

Pollution Control Agency**Proposed Permanent Rules: Federal Performance and Other Air Quality Standards****7005.0100 DEFINITIONS.**

Subpart 1. **Scope.** As used in ~~the state air pollution control rules~~ chapters 7007, 7008, 7009, 7011, 7017, 7019, 7025, 7027, and 7030 and parts 7023.0100 to 7023.0120, the ~~following terms in this part~~ have the meanings given them except as expressly provided in a specific rule.

[For text of subpart 1a, see Minnesota Rules]

Subp. 1b. **Administrator.** "Administrator" means the administrator of the United States Environmental Protection Agency or the administrator's designee.

Subp. 2. **Agency.** "Agency" means the Minnesota Pollution Control Agency as ~~constituted under Minnesota Statutes, section 116.02, subdivision 1.~~ The commissioner is the designee of the agency.

[For text of subpart 2a, see Minnesota Rules]

Subp. 3. **Alternative method.** "Alternative method" means a method of sampling and analyzing for an air pollutant ~~which that~~ is not a reference or equivalent method but which that has been demonstrated to the commissioner's satisfaction to, in specific cases, produce results adequate for its determination of compliance.

Subp. 3a. **Begin actual construction.** "Begin actual construction" means, ~~in general,~~ initiation of permanent, physical, on-site construction, reconstruction, or modification activities on an emissions unit ~~which are of a permanent nature.~~ Such Activities include, ~~but are not limited to, installation of~~ installing building supports and foundations, laying of underground pipework, and ~~construction of~~ constructing permanent storage structures. Such Activities do not include site clearing and grading or entering into binding agreements or contractual obligations. ~~With respect to~~ Regarding a change in method of operating, this

term refers to those on-site activities, other than preparatory activities, ~~which~~ that mark the initiation of the change. Owners or operators that undertake these activities ~~prior to~~ before obtaining any required permits do so at their own risk; a permit may not be issued or may not contain the terms the applicant desires.

[For text of subparts 3b to 4b, see Minnesota Rules]

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

[For text of items A to D, see Minnesota Rules]

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

[For text of subparts 4e to 4g, see Minnesota Rules]

Subp. 5. **Construction.** "Construction" means ~~fabrication, erection, or installation of~~ fabricating, erecting, or installing an emission facility, emissions unit, or stationary source. Construction also includes ~~excavation~~ excavating, blasting, removing rock and soil, ~~and/or~~ and backfilling unless the ~~administrator deems~~ commissioner determines that these activities ~~to be~~ are of minimal cost, do not significantly alter the site, and are not permanent in nature. Construction does not include site clearing or grading.

[For text of subparts 6 to 7a, see Minnesota Rules]

Subp. 8. **Control equipment.** "Control equipment" means an "air contaminant treatment facility" or a "treatment facility" as ~~those terms are~~ defined in Minnesota Statutes, section 116.06, subdivision 3.

[For text of subparts 8a and 9, see Minnesota Rules]

Subp. 9a. [See repealer.]

[For text of subparts 9b to 10d, see Minnesota Rules]

Subp. 10e. **Environmental Protection Agency or EPA.** "Environmental Protection Agency" or "EPA" means the United States Environmental Protection Agency.

Subp. 11. **Equivalent method.** "Equivalent method" means a method of sampling and analyzing for an air pollutant ~~which~~ when the method has been demonstrated to the commissioner's satisfaction to have, ~~under specified conditions,~~ a consistent and quantitatively known relationship to the reference methods in Code of Federal Regulations, title 40, part 60, appendix A, as amended; part 61, appendix B, as amended; and part 51, appendix M, as amended.

Subp. 11a. **Existing facility.** "Existing facility" means an emission facility at which construction, modification, or reconstruction ~~was commenced~~ began before the effective date of the applicable ~~new source performance standard or the applicable~~ state air pollution control rule.

Subp. 11b. **Federally enforceable.** "Federally enforceable" means enforceable by the administrator of the United States Environmental Protection Agency. Federally enforceable limitations, conditions, and requirements include requirements in or developed ~~pursuant~~ according to Code of Federal Regulations, title 40, parts 60 ~~and~~ 61, and 63, requirements within any applicable state implementation plan, and any permit requirements established according to Code of Federal Regulations, title 40, section 51.166 or 52.21, or Code of Federal Regulations, title 40, part 51, subpart I.

[For text of subparts 11c to 23b, see Minnesota Rules]

Subp. 24. **Minneapolis-Saint Paul Air Quality Control Region.** "Minneapolis-Saint Paul Air Quality Control Region" means the area encompassed by the boundaries of the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. See Code of Federal Regulations, title 40, part 81.27 (1982).

[For text of subparts 24a and 25, see Minnesota Rules]

Subp. 25a. **National emission standard for hazardous air pollutants.** "National emission standard for hazardous air pollutants" means a standard ~~promulgated~~ adopted by the administrator of the United States Environmental Protection Agency under the Clean Air Act, United States Code, title 42, section 7412, as amended, including standards still in effect ~~pursuant~~ according to the savings clause that was enacted by the 1990 Clean Air Act amendments and codified at United States Code, title 42, section 7412(q).

Subp. 25b. **New facility.** "New facility" means an emission facility on which construction, modification, or reconstruction ~~was commenced~~ began after the effective date of the applicable ~~new source performance standard or the applicable~~ state air pollution control rule.

Subp. 26. **New source performance standard.** "New source performance standard" means a standard of performance ~~promulgated~~ adopted by the administrator of the United States Environmental Protection Agency under the Clean Air Act, United States Code, title 42, section 7411, as amended.

[For text of subpart 27, see Minnesota Rules]

Subp. 28. **One-hour period.** "One-hour period" means any 60-minute period ~~commencing~~ beginning on the hour.

[For text of subparts 29 to 30b, see Minnesota Rules]

Subp. 31. **Particulate matter.** "Particulate matter" means material, except water, ~~which~~ that exists at standard conditions in a finely divided form as a liquid or solid as measured by an applicable reference method, or an equivalent or alternative method.

[For text of subparts 31a to 34, see Minnesota Rules]

Subp. 35. **Person.** "Person" ~~means person as defined~~ has the meaning given in Minnesota Statutes, section 116.06, subdivision 17.

[For text of subparts 35a to 36, see Minnesota Rules]

Subp. 36a. **Secondary emissions.** "Secondary emissions" means emissions that would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. Secondary emissions include emissions from any ~~offsite~~ off-site support facility ~~which~~ that would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions that come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel in transit.

In calculating the net increase in emissions from a particular physical change or change in the method of operation, secondary emissions must not be included unless they are specific, well defined, quantifiable, and impact the same general area as the stationary source or modification that causes the secondary emissions.

[For text of subparts 37 to 41, see Minnesota Rules]

Subp. 42. **Standard of performance.** "Standard of performance" means a restriction on the amount of air pollutants ~~which~~ that may be emitted by an emission facility.

[For text of subpart 42a, see Minnesota Rules]

Subp. 42b. [See repealer.]

Subp. 42c. **Stationary source.** "Stationary source" means an assemblage of all emissions units and emission facilities that belong to the same industrial grouping, are located at one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Emissions units or emission facilities must be considered as part of the same industrial grouping if they belong to the same "major

group" (that is, which have the same two-digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (United States Government Printing Office Stock Numbers 4101 to 0066 and 003-005-00176-0, respectively) incorporated by reference under part 7045.0065.

[For text of subparts 43 and 44, see Minnesota Rules]

Subp. 45. **Volatile organic compound or VOC.** "Volatile organic compound " or "VOC" means any organic compound ~~which~~ that participates in atmospheric photochemical reactions. This includes any organic compound other than the following compounds:

[For text of items A to JJJ, see Minnesota Rules]

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 item A, see Minnesota Rules]

B. 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 of the following new source performance standards:

[For text of subitems (1) to (4), see Minnesota Rules]

(5) Code of Federal Regulations, title 40, part 60, subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (incorporated by reference at part 7011.2305), if all engines subject to this standard at the stationary source each have a displacement less than 30 liters per cylinder and did not rely on performance testing of the affected unit to demonstrate compliance with the standard; ~~and~~

(6) Code of Federal Regulations, title 40, part 60, subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (incorporated by

reference at part 7011.2310), if all engines did not rely on performance testing of the affected unit to demonstrate compliance with the standard; and

(7) Code of Federal Regulations, title 40, part 60, subpart QQQQ, Standards of Performance for New Residential Hydronic Heaters and Forced Air Furnaces (incorporated by reference at part 7011.2960);

[For text of items C to F, see Minnesota Rules]

Subp. 2. [Repealed, 21 SR 165]

7007.0800 PERMIT CONTENT.

Subpart 1. **Scope.** The ~~agency shall~~ commissioner must include the permit conditions specified in this part in all permits, except where the requirement states that it applies only to part 70 permits or only to state permits. The permit ~~shall~~ must specify and reference the origin of and the authority for each term or condition; and ~~shall~~ identify any difference in form from the requirement giving rise to the condition. Nothing in this part ~~shall be read to limit~~ limits the ~~agency's~~ commissioner's authority to put additional or ~~more stringent~~ more-stringent terms in a permit, to conduct inspections, or to request information.

Subp. 2. **Emission limitations and standards.** The permit must:

[For text of items A and B, see Minnesota Rules]

C. state that, where another applicable requirement of the act is more stringent than any applicable requirement of regulations ~~promulgated~~ adopted under Title IV of the act (Acid Deposition Control), both provisions ~~shall be~~ are incorporated into the permit and ~~shall be~~ are enforceable by the administrator; and

[For text of item D, see Minnesota Rules]

Subp. 3. **Emissions units covered by permit.** The permit ~~shall~~ must cover any emissions unit within the stationary source for which there is an applicable requirement,

and any unit ~~which~~ that the agency commissioner believes should be covered ~~in order~~ to protect human health and the environment. However, if a stationary source is not a major source and the sole reason it is required to have a permit is because it is subject to federal standards described under part 7007.0250, subpart 2, then the permit ~~shall~~ must only cover emissions units regulated by those federal standards. The permit ~~shall~~ must include applicable requirements for fugitive emissions in the same manner as stack emissions, regardless of whether the source category in question is included in the list of sources contained in the definition of major source in part 7007.0200, subpart 2.

Subp. 4. **Monitoring.** The ~~agency shall~~ commissioner must include the ~~following~~ monitoring requirements in this subpart in all permits~~:~~.

A. The permit ~~shall~~ must require the permittee to comply with all emissions monitoring and analysis procedures or test methods required under the applicable requirements, including any procedures and methods ~~promulgated pursuant to~~ adopted under section 114(a)(3) or 504(b) of the act.

B. For part 70 permits, where the applicable requirements do not require periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring), the permit ~~shall~~ must require the permittee to conduct periodic monitoring sufficient to determine whether the stationary source is in compliance with applicable requirements. The monitoring requirements ~~shall~~ must be designed to yield reliable data from the relevant ~~time~~ period that are representative of the stationary source's operation; and ~~shall~~ must require the permittee to use terms, test methods, units, averaging periods, and other statistical conventions that are consistent with the emissions limitations and standards contained in the permit; and with other applicable requirements. ~~Record keeping~~ Record-keeping provisions may be sufficient to meet the requirements of this item.

