating units that do not qualify for the exemption under subpart 3 must control mercury emissions as described in this subpart.

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

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

7011.1201 DEFINITIONS.

[For text of subps 1 to 42a, see M.R.]

Subp. 43. **Refuse-derived fuel or RDF.** "Refuse-derived fuel" or "RDF" has the meaning given in Minnesota Statutes, section ~~116.90~~ 115A.03, subdivision ~~1, paragraph (d)~~ 25d.

[For text of subps 43a to 50, see M.R.]

7011.2300 STANDARDS OF PERFORMANCE FOR STATIONARY INTERNAL COMBUSTION ENGINES.

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

Subp. 2. **Sulfur dioxide.**

A. ~~No~~ An owner or operator of a stationary internal combustion engine ~~shall~~ must not allow ~~to be discharged into the atmosphere from the engine~~ any gases that contain sulfur dioxide in excess of 0.5 pounds per million Btu actual heat input to be discharged into the atmosphere from the engine unless an alternative emission limit ~~is established~~ for sulfur dioxide in an air emission permit ~~after demonstration through modeling of~~ or other enforceable document is used to demonstrate modeled compliance with the sulfur dioxide standards in ~~part~~ parts 7009.0080 and 7009.0090.

B. No later than January 31, 2018, owners or operators of a stationary internal combustion engine must not allow any gases that contain sulfur dioxide in excess of 0.0015 pounds per million Btu actual heat input to be discharged into the atmosphere from the engine unless ~~the agency establishes~~ an alternative sulfur dioxide emission limit in an air emission permit ~~that includes a demonstration through modeling of~~ or other enforceable document is used to demonstrate modeled compliance with the sulfur dioxide standards in ~~part~~ parts 7009.0080 and 7009.0090.

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

7019.3020 CALCULATION OF ACTUAL EMISSIONS FOR EMISSION INVENTORY.

A. Emissions from all emissions units ~~shall~~ must be reported in the annual emissions inventory report in a format specified by the commissioner. Emissions from insignificant activities listed in part 7007.1300, subpart 2, ~~shall~~ must not be reported. Emissions from insignificant activities listed in part 7007.1300, subparts 3 and 4, and conditionally insignificant activities listed in part 7008.4000 ~~shall~~ must be reported if the commissioner or owner or operator has determined that emissions from those activities are not insignificant for purposes of permitting under parts 7007.0100 to 7007.1850 or for those activities required to be quantified by a facility issued a capped permit option 1. Notwithstanding the previous sentence, the commissioner may request an inventory of fugitive emissions from roads and parking lots, defined as insignificant under part 7007.1300, subpart 3, item ~~J~~ G, upon determining that emissions from these sources represent a substantial portion of the facility's total emissions.

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

REPEALER. Minnesota Rules, parts 7008.0100, subparts 2a and 5; and 7008.2250, are repealed.