C. For state permits, where periodic testing or instrumental or noninstrumental monitoring (which may consist of record keeping designed to serve as monitoring) is not

required by item A, the permit ~~shall~~ must include monitoring requirements sufficient to determine whether a stationary source is in compliance with applicable requirements; if the ~~agency~~ commissioner finds that ~~such~~ the monitoring is warranted by:

[For text of subitems (1) to (3), see Minnesota Rules]

D. As necessary, the permit ~~shall~~ must require the permittee to install, use, and maintain monitoring equipment or use monitoring methods.

Subp. 5. **Record keeping.** The permit ~~shall~~ must incorporate all applicable requirements related to record keeping and require the permittee to maintain adequate records, including at least the following:

A. a requirement that the permittee maintain records adequate to document compliance at the stationary source, including at a minimum:

[For text of subitems (1) to (4), see Minnesota Rules]

(5) the results of ~~such~~ the analyses; and

(6) the operating conditions existing at the time of sampling or measurement;

B. a requirement that the permittee maintain records describing any modification made at the stationary source under parts 7007.1250 and 7007.1350, as required by those provisions, but not otherwise regulated under the permit, and the emissions resulting from those changes;

C. a requirement that the permittee retain records of all monitoring data and support information for ~~a period of~~ five years, or longer as specified by the commissioner, from the date of the monitoring sample, measurement, or report. Support information includes all calibration and maintenance records ~~and~~ all original recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Records ~~shall~~ must be kept at the stationary source unless the permit allows otherwise; and

D. a requirement that the permittee retain copies of deviation reports required by subpart 6 for ~~a period of~~ five years, or longer if requested by the commissioner, from the date ~~of submittal~~ of the report is submitted to the agency commissioner.

Subp. 6. **Reporting.**

A. The permit ~~shall~~ must require the permittee to submit to the ~~agency commissioner~~ the reports described in this subpart. The permit ~~shall~~ must require that all reports be certified by a responsible official, consistent with part 7007.0500, subpart 3.

~~A.~~ B. Deviation reporting time frames are described in subitems (1) and (2).

(1) For deviations that endanger human health or the environment, the permit ~~shall~~ must require the permittee to notify the commissioner as required in part 7019.1000, subpart 1.

(2) For all other deviations, the permit ~~shall~~ must require the permittee to submit a deviation report, on a form approved by the commissioner, at least semiannually. The report is due whether or not a deviation occurred during the reporting period. The midyear deviations report, covering deviations ~~which~~ that occurred ~~during the period~~ from January 1 to June 30, is due by July 30 ~~of~~ each year and the end-of-year deviations report, covering deviations ~~which~~ that occurred ~~during the period~~ from July 1 to December 31, is due by January 30 ~~of~~ each year.

~~B.~~ C. All part 70 permits ~~shall~~ must require the permittee to submit progress reports at least every six months for any stationary source required to have a compliance schedule under part 7007.0500, subpart 2, item K, subitem (5). ~~Such~~ The progress reports ~~shall~~ must contain the deadlines for achieving the activities, milestones, or compliance required in the compliance schedule and dates when ~~such~~ the activities, milestones, or compliance were actually achieved. If any deadlines in the schedule of compliance were

not or will not be met, the report ~~shall~~ must note that, explain why, and include any preventive or corrective measures that have been or will be adopted as a result.

~~C. D.~~ The permit ~~shall~~ must require ~~submittal of~~ submitting an annual compliance certification by January 31 of each year ~~to the agency. In the case of part 70 permits,~~ ~~compliance certifications shall be submitted to the administrator as well as the agency,~~ ~~unless the administrator agrees that the submittals are not necessary.~~ The certification ~~shall~~ must be on a form approved by the commissioner and ~~shall~~ must contain the following:

- (1) the facility name and permit number;
- (2) identification of the calendar year that the report covers;
- (3) identification of deviation reports ~~submitted~~ covering the calendar year including the name of report (i.e., DRF-1 or DRF-2), the period covered by the report, and the date of the cover letter accompanying the report;
- (4) identification of any noncompliance with applicable requirements or a permit condition that has not been identified in deviation reports ~~submitted to the agency~~ covering the calendar year;
- (5) a certification that meets the requirements of part 7007.0500, subpart 3;
- (6) the signature and title of a responsible official ~~as defined in part 7007.0100,~~ ~~subpart 21;~~ and
- (7) additional requirements as may be specified ~~pursuant to~~ under sections 114(a)(3) and 504(b) of the act.

~~E.~~ ~~Notwithstanding any other provision in an applicable requirement, for the purpose of submission of~~ To make the compliance certifications under ~~this item D,~~ the owner or operator is ~~not prohibited from using~~ allowed to use the following ~~in addition to any specified methods:~~

(1) ~~(a)~~ a monitoring protocol approved for the source ~~pursuant~~ according to Code of Federal Regulations, title 40, part 64, as amended; and

(2) ~~(b)~~ any other monitoring method incorporated into a permit issued under this chapter.

~~D. All progress reports and compliance documents described in this subpart are available for public inspection and copying at the agency upon request, subject to the provisions of part 7000.1200 and Minnesota Statutes, chapter 13, and section 116.075.~~

~~E. F. For deviations caused by emergencies, as defined in part 7007.1850, the permittee may assert an affirmative defense only if it meets all the requirements of part 7007.1850, which includes notifying the agency within two working days of when the emission limitations were exceeded due to the emergency.~~

Subp. 7. **Prohibition on exceedance of Stationary sources with allowances.**

A. For affected sources, the ~~agency shall~~ commissioner must include a permit condition prohibiting emissions exceeding any allowances that the owners and operators of a stationary source lawfully hold under Title IV of the act or the regulations ~~promulgated~~ adopted thereunder, except as follows: provided in items B to D.

~~A. B.~~ B. No permit amendment ~~shall be~~ is required for increases in emissions that are authorized by allowances acquired ~~pursuant to~~ under the acid rain program, provided that ~~such~~ the increases do not require a permit amendment under any other applicable requirement.

~~B. C.~~ C. There is no limit ~~shall be placed~~ on the number of allowances held by the owners and operators of a stationary source. The owners and operators of a stationary source ~~may~~ must not, however, use allowances as a defense to noncompliance with any other applicable requirement.

~~E. D.~~ Any ~~such~~ lawfully held allowance ~~shall~~ must be accounted for according to the procedures established in Code of Federal Regulations, title 40, part 73, as amended.

Subp. 8. **Fee requirement.** The permit ~~shall~~ must require payment of annual fees by owners or operators of a stationary source required to pay annual fees due under part 7002.0025.

Subp. 9. **Additional compliance requirements.** All permits ~~shall~~ must contain the following elements with respect to compliance:

A. inspection and entry requirements that require that, upon presentation of credentials and other documents as may be required by law, the permittee ~~shall~~ must allow the ~~agency commissioner~~, or ~~an~~ the commissioner's authorized representative or agent ~~of the agency~~, to ~~perform the following~~:

[For text of subitems (1) to (3), see Minnesota Rules]

(4) sample or monitor any substances or parameters at any location:

(a) at reasonable times, ~~for the purposes of assuring to ensure~~ compliance with the permit or applicable requirements; or

(b) as otherwise authorized by the act or state law;

[For text of item B, see Minnesota Rules]

C. provisions establishing the permit shield described in part 7007.1800.

Nothing in this subpart ~~shall be read to limit the agency's~~ limits the commissioner's authority under Minnesota Statutes, section 116.091, ~~and~~ section 114 of the act (Record keeping, Inspections, Monitoring, and Entry)₂ or other law.

Subp. 10. **Emissions trading.**

A. If requested by a permit applicant, the ~~agency shall~~ commissioner must include provisions allowing the permittee to trade emissions increases and decreases that occur within the permitted facility. No Title I modification may be made using this provision, and the trade may not result in the exceedance of any facility-wide emission limit in the permit. The ~~agency shall~~ commissioner must make ~~such~~ trading available to the permittee only if ~~the commissioner~~ determines that ~~all of~~ the following are true:

[For text of subitem (1), see Minnesota Rules]

(2) the stationary source's total emissions can be limited equally well, and compliance with applicable requirements may still be ~~assured~~ ensured, by allowing the proposed trading scenario; and

[For text of subitem (3), see Minnesota Rules]

B. The permit ~~shall~~ must require the permittee to provide the ~~agency~~ commissioner in writing at least seven working days before making the emissions trade the written notification described in this item. The notice ~~shall~~ must:

(1) state when the trade will be made ~~and~~;

(2) describe the change in emissions that will result. ~~The notice shall also~~;
and

(3) describe how these increases and decreases in emissions will comply with the terms and conditions of the permit.

The permittee and the ~~agency shall~~ commissioner must each append the notice to ~~its~~ their copy of the stationary source's permit.

Subp. 11. **Alternative operating scenarios.** The commissioner must include in the permit terms and conditions allowing for reasonably anticipated alternative operating

scenarios identified by the stationary source in its application. ~~Such~~ The terms and conditions ~~shall~~ must:

[For text of item A, see Minnesota Rules]

B. ensure that the operation under each ~~such~~ alternative operating scenario complies with all applicable requirements and the requirements of parts 7007.0100 to 7007.1850.

Subp. 12. **Operation in more than one location.** If requested by the applicant, the permit may allow a stationary source to be operated in more than one location during the course of the permit. No affected source ~~shall be~~ is allowed this option. If more than one location is authorized, the permit ~~shall~~ must include the following:

[For text of item A, see Minnesota Rules]

B. conditions that will ~~assure~~ ensure compliance with all applicable requirements at all authorized locations;

C. requirements that the owner or operator notify the ~~agency~~ commissioner at least ten days in advance of each change in location, providing the exact location where the source will operate for all part 70 permits and at least 48 hours in advance of each change in location for all other state permits; and

D. conditions that ~~assure~~ ensure compliance with all other provisions of parts 7007.0100 to 7007.1850.

Subp. 13. **Permit duration.** Each permit ~~shall~~ must specify the duration of the permit, or state that the permit is nonexpiring.

Subp. 14. **Operation of control equipment.** If the commissioner determines that ~~such~~ the provisions would substantially improve the likelihood of future permit compliance, the permit may specify operating and maintenance requirements for each piece of control

equipment located at the stationary source or require the permittee to maintain an operation and maintenance plan on site.

Subp. 15. **Terms to include in reissuance.** The permit ~~shall~~ must indicate the terms that must be included in any reissuance of the permit under part 7007.0450, subpart 3.

Subp. 16. **General conditions.** ~~Permits~~ A permit issued by the ~~agency~~ commissioner under parts 7007.0100 to 7007.1850 ~~shall~~ must include the ~~following~~ general conditions in items A to O, either expressly or by reference to this subpart.

[For text of item A, see Minnesota Rules]

B. The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of ~~the~~ state law and, if the provision is federally enforceable, of the act. ~~Such~~ Violation is grounds for:

- (1) enforcement action by the ~~agency~~ commissioner or the EPA; ~~or for~~
- (2) permit termination, revocation and reissuance, or amendment; ~~or for~~
- (3) denial of a permit reissuance application.

C. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity ~~in order~~ to maintain compliance with the conditions of this permit.

D. This permit may be reopened and amended or revoked for cause as provided in parts 7007.1600 to 7007.1700. The filing of a request by the permittee for a permit amendment, revocation and reissuance, or termination; ~~or~~ filing of a notification of planned changes or anticipated noncompliance does not stay any permit condition, except as specifically provided in part 7007.1450, subpart 7.

E. This permit does not convey any property rights of any sort; or any exclusive privilege.

F. The permittee ~~shall~~ must furnish to the ~~agency~~ commissioner, within a reasonable time, any information that the ~~agency~~ commissioner may request in writing to determine whether cause exists for reopening and amending or revoking the permit or to determine compliance with the permit. Upon request, the permittee ~~shall~~ must also furnish to the ~~agency~~ commissioner copies of records required to be kept by the permittee.

G. The ~~agency's~~ commissioner's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit or as specifically provided in the permit shield provision and part 7007.1800.

H. The ~~agency's~~ commissioner's issuance of a permit does not prevent the future adoption by the ~~agency~~ commissioner of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.

I. The ~~agency's~~ commissioner's issuance of a permit does not obligate the ~~agency~~ commissioner to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes.

J. The permittee ~~shall~~ must at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them ~~which~~ that are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

K. The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the ~~agency or to the~~ commissioner by the permit. The permittee ~~shall~~ must immediately upon discovery report to the commissioner an error or omission in these records,

reports, plans, or other documents. The permittee may not falsify, tamper with, render inaccurate, or fail to install any monitoring device or method required to be maintained or followed by the permit.

L. The permittee ~~shall~~ must, when requested by the commissioner, submit within a reasonable time any information and reports that are relevant to pollution or the activities authorized under ~~this~~ the permit.

M. If the permittee discovers, through any means, including notification by the ~~agency~~ commissioner, that noncompliance with a condition of the permit has occurred, the permittee ~~shall~~ must immediately take all reasonable steps to minimize the adverse impact on human health or the environment resulting from the noncompliance.

[For text of item N, see Minnesota Rules]

O. The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and ~~agency~~ commissioner assume no responsibility for damages to persons, property, or the environment caused by the activities of the permittee in the conduct of ~~its~~ the permittee's actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and ~~agency~~ commissioner may be liable for the activities of ~~its employees, that~~ state employees, the liability is explicitly limited to that provided in the Tort Claims Act, Minnesota Statutes, section 3.736.

7011.0050 GENERAL PROVISIONS OF FEDERAL ~~NEW SOURCE~~ PERFORMANCE STANDARDS INCORPORATED BY REFERENCE.

Subpart 1. General. For purposes of interpreting, applying, and enforcing ~~new source performance standards~~ federal regulations that are incorporated by reference into this chapter,;

A. Code of Federal Regulations, title 40, sections 60.1, 60.2, 60.3, 60.5, 60.6, 60.12, 60.14, 60.15, 60.17, and 60.18, as amended, are ~~adopted and~~ incorporated by reference;

B. Code of Federal Regulations, title 40, sections 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.11, and 63.14, as amended, are incorporated by reference; and

C. Code of Federal Regulations, title 40, sections 61.02, 61.03, 61.05, 61.06, 61.07, 61.08, 61.12, 61.15, 61.18, and 61.19, as amended, are incorporated by reference, except that the authorities identified in Code of Federal Regulations, title 40, section 61.12(d)(1), are not delegated to the commissioner and are retained by the administrator.

Subp. 2. **Required information.** All requests, reports, applications, submittals, and other communications to the administrator ~~pursuant to new source performance standards~~ that are incorporated by reference into this chapter must be submitted to the commissioner unless otherwise specified in Code of Federal Regulations or state rule.

Subp. 3. **Authorities.** References to the administrator in the incorporated federal regulations refer to the commissioner, except when authorities are specifically identified in Code of Federal Regulations or state rule as nondelegable.

7011.0540 DERATE.

The owner or operator of indirect heating equipment who elects to achieve compliance with an applicable standard of performance by derating ~~shall~~ must:

A. advise the commissioner ~~of the agency~~ in writing of the intent to achieve compliance by derating and the capacity level at which the owner or operator intends to operate this equipment;

B. agree to a permit condition in the required operating permit that prohibits ~~operation of~~ operating the equipment ~~in excess of~~ over the derate level;

C. install a boiler steam flow meter to continuously record, indicate, and integrate boiler steam flow, and ~~shall~~ must:

(1) submit a written report to the commissioner of the agency within ten days of any excess steam flow occurrence above the specified derate load;

[For text of subitem (2), see Minnesota Rules]

(3) submit written yearly reports to the commissioner of the agency confirming that no excesses have occurred during normal operations; and

(4) retain and make available for inspection by the agency commissioner or ~~its~~ the commissioner's authorized employees or agents steam flow charts for a minimum ~~period~~ of two years following after the date of measurement; and

D. submit an effective method of physical limitation of boiler load ~~shall be submitted~~ for approval by the commissioner of the agency ~~prior to~~ before authorization of a boiler derate. ~~Such~~ The limitation may include ~~but is not limited to~~, a tieback signal from the steam flow meter to the combustion control system cutting back fuel input at the derate load, a maximum limit stop on the fuel input control drive or valve, or ~~such~~ other equivalent physical means.

7011.0553 INCORPORATION BY REFERENCE; NITROGEN OXIDES EMISSION REDUCTION REQUIREMENTS FOR AFFECTED SOURCES.

Affected sources, as defined in part 7007.0100, subpart 4, ~~shall~~ must comply with Code of Federal Regulations, title 40, part 76, as amended, entitled "Acid Rain Nitrogen Oxides Emission Reduction Program," which is ~~adopted and~~ incorporated by reference.

7011.0555 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; FOSSIL-FUEL-FIRED STEAM GENERATORS.

Code of Federal Regulations, title 40, part 60, subpart D, as amended, entitled "Standards of Performance for Fossil-Fuel-Fired Steam Generators ~~for Which Construction is Commenced After August 17, 1971,~~" is ~~adopted and~~ incorporated by reference.

7011.0560 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; ELECTRIC UTILITY STEAM GENERATING UNITS.

Code of Federal Regulations, title 40, part 60, subpart Da, as amended, entitled "Standards of Performance for Electric Utility Steam Generating Units ~~for Which Construction is Commenced After September 18, 1978,~~" is ~~adopted and~~ incorporated by reference, except that ~~decisions made by the administrator under~~ the authorities identified in Code of Federal Regulations, title 40, section ~~60.45a~~ 60.45Da, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

7011.0561 CONTROL OF MERCURY FROM ELECTRIC GENERATING UNITS.

[For text of subparts 1 to 9, see Minnesota Rules]

Subp. 10. **Incorporations by reference.** For purposes of this part, the methods listed in items A and B are incorporated by reference, as amended. These documents are subject to frequent change-:

A. The Annual Book of American Society for Testing and Materials International (ASTM) methods D2234/D2234M (Standard Practice for Collection of a Gross Sample of Coal), D2013/D2013M (Standard Practice for Preparing Coal Samples for Analysis), D5865 (Standard Test Method for Gross Calorific Value of Coal and Coke), D3173 (Standard Test Method for Moisture in the Analysis Sample of Coal and Coke), and D6722 (Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Direct Combustion Analysis). These methods are published in the Annual Book of ASTM Standards₂, Volume

05.06, Gaseous Fuels; Coal and Coke, 2012 edition; Catalysts; Bioenergy and Industrial Chemicals from Biomass (2017). These documents are available through the Minitex interlibrary loan system; and

B. Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA SW-846, ~~Third Edition, November 1986, issued by the United States Environmental Protection Agency (EPA)~~. Method 7471 Mercury in Solid or Semisolid Waste (Manual Cold Vapor Technique). The document is available electronically from the Environmental Protection Agency and through the Minitex interlibrary loan system at <https://www.epa.gov/hw-sw846/sw-846-compendium>.

7011.0562 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS; GREENHOUSE GAS EMISSIONS FOR ELECTRIC GENERATING UNITS.

Code of Federal Regulations, title 40, part 60, subpart TTTT, as amended through July 1, 2018, entitled "Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units" is incorporated by reference.

7011.0563 INCORPORATION ~~OF~~ BY REFERENCE; EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FROM; COAL- AND OIL-FIRED ELECTRIC UTILITY STEAM GENERATORS.

Code of Federal Regulations, title 40, part 63, subpart UUUUU, as amended through July 1, 2018, entitled "National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units," is incorporated by reference, except that the authorities identified in Code of Federal Regulations, section 63.10041(b), are not delegated to the commissioner and are retained by the administrator.

7011.0565 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; STEAM GENERATING UNITS.

Code of Federal Regulations, title 40, part 60, subpart Db, as amended, entitled "Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units," is ~~adopted and incorporated by reference, except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.44b(f), 60.44b(g), and 60.49b(a)(4), are not delegated to the commissioner and must be made by the administrator.~~

7011.0570 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; SMALL STEAM GENERATING UNITS.

Code of Federal Regulations, title 40, part 60, subpart Dc, as amended, entitled "Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," is ~~adopted and incorporated by reference, except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.48c(a)(4), are not delegated to the commissioner and must be made by the administrator.~~

7011.0830 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; PORTLAND CEMENT PLANTS.

Code of Federal Regulations, title 40, part 60, subpart F, as amended, entitled "Standards of Performance for Portland Cement Plants," is ~~adopted and incorporated by reference.~~

7011.0865 INCORPORATIONS BY REFERENCE; DOCUMENTS.

[For text of item A, see Minnesota Rules]

B. California Environmental Protection Agency, Air Resources Board, Vapor Recovery Certification Procedure CP-201, Certification Procedure for Vapor Recovery Systems of at Dispensing Facilities, February 1, 2001 April 23, 2015. This publication is

available ~~through the Minitex interlibrary loan system~~ at

<https://ww2.arb.ca.gov/our-work/programs/vapor-recovery/vapor-recovery-certification-and-test-procedures>.

[For text of item C, see Minnesota Rules]

7011.0909 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS ~~OF PERFORMANCE FOR NEW~~; HOT MIX ASPHALT PLANTS.

Code of Federal Regulations, title 40, part 60, subpart I, as amended, entitled "Standards of Performance for Hot Mix Asphalt Facilities," is ~~adopted and~~ incorporated by reference.

7011.0950 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS ~~OF PERFORMANCE FOR NEW~~; ASPHALT PROCESSING AND ASPHALT ROOFING MANUFACTURE.

Code of Federal Regulations, title 40, part 60, subpart UU, as amended, entitled "Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture," is ~~adopted and~~ incorporated by reference.

7011.1005 STANDARDS OF PERFORMANCE FOR DRY BULK AGRICULTURAL COMMODITY FACILITIES.

Subpart 1. **Owner or operator duties.** The owner or operator of a commodity facility ~~shall~~ must:

[For text of item A, see Minnesota Rules]

B. maintain air pollution control equipment in proper operating condition and ~~utilize~~ use the air pollution control systems as designed.

Subp. 2. **Federal requirements.** The owner, operator, or other person who conducts activities at a grain terminal elevator or grain storage elevator, of which construction, modification, or reconstruction commenced, as defined in Code of Federal Regulations, title 40, section 60.2, after August 3, 1978, ~~shall~~ must meet the requirements of Code of Federal Regulations, title 40, part 60, subpart DD, as amended, entitled "Standards of Performance for Grain Elevators," which is ~~adopted and~~ incorporated by reference, except

that ~~decisions made by the administrator under~~ authorities identified in Code of Federal Regulations, title 40, section 60.302(d)(3), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

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

[For text of items A to C, see Minnesota Rules]

D. a discharge of particulate matter from control equipment that exhibits greater than ten percent opacity; ~~and~~ or

[For text of item E, see Minnesota Rules]

Subp. 4. **Capture systems and control equipment.** The owner or operator of a commodity facility not required to control emissions under subpart 2 or 3 is not required to install capture systems and control equipment but ~~shall~~ must unload, handle, clean, dry, and load commodities to minimize fugitive emissions to a level consistent with RACT. If a capture system is used, the particulate matter must be conveyed through control equipment that has a collection efficiency of not less than 80 percent by weight.

[For text of subpart 5, see Minnesota Rules]

7011.1150 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; COAL PREPARATION AND PROCESSING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart Y, as amended, entitled "Standards of Performance for Coal Preparation and Processing Plants," is ~~adopted and~~ incorporated by reference.

7011.1201 DEFINITIONS.

[For text of subparts 1 to 48, see Minnesota Rules]

Subp. 49. **Wood heater.** "Wood heater" means an enclosed ~~woodburning~~ wood-burning appliance capable of and intended for space heating and domestic water heating ~~that meets the following criteria:~~ These devices include adjustable burn rate wood heaters, single burn rate wood heaters, and pellet stoves. Wood heaters may or may not include air ducts to deliver some portion of the heat produced to areas other than the space where the wood heater is located. Wood heaters include:

~~A. an air-to-fuel ratio in the combustion chamber averaging less than 35 to 1 as determined by the test procedure prescribed in Code of Federal Regulations, title 40, section 60.534, as amended, performed at an accredited laboratory;~~

~~B. a useable firebox volume of less than 20 cubic feet;~~

~~C. a minimum burn rate less than five kg/hr as determined by the test procedure prescribed in Code of Federal Regulations, title 40, section 60.534, as amended, performed at an accredited laboratory; and~~

~~D. a maximum weight of 800 kilograms. In determining the weight of the appliance for these purposes, fixtures and devices that are normally sold separately, such as flue pipe, chimney, and masonry components that are not an integral part of the appliance or heat distribution ducting shall not be included.~~

A. free-standing wood heaters: wood heaters that are installed on legs, on a pedestal, or suspended from the ceiling. These products generally are safety listed under UL-1482, UL-737, or ULC-S627;

B. fireplace insert wood heaters: wood heaters intended to be installed in masonry fireplace cavities or in other enclosures. These appliances generally are safety listed under UL-1482, UL-737, or ULC-S628; and

C. built-in wood heaters: wood heaters that are intended to be recessed into the wall. These appliances generally are safety listed under UL-1482, UL-737, UL-127, or ULC-S610.

[For text of subpart 50, see Minnesota Rules]

**7011.1205 ~~INCORPORATIONS~~ INCORPORATION BY REFERENCE;
DOCUMENTS.**

For the purpose of parts 7007.0501, 7007.0801, and 7011.1201 to 7011.1294, the documents in items A to C are incorporated by reference. Unless otherwise stated, these documents are not subject to frequent change.;

A. Annual Book of American Society for Testing and Materials Standards (ASTM), ~~Part 26~~ Volume 05.06, Gaseous Fuels; Coal and Coke; Atmospheric Analysis, 1981 edition Catalysts; Bioenergy and Industrial Chemicals from Biomass (2017). This publication is available through the Minitex interlibrary loan system.;

B. Test Methods for Evaluating Solid Waste, SW-846, United States Environmental Protection Agency, ~~Office of Solid Waste and Emergency Response, Third Edition, November 1986.~~ This publication is available ~~through the Minitex interlibrary loan system.~~ at <https://www.epa.gov/hw-sw846/sw-846-compendium> and is subject to frequent change; and

C. The following material is available from the American Society of Mechanical Engineers (ASME), 345 East 47th Street, New York, New York 10017 or ~~from the State Law Library, Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., Saint Paul, Minnesota 55155.~~ through the Minitex interlibrary loan system:

(1) ~~Standards~~ Standard for the Qualification and Certification of Resource Recovery Facility Operators, ASME ~~QRO-1-1994, May 1994.~~ QRO-1-2005 (2005, reaffirmed 2015);

(2) ~~Power Tests Code for~~ Test Codes, Steam Generating Units, PTC 4-1, 1972, 4.1-1974 (reaffirmed 1991); and

(3) ~~Interim Supplement 19.5 on Instrumentation and Apparatus~~, Application: Part II of Fluid Meters, 6th Edition, 1971, Interim Supplement 19.5 on Instruments and Apparatus (1972).

7011.1225 STANDARDS OF PERFORMANCE FOR WASTE COMBUSTORS.

Subpart 1. Class A or C waste combustor.

A. ~~No owner or operator of A Class A or C waste combustor shall cause to be emitted into the atmosphere from each waste combustor unit~~ must not emit gases ~~in excess of that exceed~~ the applicable standards of performance ~~shown~~ in parts 7011.1227 and 7011.1228. Emissions, except opacity, ~~shall~~ must be calculated under standard conditions corrected to seven percent oxygen on a dry volume basis. An owner or operator of a mixed municipal solid waste or RDF waste combustor may determine compliance with the emission limitations using carbon dioxide measurements corrected to an equivalent of seven percent oxygen.

B. ~~No owner or operator of A Class A or C waste combustor shall cause to be emitted into the atmosphere~~ must not emit visible emissions of combustion ash from an ash conveying system, or buildings or enclosures of ash conveying systems, including conveyor transfer points, ~~in excess of that exceed~~ five percent of the observation period (i.e. 9 minutes per three-hour period), as determined by Code of Federal Regulations, title 40, part 60, Appendix A, Method 22, as amended. This limit does not apply to visible emissions discharged inside buildings or enclosures of ash conveying systems.

Subp. 2. **Class I or II waste combustors.** ~~No owner or operator of A Class I or II waste combustor shall cause to be emitted into the atmosphere from each waste combustor~~

~~unit shall cause to be emitted into the atmosphere from each waste combustor unit~~ must not emit gases ~~in excess of that exceed~~ the standards of performance shown in part 7011.1230.

Subp. 3. **Class III waste combustors.** ~~No owner or operator of A Class III waste combustor shall cause to be emitted into the atmosphere from each waste combustor unit~~ must not emit gases that contain particulate matter, PCDD/PCDF, mercury, carbon monoxide, or opacity ~~in excess of that exceeds~~ the standards of performance in part 7011.1231. Emissions ~~shall~~ must be calculated under standard conditions, corrected to seven percent oxygen on a dry volume basis. An owner or operator may determine compliance with the emission limitations using carbon dioxide measurements corrected to an equivalent of seven percent oxygen. The relationship between carbon dioxide and oxygen ~~shall~~ must be established at each compliance test.

Subp. 4. [Repealed, 39 SR 386]

Subp. 5. **Class IV waste combustors.** ~~No owner or operator of A Class IV waste combustor shall cause to be emitted into the atmosphere from each waste combustor unit~~ must not emit gases that contain particulate matter, carbon monoxide, or opacity ~~in excess of those that exceeds the~~ concentrations in part 7011.1233. Emissions ~~shall~~ must be calculated under standard conditions, corrected to seven percent oxygen on a dry volume basis. An owner or operator may determine compliance with the emission limitations using carbon dioxide measurements corrected to an equivalent of seven percent oxygen. The relationship between carbon dioxide and oxygen ~~shall~~ must be established at each compliance test.

7011.1228 NITROGEN OXIDES LIMITS FOR CLASS A WASTE COMBUSTORS.

The nitrogen oxides emission limits in Table A apply to each waste combustor unit at a Class A waste combustor facility. The owner or operator ~~shall~~ must use the procedures of part 7011.1260 for determining compliance with the nitrogen oxides emission limits of Table A.

Alternatively, an owner or operator may average nitrogen oxide emissions across the waste combustor facility according to the procedures in Code of Federal Regulations, title 40, section 60.33b(d)(1), as amended. Waste combustor units for which emissions averaging is used ~~shall~~ must not exceed the nitrogen oxide emission limits in Table B.

TABLE A

Municipal Waste Combustor Technology	Nitrogen Oxides Emission Limit (parts per million by volume)
Mass burn waterwall	205
Mass burn rotary waterwall	205
Refuse-derived fuel combustor	250
Fluidized bed combustor	180

TABLE B

Municipal Waste Combustor Technology	Nitrogen Oxides Emission Limit (parts per million by volume)
Mass burn waterwall	180
Refuse-derived fuel combustor	230
Fluidized bed combustor	220

Before a waste combustor owner or operator may implement emissions averaging, the owner or operator ~~shall~~ must identify units that are included in the nitrogen oxides emissions averaging plan in either the compliance report required by part 7017.2035 that contains the results of the units' initial performance tests required by part 7011.1270, item A, subitem (1), or ~~in~~ the annual report required in part 7011.1285, as applicable ~~prior to~~ before implementing the averaging plan. The units ~~being~~ included in the averaging plan may be redesignated every calendar year. Partial year averaging is allowable upon written commissioner approval.

7011.1230 STANDARDS OF PERFORMANCE FOR CLASS I MUNICIPAL WASTE COMBUSTORS.

Subpart 1. **Scope.** The owner or operator of a Class I waste combustor ~~shall~~ must comply with the emission limits, notification, monitoring, testing, ~~record-keeping~~ record-keeping, and reporting requirements of the new source performance standards incorporated in parts 7011.1291 to 7011.1294, except as provided in subpart 2. In addition, the owner or operator ~~shall~~ must comply with ~~the following limitations:~~

A. parts 7011.1240, subpart 1; 7011.1281; 7011.1282; 7011.1283; and 7011.1284, if the owner or operator chooses to comply with the operator certification requirements of Code of Federal Regulations, title 40, section 60.54b, as amended, by obtaining certification through the Minnesota Pollution Control Agency, ~~then the owner or operator shall comply with parts 7011.1240, subpart 1; 7011.1281; 7011.1282; 7011.1283; and 7011.1284;~~

B. the general waste combustor facility requirements of part 7011.1245;

C. the industrial solid waste management plan requirements of part 7011.1250;

[For text of items D to F, see Minnesota Rules]

Subp. 2. **Mercury emission limitations.** Instead of the mercury emission limits contained in Code of Federal Regulations, title 40, sections 60.52b(a)(5), 60.58b(d)(2)(ix), and 60.58b(d)(2)(x), as amended, the owner or operator of a Class I waste combustor ~~shall~~ must comply with the mercury emission limits described in this subpart and the testing and reporting requirements of parts 7011.1265, subpart 2; and 7011.1270, item E.

Class I

Mercury (short-term)

For all waste combustors except those combusting RDF in spreader stokers 80 µg/dscm or 85% removal

Waste combustor units combusting RDF in spreader stokers (90-day test interval) 50 µg/dscm or 85% removal

Mercury (long-term)

For all waste combustors except those combusting RDF in spreader stokers 60 $\mu\text{g}/\text{dscm}$ or 85% removal

Waste combustor units combusting RDF in spreader stokers (90-day test interval) 30 $\mu\text{g}/\text{dscm}$ or 85% removal

Waste combustor units combusting RDF in spreader stokers (12-month test interval) 30 $\mu\text{g}/\text{dscm}$ or 85% removal

7011.1260 CONTINUOUS MONITORING.

Subpart 1. **Combustion chamber temperature monitor.** The owner or operator of a Class D, III, or IV waste combustor ~~shall~~ must install and operate ~~at all times~~ temperature monitors that continuously read and record the temperature at the point in the combustion unit one second downstream of the entrance of the last overfire or secondary air injection. The owner or operator may elect to place temperature monitors at another point downstream from the entrance of the last overfire or secondary air injection, ~~provided that~~ if the owner or operator conducts mapping of the operating combustion chambers to develop temperature isopleths and correlates these temperatures to the downstream temperature monitors. The averaging period for combustion chamber temperatures ~~shall~~ must be four-hour arithmetic block averages calculated from four one-hour arithmetic averages. Each one-hour arithmetic average ~~shall~~ must consist of at least ten data points equally spaced in time.

Subp. 2. **Particulate matter control device temperature monitors.** The owner or operator of a waste combustor ~~shall~~ must install, calibrate, maintain, and operate ~~at all times~~ temperature monitors that continuously read and record the temperatures of the flue gas at the inlet of each particulate matter control device.

Subp. 3. **Continuous monitors.** The owner or operator of a waste combustor ~~shall~~ must install, calibrate, maintain, and operate a continuous monitoring system when burning solid waste. Monitoring systems that continuously read and record the following outputs ~~shall~~ must be installed:

A. in Class III, A, C, or D waste combustors:

(1) for carbon monoxide at the waste combustor outlet;

(2) for steam flow or an alternative unit load measurement parameter as described in part 7011.1265, subpart 4a, in waste combustors ~~which~~ that recover heat with a boiler;

[For text of subitems (3) and (4), see Minnesota Rules]

[For text of item B, see Minnesota Rules]

C. in all classifications of waste combustors subject to sulfur dioxide emission limits for sulfur dioxide. For those facilities for which compliance is determined by the percent reduction of emissions, monitors ~~shall~~ must be installed at the inlets and outlets of the air pollution control system.

Subp. 4. **Averaging periods.** Except as provided in this subpart and subparts 4a and 5, ~~the requirements of parts 7017.1002 to 7017.1220~~ apply to continuous monitoring data collection, reduction, and averaging periods.

[For text of items A and B, see Minnesota Rules]

C. At waste combustors other than mass burn rotary waterwall combustors or RDF waste combustors for carbon monoxide, a four-hour block average. For mass burn rotary waterwall combustors or RDF stokers, the averaging period for carbon monoxide ~~shall~~ must be a daily 24-hour arithmetic average measured between 12 midnight and the following midnight. The four-hour and 24-hour average ~~shall~~ must be calculated from one-hour arithmetic averages. At least four points equally spaced in time shall be used to calculate each one-hour average. During periods of calibration, quality assurance audits, and routine maintenance, only two data points during the hour, at least 15 minutes apart, are required to calculate an hourly average. Each one-hour average ~~shall~~ must be corrected

to seven percent oxygen on an hourly basis using the one-hour arithmetic average of the oxygen or carbon dioxide continuous emissions monitoring system.

D. For sulfur dioxide, the geometric average of the one-hour arithmetic average emission concentration during each 24-hour daily period measured from midnight to midnight. At least four data points equally spaced in time shall be used to calculate each one-hour arithmetic average. During periods of calibration, quality assurance audits, and routine maintenance, only two data points during the hour, at least 15 minutes apart, are required to calculate an hourly average. Each one-hour average ~~shall~~ must be corrected to seven percent oxygen on an hourly basis using the one-hour arithmetic average of the oxygen or carbon dioxide continuous emissions monitoring system.

E. For nitrogen oxides, the arithmetic average of the one-hour arithmetic average emission concentration during each 24-hour daily period measured from midnight to midnight. At least four data points equally spaced in time ~~shall~~ must be used to calculate each one-hour arithmetic average. During periods of calibration, quality assurance audits, and routine maintenance, only two data points during the hour, at least 15 minutes apart, are required to calculate an hourly average. Each one-hour average ~~shall~~ must be corrected to seven percent oxygen on an hourly basis using the one-hour arithmetic average of the oxygen or carbon dioxide continuous emissions monitoring system.

[For text of items F and G, see Minnesota Rules]

Subp. 4a. Calculation of sulfur dioxide and nitrogen oxide emissions.

A. Compliance with the sulfur dioxide emission limit and percent reduction ~~shall~~ must be determined by using a continuous emission monitor to measure sulfur dioxide and calculating a 24-hour daily geometric mean emission concentration and daily geometric mean percent reduction using Code of Federal Regulations, title 40, part 60, Appendix A, Method 19, section 5.4, as amended, to determine the daily geometric average percent reduction in the potential sulfur dioxide emission concentration. For waste combustors

~~which that~~ do not operate continuously, compliance ~~shall~~ must be determined using a daily geometric mean of all hourly average values for the hours during the day that the facility is operated.

B. Compliance with the nitrogen oxides emission standards ~~shall~~ must be determined by using a continuous emission monitor for measuring nitrogen oxides and calculating a 24-hour daily arithmetic average emission concentration using Code of Federal Regulations, title 40, part 60, Appendix A, Method 19, section 4.1, as amended. For waste combustors ~~which that~~ do not operate continuously, compliance ~~shall~~ must be determined using an arithmetic mean of all hourly average values for the hours during the day that the facility is operated.

Subp. 5. **Installation and operation of continuous monitors.** The owner or operator of a waste combustor with continuous monitors ~~shall~~ must comply with ~~the requirements~~ of parts 7017.1002 to 7017.1220, except as provided in items A to I.

A. Following the initial compliance test as required under part 7011.1270, the owner or operator of a waste combustor ~~shall~~ must submit the initial compliance report as required under part 7011.1285, subpart 5.

B. Continuous monitors ~~shall~~ must be operated ~~so as~~ to measure and record data for at least 75 percent of the hours per day for 90 percent of the days of the calendar quarter that the waste combustor is operating and combusting solid waste.

C. All valid monitoring data ~~shall~~ must be used to calculate emission rates, emission reductions, and operating parameters, even if the conditions of item B are not met.

D. When continuous emissions data for sulfur dioxide removal efficiency, sulfur dioxide or nitrogen oxide emission rates, or carbon monoxide are not obtained because of monitor breakdowns, repairs, calibration checks, and zero and span adjustments, emission data calculations to determine compliance ~~shall~~ must be made using the following methods:

(1) for sulfur dioxide removal efficiency or sulfur dioxide or nitrogen oxide emission concentrations, Code of Federal Regulations, title 40, part 60, Appendix A, Method 19, as amended, to provide valid emission data ~~in order~~ to meet the requirements of item B. Other monitoring systems or other data collection methods may be used as approved by the commissioner; and

(2) for carbon monoxide, Code of Federal Regulations, title 40, part 60, Appendix A, Method 10, as amended, to provide valid emission data ~~in order~~ to meet the requirements of item B. Other monitoring systems or other data collection methods may be used as approved by the commissioner.

E. Zero drift and span drift checks of emission monitoring systems ~~shall~~ must be conducted in accordance with Code of Federal Regulations, title 40, section 60.13, as amended.

F. Span values for continuous monitors ~~shall~~ must be as described in subitems (1) to (4). Dual scale monitors may be used to monitor emissions beyond the ranges specified in subitems (1) to (4).

(1) The span value of the sulfur dioxide continuous monitors at the inlet to the sulfur dioxide control device ~~is~~ must be 125 percent of the maximum estimated hourly potential sulfur dioxide emissions of the waste combustor unit, and the span value of the monitor at the outlet of the sulfur dioxide control device ~~is~~ must be 50 percent of the maximum estimated hourly potential sulfur dioxide emissions of the waste combustor unit.

(2) The span value of the nitrogen oxides continuous monitors ~~shall~~ must be 125 percent of the maximum estimated hourly potential nitrogen oxides emissions of the waste combustor unit.

(3) The span value of the oxygen or carbon dioxide monitor ~~shall~~ must be 25 percent oxygen or carbon dioxide.

(4) The span value of the carbon monoxide monitor ~~shall~~ must be 125 percent of the maximum estimated hourly potential carbon monoxide emissions of the waste combustor unit.

G. Quarterly accuracy determinations, daily calibration drift tests, and annual relative accuracy test audits ~~shall~~ must be performed ~~in accordance with procedures in~~ according to Code of Federal Regulations, title 40, part 60, Appendix F, as amended, for sulfur dioxide, nitrogen oxides, carbon monoxide, and oxygen or carbon dioxide, except that section 5.1.1 (relative accuracy test audit) ~~shall~~ does not apply to the oxygen monitor.

H. The procedures under Code of Federal Regulations, title 40, section 60.13, as amended, ~~shall~~ must be followed for installation, evaluation, and operation of continuous emissions monitoring systems for sulfur dioxide, nitrogen oxides, opacity, and oxygen or carbon dioxide.

I. The oxygen or carbon dioxide monitor ~~shall~~ must conform to Performance Specification 3 in Code of Federal Regulations, title 40, part 60, Appendix B, as amended, except that section 2.3 ~~shall~~ does not apply.

Subp. 6. **Recording data from continuous monitoring.** The owner or operator of a waste combustor ~~shall maintain a record of the information contained in this subpart. Waste combustors shall~~ must maintain a permanent record of continuously measured parameters. The record of monitoring ~~shall~~ must contain:

[For text of items A to C, see Minnesota Rules]

Subp. 7. **Exceedances of continuously monitored emission limits.** If accurate and valid data results collected from continuous monitors for sulfur dioxide, nitrogen oxides, or carbon monoxide data exceed emission limits established in part 7011.1225 or in the waste combustor's permit after normal start-up, the waste combustor owner or operator ~~shall undertake~~ must take the following actions:

A. The exceedance ~~shall~~ must be reported to the commissioner as soon as reasonably possible, giving consideration to matters of plant or worker safety, or access to communications.

[For text of item B, see Minnesota Rules]

C. If the waste combustor cannot be returned to compliance within 72 hours of ~~the occurrence of~~ the exceedance occurring, the waste combustor ~~shall~~ must be shut down. If the modifications to return the waste combustor to compliance require ~~the amendment of~~ amending the air emission facility permit, the waste combustor ~~shall~~ must shut down within 72 hours of the exceedance.

D. When repairs or modifications have been completed, the waste combustor owner or operator ~~shall~~ must demonstrate to the commissioner that the waste combustor is in compliance. The waste combustor may be started up after the owner or operator ~~has notified~~ notifies the commissioner in writing of the date the owner or operator plans to start up the waste combustor and the date that compliance testing is scheduled. Notification ~~shall~~ must be given at least ten days in advance of the compliance test date.

7011.1265 REQUIRED PERFORMANCE TESTS, METHODS, AND PROCEDURES.

Subpart 1. **Performance test methods and procedures.** An owner or operator of a waste combustor required to conduct performance tests for a waste combustor ~~shall~~ must use the performance test methods and procedures specified in parts 7017.2001 to 7017.2060 except as modified in this part. Not operating a sorbent injection system for the sole purpose of testing ~~in order~~ to demonstrate compliance with the percent reduction standards for sulfur dioxide and hydrogen chloride is not a modification under part 7007.0100, subpart 14.

Subp. 2. **Performance test methods for criteria pollutants.** An owner or operator of a waste combustor required to conduct performance tests for particulate matter, sulfur dioxide, or nitrogen oxides must use the test methods ~~as described in~~ under items A to D.

A. For particulate matter, except ~~that~~ for Class I, II, A, and C waste combustors, the minimum sample volume must be 1.7 dscm, and the probe and filter holder heating systems in the sample train must be set to provide a gas temperature no greater than 160 degrees Celsius, plus or minus 14 degrees. For Class III and IV waste combustors, the minimum sample volume must be 0.85 dscm. Owners or operators may request approval for smaller sampling times or volumes from the commissioner ~~prior to~~ before testing, when necessitated by process variables or site-specific limitations. An oxygen or carbon dioxide measurement must be obtained simultaneously with each Method 5 test run for particulate matter. Particulate matter emissions, expressed in gr/dscf, must be corrected to seven percent oxygen by using the following formula:

$$c_7 = \frac{14c}{(21-\%O_2)}$$

where: c_7 is the concentration of particulate matter corrected to seven percent oxygen;

c is the concentration of particulate matter as measured by Code of Federal Regulations, title 40, part 60, Appendix A-3, Method 5, and Code of Federal Regulations, title 40, part 51, Appendix M, Method 202~~2~~, and

$\%O_2$ is the percentage of oxygen as measured by Code of Federal Regulations, title 40, part 60, Appendix A-2, Method 3, as amended.

[For text of subitems (1) and (2), see Minnesota Rules]

B. For opacity emissions, Code of Federal Regulations, title 40, part 60, Appendix A, Method 9, as amended, ~~shall~~ must be used to determine compliance with opacity limits.

C. For Class IV waste combustors carbon monoxide emissions, compliance with the emission limit ~~shall~~ must be determined by using Code of Federal Regulations, title 40, part 60, Appendix A, Method 10, as amended.

D. For fugitive ash emissions, Code of Federal Regulations, title 40, part 60, Appendix A, Method 22, as amended, ~~shall~~ must be used. The minimum observation time ~~shall be~~ is a series of three one-hour observations. The observation period ~~shall~~ must include times when the facility is transferring ash from the waste combustor unit to the area where ash is stored or loaded into containers or trucks. The average duration of visible emissions per hour ~~shall~~ must be calculated from the three one-hour observations. The average ~~shall~~ must be used to determine compliance with the emission limit.

Subp. 3. **Performance test methods for other air contaminants.** If not specified in this subpart, the owner or operator ~~shall~~ must use test methods in Code of Federal Regulations, title 40, part 60, Appendix A, or part 61, Appendix B, as amended, or other methods determined by the commissioner in writing to be equivalent. For Class A waste combustors, other methods used for performance testing must be approved by the Environmental Protection Agency.

A. For hydrogen chloride, the percentage reduction in the potential hydrogen chloride emissions (%P_{HCl}) is computed using the following formula:

$$\%P_{\text{HCl}} = \frac{(E_i - E_o)}{E_i}$$

where E_i is the potential hydrogen chloride emission rate measured at the control device inlet, corrected to seven percent O₂, and E_o is the hydrogen chloride emission rate measured at the outlet of the acid gas control device, corrected to seven percent O₂.

Code of Federal Regulations, title 40, part 60, Appendix A, Method 26 or 26A, as amended, ~~shall~~ must be used for determining the hydrogen chloride emission rate. The minimum sampling time ~~shall be~~ is one hour. An oxygen or carbon dioxide measurement ~~shall~~ must be obtained simultaneously with each Method 26 test run for hydrogen chloride. The average

of the hydrogen chloride emission concentration or percent reduction is used to determine compliance.

B. For PCDD/PCDF emissions, Code of Federal Regulations, title 40, part 60, Appendix A, Method 23, as amended, ~~shall~~ must be used ~~for determining~~ to determine compliance with the PCDD/PCDF emission limits. For Class II and A facilities, the minimum sample time ~~shall be~~ is four hours per test run. For Class III, C, and D facilities, the minimum sample time ~~shall be~~ is three hours per test run. An oxygen or carbon dioxide measurement ~~shall~~ must be obtained simultaneously with each Method 23 test run for PCDD/PCDF. The average of the PCDD/PCDF test runs is used to determine compliance.

C. For mercury, lead, and cadmium emissions, Code of Federal Regulations, title 40, part 60, Appendix A, Method 29, as amended, ~~shall~~ must be used for measuring emissions of lead, cadmium, and mercury. The minimum sample volume ~~shall be~~ is 1.7 dscm. An oxygen or carbon dioxide measurement ~~shall~~ must be obtained simultaneously with each Method 29 test run for lead and cadmium. The average of the lead or cadmium emission concentrations from three test runs or more ~~shall~~ must be used to determine compliance. The procedures in item D ~~shall~~ must be used to determine compliance with the mercury emission limits.

D. To determine the mercury concentration, the arithmetic average of three or more samples at the outlet of the air pollution control device ~~shall~~ must be used. The minimum sample volume ~~shall be~~ is 1.7 dscm. The maximum sample run time ~~shall be~~ is two hours. An oxygen or carbon dioxide measurement ~~shall~~ must be obtained simultaneously with each Method 29 test run for mercury.

To determine the percent reduction of mercury, concurrent sampling for mercury at the inlet and outlet of the air pollution control system ~~shall~~ must be performed at each occurrence of mercury emissions performance testing.

Owners and operators of RDF combustors may choose to conduct mercury emissions testing either every 90 days or every 12 months. If the owner or operator of an RDF combustor chooses to conduct testing every 90 days, the requirements of subitems (1) and (2) apply. If the RDF combustor chooses to test every 12 months, the requirements of subitem (3) apply.

(1) Procedures to determine compliance with the short-term mercury emission concentration limit are described in unit (a). If the waste combustor does not show compliance as determined in unit (a), compliance ~~shall~~ must be determined as described in units (b) and (c).

[For text of unit (a), see Minnesota Rules]

(b) If the average computed in unit (a) exceeds the short-term mercury emission concentration limit, the removal efficiency for each run ~~shall~~ must be computed as follows:

$$\%Hg_{\text{removal efficiency}} = [Hg_{\text{in}} - Hg_{\text{out}}]/HG_{\text{in}} \times 100$$

Where: $Hg_{\text{removal efficiency}}$ is the removal efficiency of each sample run, HG_{in} is the mercury concentration measured at the inlet of the air pollution control device, and Hg_{out} is the mercury concentration measured at the outlet.

(c) The waste combustor is in compliance with the short-term mercury emission limit; if the arithmetic average of each of the removal efficiencies as computed in unit (b) is greater than or equal to 85 percent.

(2) Procedures to determine compliance with the long-term mercury emission concentration limit are described in unit (a). If the waste combustor does not show compliance as determined in unit (a), compliance ~~shall~~ must be determined as described in unit (b).

(a) To determine compliance with the mercury emission concentration limit, the arithmetic average of all mercury emission concentrations measured in a compliance

test available for the previous calendar year ~~shall~~ must be used. Initial compliance with the long-term mercury concentration limit ~~shall~~ must be determined upon completion of the first calendar year. Subsequent compliance ~~shall~~ must be determined at each occurrence of mercury emission performance testing.

(b) If the average that was computed in unit (a) exceeds the long-term mercury emission concentration, the removal efficiency for each run ~~shall~~ must be computed by the equation in subitem (1), unit (b). The waste combustor is in compliance with the long-term mercury emission limit if the arithmetic average of each of the removal efficiencies is greater than or equal to 85 percent.

(3) Owners or operators of waste combustors combusting RDF who choose to conduct mercury emission testing every 12 months ~~shall~~ must use the procedures in this subitem to determine compliance with mercury emission limits.

[For text of unit (a), see Minnesota Rules]

(b) If the average computed in unit (a) exceeds the 12-month mercury emission concentration limit, the removal efficiency for each run ~~shall~~ must be computed by the equation in subitem (1), unit (b). The waste combustor is in compliance with the 12-month mercury emission limit if the arithmetic average of the removal efficiencies is greater than 85 percent.

Subp. 4. **Steam flow measurement method.** The method contained in ASME ~~Power Test Codes: Test Codes for Steam Generating Units, PTC 4.1 (1972)~~, section 4, incorporated by reference in part 7011.1205, ~~shall~~ must be used for calculating the steam flow required under part 7011.1260, subpart 3, item A, subitem (2). The recommendations of ~~Instruments and Apparatus: Measurement of Quantity of Materials, Application: Part II of Fluid Meters, Interim Supplement 19.5 (1971)~~ on Instruments and Apparatus, chapter 4, incorporated by reference in part 7011.1205, ~~shall~~ must be followed for design, construction, installation, calibration, and use of nozzles and orifices, except that measurement devices such as flow

nozzles and orifices are not required to be recalibrated after they are installed. All signal conversion elements associated with steam flow measurements must be calibrated according to the manufacturer's instructions before each PCDD/PCDF test, and at least once per year. This annual calibration ~~shall~~ must be recorded in the daily operating record as described in part 7011.1285, subpart 2.

[For text of subpart 4a, see Minnesota Rules]

Subp. 4b. **Procedures for correlating carbon dioxide and oxygen concentrations.** If carbon dioxide is selected for use in diluent corrections, the relationship between oxygen and carbon dioxide levels ~~shall~~ must be established during the initial performance test according to the procedures and methods ~~specified as described in~~ under items A to E.

A. The fuel factor equation in Code of Federal Regulations, title 40, part 60, Appendix A, Method 3B, ~~shall~~ must be used to determine the relationship between oxygen and carbon dioxide at a sampling location. Method 3, 3A, or 3B ~~shall~~ must be used to determine the oxygen concentration at the same location as the carbon dioxide monitor.

B. Samples ~~shall~~ must be taken for at least 30 minutes in each hour.

C. Each sample ~~shall~~ must represent a one-hour average.

D. A minimum of three runs ~~shall~~ must be performed.

E. The relationship between carbon dioxide and oxygen concentrations that is established ~~shall~~ must be submitted as part of the initial performance test report.

Subp. 5. **Performance tests required.** Performance tests ~~shall~~ must be conducted on waste combustors to determine the emission concentrations of the following air contaminants:

[For text of items A to C, see Minnesota Rules]

D. any other air contaminant for which an emission limitation applies to the waste combustor, except for opacity and those contaminants for which compliance is demonstrated by ~~the use of~~ using a continuous monitor.

Subp. 6. **Operation during performance testing.** The owner or operator of a waste combustor ~~shall~~ must report operating conditions to the commissioner ~~the operating conditions~~, including operating parameters of the air pollution control equipment, flue gas temperatures, air flow rates, and pressure drop across the combustion system.

Subp. 7. **Maximum demonstrated capacity.** For Class I, II, III, A, C, and D waste combustors, maximum demonstrated capacity of each waste combustor unit ~~shall~~ must be determined during the initial performance test for PCDD/PCDF and each subsequent performance test during which compliance with the PCDD/PCDF emission limit in part 7011.1225 is achieved. For Class IV waste combustors, maximum demonstrated capacity ~~shall~~ must be determined during the initial performance test and each subsequent performance test during which compliance with emission limits is demonstrated.

Subp. 8. **Particulate matter control device temperature.** The owner or operator of a waste combustor with postcombustion particulate matter control ~~shall~~ must determine and record the four-hour arithmetic average gas stream temperature as measured at the inlet to each particulate matter control device during the initial and each subsequent performance test for PCDD/PCDFs demonstrating compliance with the PCDD/PCDF emission limit in part 7011.1225.

Subp. 9. [Repealed, 22 SR 1975]

Subp. 10. **Solid waste composition.** Solid waste composition studies ~~shall~~ must be conducted as described in part 7007.0501, subpart 2.

Subp. 11. **Exceedances of emission limits.** If accurate and valid data results of a performance test demonstrate an exceedance of a standard of performance ~~as described in~~

under part 7011.1225 or in the waste combustor's air emission facility permit after normal start-up, the waste combustor owner or operator ~~shall undertake~~ must take the actions in items A to D.

A. The owner or operator ~~shall~~ must immediately report the exceedance to the commissioner and ~~shall~~ comply with the applicable reporting provisions of part 7007.0800, subpart 6.

B. The owner or operator ~~shall undertake~~ must take appropriate steps to return the waste combustor to compliance; and ~~shall~~ must demonstrate compliance within 60 days of the initial report of the exceedance.

C. If the commissioner determines that compliance has not been achieved within 60 days of the initial report of exceedance, the waste combustor ~~shall~~ must be shut down.

D. If shutdown was required under item C, the waste combustor may be restarted under the conditions specified by the commissioner. The owner or operator must notify the commissioner in writing of the date on which the owner or operator plans to ~~start-up~~ start up and to begin compliance testing. Notification ~~shall~~ must be at least ten days in advance of the compliance test date.

7011.1291 INCORPORATION BY REFERENCE ~~OF~~; NEW SOURCE PERFORMANCE STANDARD ~~FOR NEW~~ STANDARDS; LARGE MUNICIPAL WASTE COMBUSTORS.

Subpart 1. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart Eb, as amended, entitled "Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996," is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.50b(n), are not delegated to the commissioner and must be made by the administrator.~~

[For text of subpart 2, see Minnesota Rules]

7011.1292 INCORPORATION BY REFERENCE OF; NEW SOURCE PERFORMANCE STANDARD FOR NEW STANDARDS; HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS.

Subpart 1. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart Ec, as amended, entitled "Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators," is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.50e(i), are not delegated to the commissioner and must be made by the administrator.~~

[For text of subpart 2, see Minnesota Rules]

7011.1294 INCORPORATION BY REFERENCE OF; NEW SOURCE PERFORMANCE STANDARD FOR NEW STANDARDS; OTHER SOLID WASTE INCINERATION UNITS.

Subpart 1. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart EEEE, as amended, entitled "Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006," is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.2889(b), are not delegated to the commissioner and must be made by the administrator.~~

[For text of subpart 2, see Minnesota Rules]

7011.1350 INCORPORATION BY REFERENCE OF; NEW SOURCE PERFORMANCE STANDARD FOR STANDARDS; SEWAGE SLUDGE INCINERATORS.

Subpart 1. **Incorporation by reference.** The following new source performance standards are incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart O, as amended, entitled "Standards of Performance for Sewage Treatment Plants," is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.153(e), are not delegated to the commissioner and must be made by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 60, subpart LLLL, as amended, entitled "Standards of Performance for New Sewage Sludge Incineration Units," is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.4785(e), are not delegated to the commissioner and must be made by the administrator.~~

[For text of subpart 2, see Minnesota Rules]

~~7011.1355 STANDARDS OF PERFORMANCE FOR INCORPORATION BY REFERENCE; EMISSION GUIDELINES AND COMPLIANCE TIMES; EXISTING SEWAGE SLUDGE INCINERATOR UNITS; COMPLIANCE WITH CLEAN AIR ACT SECTION 129 STANDARDS.~~

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Incorporation by reference of federal emission guidelines and compliance times for existing sewage sludge incinerators.

A. The following requirements from Code of Federal Regulations, title 40, part 60, subpart MMMM, as amended, entitled "Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units," are incorporated by reference, ~~as amended:~~

[For text of subitems (1) to (8), see Minnesota Rules]

[For text of item B, see Minnesota Rules]

[For text of subpart 3, see Minnesota Rules]

7011.1365 INCORPORATION BY REFERENCE OF; EMISSION GUIDELINES AND COMPLIANCE TIMES FOR; EXISTING COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS.

A. ~~The following requirements from Code of Federal Regulations, title 40, part 60, subpart DDDD, sections 60.2575 to 60.2875, as amended, entitled "Emission Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units," are~~ is incorporated by reference, ~~as amended~~ with the following exceptions:

(1) ~~increments of progress: Code of Federal Regulations, title 40, sections 60.2575 to 60.2615. The deadlines for each increment of progress are found in Table 1 of Code of Federal Regulations, title 40, part 60, subpart DDDD, and are as follows:~~

(a) ~~owners or operators must submit a final control plan to the commissioner by one year after September 29, 2014; and~~

(b) ~~owners or operators of an affected unit must demonstrate compliance with the emission guidelines adopted under this part within three years after September 29, 2014;~~

(2) ~~waste management plan: Code of Federal Regulations, title 40, sections 60.2620 to 60.2630;~~

(3) ~~operator training and qualification: Code of Federal Regulations, title 40, sections 60.2635 to 60.2665;~~

(4) ~~emission limitations and operating limits: Code of Federal Regulations, title 40, sections 60.2670 to 60.2680;~~

(5) ~~performance testing: Code of Federal Regulations, title 40, sections 60.2690 to 60.2695;~~

(6) ~~initial compliance requirements: Code of Federal Regulations, title 40, sections 60.2700 to 60.2706;~~

~~(7) continuous compliance requirements: Code of Federal Regulations, title 40, sections 60.2710 to 60.2725;~~

~~(8) monitoring: Code of Federal Regulations, title 40, sections 60.2730 to 60.2735;~~

~~(9) record keeping and reporting: Code of Federal Regulations, title 40, sections 60.2740 to 60.2800;~~

~~(10) Title V operating permits: Code of Federal Regulations, title 40, section 60.2805. Owners or operators of commercial and industrial solid waste incineration units that do not hold Title V operating permits must submit an application for a Title V permit by one year after September 29, 2014;~~

~~(11) air curtain incinerators: Code of Federal Regulations, title 40, sections 60.2810 to 60.2870; and~~

~~(12) definitions: Code of Federal Regulations, title 40, section 60.2875.~~

~~B. For the purposes of this subpart, the terms used in Code of Federal Regulations, title 40, sections 60.2572 to 60.2875, are defined as follows:~~

~~(1) "administrator" means the commissioner; and~~

~~A. sections 60.2500 to 60.2570 are not incorporated by reference;~~

~~B. the deadlines for each increment of progress provided for in Table 1 of Code of Federal Regulations, title 40, part 60, subpart DDDD, are:~~

~~(1) by September 29, 2015, for owners or operators to submit a final control plan to the commissioner; and~~

~~(2) by September 29, 2017, for owners or operators of an affected unit to demonstrate compliance with the emission guidelines adopted under this part;~~

C. owners or operators of commercial and industrial solid waste incineration units that do not hold Title V operating permits must submit an application for a Title V permit by September 29, 2015; and

D. (2) "you" means the owner or operator of an affected commercial and industrial solid waste incineration unit.

7011.1370 INCORPORATION BY REFERENCE ~~OF~~; NEW SOURCE PERFORMANCE STANDARD ~~FOR STANDARDS~~; NEW COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATORS.

Subpart 1. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart CCCC, as amended, entitled "Standards of Performance for Commercial and Industrial Solid Waste Incineration Units ~~For Which Construction Is Commenced After November 30, 1999 or For Which Modification or Reconstruction Is Commenced On or After June 1, 2001,~~" is incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.2030(e) are not delegated to the commissioner and must be made by the administrator.~~

[For text of subpart 2, see Minnesota Rules]

7011.1400 DEFINITIONS APPLICABLE TO PETROLEUM REFINERIES.

Subpart 1. **Scope.** ~~As used in~~ The definitions in this part apply to parts 7011.1400 to 7011.1430, the following words shall have the meanings defined herein.

Subp. 2. **Coke burn-off.** "Coke burn-off" means the coke removed from the surface of the fluid catalytic cracking unit catalyst by combustion in the catalyst regenerator. The rate of coke burn-off is calculated by the formula ~~specified~~ in part 7011.1430, subpart 5.

Subp. 2a. **Existing.** "Existing" means equipment on which construction, modification, or reconstruction did not begin after June 11, 1973.

Subp. 3. **Fossil fuel.** "Fossil fuel" means natural gas, petroleum, coal, and wood, and any form of solid, liquid, or gaseous fuel derived from such materials.

Subp. 4. **Fuel gas.** "Fuel gas" means any gas ~~which~~ that is generated by a petroleum refinery process unit and ~~which~~ that is combusted, including any gaseous mixture of a natural gas and fuel gas ~~which~~ that is combusted.

Subp. 5. **Fuel gas combustion device.** "Fuel gas combustion device" means any equipment, such as process heaters, boilers, and flares, used to combust fuel gas, but does not include fluid coking units and fluid catalytic cracking unit incinerator-waste heat boilers ~~and~~ or facilities in which gases are combusted to produce sulfur or sulfuric acid.

[For text of subpart 6, see Minnesota Rules]

Subp. 7. **High heating value.** "High heating value" means the number of (Btu/lb) (cal/gm) of a fossil fuel as determined by the A.S.T.M. test methods described in part ~~7011.0525~~ 7011.0500, subpart 8.

Subp. 8. **Indirect heating equipment.** "Indirect heating equipment" means a furnace, boiler, or other unit of combustion equipment used in ~~the process of burning fossil fuel for the purpose of producing~~ to produce steam, hot water, hot air, or other hot liquid, gas, or solid, where the products of combustion do not have direct contact with the heated medium. "Indirect heating equipment" includes all fuel gas combustion devices ~~which~~ that burn a liquid or solid fossil fuel but does not include fluid catalytic cracking unit incinerator-waste heat boilers, fluid coking units, ~~and~~ or facilities in which gases are combusted to produce sulfur or sulfuric acid.

Subp. 8a. **New.** "New" means equipment on which construction, modification, or reconstruction began after June 11, 1973.

[For text of subpart 9, see Minnesota Rules]

Subp. 10. **Petroleum refinery.** "Petroleum refinery" means ~~any~~ a facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oil, lubricants, or other products ~~through distillation or~~ by distilling petroleum or ~~through redistillation~~ by redistilling, cracking, or reforming ~~of~~ unfinished petroleum derivatives. "Petroleum refinery" includes fluid catalytic cracking unit catalyst regenerators, fluid catalytic cracking unit incinerator-waste heat boilers, fuel gas combustion devices, and all indirect heating equipment associated with the refinery.

[For text of subparts 11 to 14, see Minnesota Rules]

7011.1435 INCORPORATION BY REFERENCE ~~OF~~; NEW SOURCE PERFORMANCE STANDARDS; PETROLEUM REFINERIES.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart J, as amended, entitled "Standards of Performance for Petroleum Refineries;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.105(a)(13)(iii) and 60.106(i)(12), are not delegated to the commissioner and must be made by the administrator;~~

B. Code of Federal Regulations, title 40, part 60, subpart GGG, as amended, entitled "Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006," ~~except that decisions made by the administrator under the authorities identified in Code of Federal Regulations, title 40, section 60.592(c), are not delegated to the commissioner and must be made~~ are retained by the administrator;

C. Code of Federal Regulations, title 40, part 60, subpart QQQ, as amended, entitled "Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems;" ~~except that decisions made by the administrator under Code of Federal Regulations,~~

~~title 40, section 60.694, are not delegated to the commissioner and must be made by the administrator;~~

D. Code of Federal Regulations, title 40, part 60, subpart Ja, as amended, entitled "Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.109a (b), are not delegated to the commissioner and must be made by the administrator;~~ and

[For text of item E, see Minnesota Rules]

7011.1510 MONITORING ~~OF~~ OPERATIONS.

Subpart 1. **Records.** The owner or operator of any storage vessel, the construction or modification of which ~~commenced~~ began on or after June 11, 1973, ~~which~~ that has a storage capacity of greater than 40,000 gallons (151,412 liters) ~~shall~~ must for each storage vessel:

A. maintain a file of each type of petroleum liquid stored, ~~of~~ the typical Reid vapor pressure of each type of petroleum liquid stored, ~~of~~ the dates of storage and withdrawals, and ~~of~~ the date on which the storage vessel is empty; and

B. determine and record the average monthly storage temperature and true vapor pressure of the petroleum liquid stored at such temperature if:

(1) the petroleum liquid has a true vapor pressure, as stored, greater than 26 mm Hg (0.5 psia) but less than 78 mm Hg (1.5 psia) and is stored in a storage vessel other than one equipped with a floating roof, a vapor recovery system, or their equivalents; or

[For text of subitem (2), see Minnesota Rules]

[For text of subpart 2, see Minnesota Rules]

Subp. 3. **Vapor pressure determination.** The true vapor pressure ~~shall be~~ is determined by the procedure in American Petroleum Institute Bulletin 2517. This procedure

is dependent upon ~~determination of~~ determining the storage temperature and the Reid vapor pressure, which requires sampling ~~of~~ the petroleum liquids in the storage vessels. Unless ~~the agency or~~ the commissioner requires in specific cases that the stored petroleum liquid be sampled, the true vapor pressure may be determined by using the average monthly storage temperature and the typical Reid vapor pressure. For those liquids for which certified specifications limiting the Reid vapor pressure exist, that Reid vapor pressure may be used. For other liquids, supporting analytical data must be made available on request of ~~the agency or~~ the commissioner when typical Reid vapor pressure is used.

7011.1520 INCORPORATION ~~OF BY REFERENCE~~; NEW SOURCE PERFORMANCE STANDARDS ~~BY REFERENCE~~; STORAGE VESSELS.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart K, as amended, entitled "Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978-";

B. Code of Federal Regulations, title 40, part 60, subpart Ka, as amended, entitled "Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984," except that ~~decisions made by the administrator under~~ the authorities identified in Code of Federal Regulations, title 40, section 60.114a, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator-; and

C. Code of Federal Regulations, title 40, part 60, subpart Kb, as amended, entitled "Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984-;" ~~except that decisions made by the administrator under~~

~~Code of Federal Regulations, title 40, sections 60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), and 60.116b(f)(2)(iii), are not delegated to the commissioner and must be made by the administrator.~~

7011.1550 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; BULK GASOLINE TERMINALS.

Code of Federal Regulations, title 40, part 60, subpart XX, as amended, entitled "Standards of Performance for Bulk Gasoline Terminals," is ~~adopted and~~ incorporated by reference.

7011.1635 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; SULFURIC ACID PLANTS.

Code of Federal Regulations, title 40, part 60, subpart H, as amended, entitled "Standards of Performance for Sulfuric Acid Plants," is ~~adopted and~~ incorporated by reference.

7011.1730 INCORPORATION BY REFERENCE OF; NEW SOURCE PERFORMANCE STANDARDS; NITRIC ACID PLANTS.

The following new source performance standards are incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart G, as amended, entitled "Standards of Performance for Nitric Acid Plants," is ~~adopted and incorporated by reference;~~ and

B. Code of Federal Regulations, title 40, part 60, subpart Ga, as amended, entitled "Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011;" is ~~incorporated by reference.~~

7011.1820 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS BY REFERENCE; LEAD SMELTERS.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart L, as amended, entitled "Standards of Performance for Secondary Lead Smelters-"; and

[For text of item B, see Minnesota Rules]

7011.1840 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; PRIMARY COPPER SMELTERS.

Code of Federal Regulations, title 40, part 60, subpart P, as amended, entitled "Standards of Performance for Primary Copper Smelters," is ~~adopted and~~ incorporated by reference.

7011.1880 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; PRIMARY ZINC SMELTERS.

Code of Federal Regulations, title 40, part 60, subpart Q, as amended, entitled "Standards of Performance for Primary Zinc Smelters," is ~~adopted and~~ incorporated by reference.

7011.1920 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS BY REFERENCE; SECONDARY BRASS AND BRONZE PRODUCTION PLANTS.

Code of Federal Regulations, title 40, part 60, subpart M, as amended, entitled "Standards of Performance for Secondary Brass and Bronze Production Plants," is ~~adopted and~~ incorporated by reference.

7011.2020 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS BY REFERENCE; STEEL PLANTS.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart N, as amended, entitled "Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973-";₂

B. Code of Federal Regulations, title 40, part 60, subpart Na, as amended, entitled "Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983-";

C. Code of Federal Regulations, title 40, part 60, subpart AA, as amended, entitled "Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983-"; and

D. Code of Federal Regulations, title 40, part 60, subpart AAa, as amended, entitled "Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7 17, 1983."

7011.2050 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; PRIMARY ALUMINUM REDUCTION PLANTS.

Code of Federal Regulations, title 40, part 60, subpart S, as amended, entitled "Standards of Performance for Primary Aluminum Reduction Plants," is ~~adopted and~~ incorporated by reference.

7011.2080 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; FERROALLOY PRODUCTION FACILITIES.

Code of Federal Regulations, title 40, part 60, subpart Z, as amended, entitled "Standards of Performance for Ferroalloy Production Facilities," is ~~adopted and~~ incorporated by reference.

7011.2350 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; STATIONARY GAS TURBINES.

Code of Federal Regulations, title 40, part 60, subpart GG, as amended, entitled "Standards of Performance for Stationary Gas Turbines," is ~~adopted and~~ incorporated by reference, except that ~~decisions made by the administrator under~~ authorities identified in

Code of Federal Regulations, title 40, sections 60.332(a)(3) and 60.335(a), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

7011.2375 INCORPORATION BY REFERENCE ~~OF~~; NEW SOURCE PERFORMANCE STANDARD ~~FOR~~ STANDARDS; STATIONARY COMBUSTION TURBINES.

Code of Federal Regulations, title 40, part 60, subpart KKKK, as amended, entitled "Standards of Performance for Stationary Combustion Turbines," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.737(b), are not delegated to the commissioner and must be made by the administrator.~~

7011.2400 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; PHOSPHATE FERTILIZER INDUSTRY.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart T, as amended, entitled "Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants-";

B. Code of Federal Regulations, title 40, part 60, subpart U, as amended, entitled "Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants-";

C. Code of Federal Regulations, title 40, part 60, subpart V, as amended, entitled "Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants-";

D. Code of Federal Regulations, title 40, part 60, subpart W, as amended, entitled "Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants-"; and

E. Code of Federal Regulations, title 40, part 60, subpart X, as amended, entitled "Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities."

7011.2450 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; KRAFT PULP MILLS.

The following new source performance standards are incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart BB, as amended, entitled "Standards of Performance for Kraft Pulp Mills;" ~~is adopted and incorporated by reference;~~ and

B. Code of Federal Regulations, title 40, part 60, subpart BBa, as amended, entitled "Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013;" ~~is adopted and incorporated by reference.~~

7011.2500 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; GLASS MANUFACTURING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart CC, as amended, entitled "Standards of Performance for Glass Manufacturing Plants," ~~is adopted and incorporated~~ by reference.

7011.2550 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; SURFACE COATING OF METAL FURNITURE.

Code of Federal Regulations, title 40, part 60, subpart EE, as amended, entitled "Standards of Performance for Surface Coating of Metal Furniture," ~~is adopted and incorporated~~ by reference.

7011.2555 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; AUTOMOBILE AND LIGHT-DUTY TRUCK SURFACE COATING OPERATIONS.

Code of Federal Regulations, title 40, part 60, subpart MM, as amended, entitled "Standards of Performance for Automobile and ~~Light-Duty~~ Light Duty Truck Surface Coating Operations," is ~~adopted and~~ incorporated by reference.

7011.2560 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; PRESSURE SENSITIVE TAPE AND LABEL SURFACE COATING OPERATIONS.

Code of Federal Regulations, title 40, part 60, subpart RR, as amended, entitled "Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations," is ~~adopted and~~ incorporated by reference.

7011.2565 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; INDUSTRIAL SURFACE COATING: LARGE APPLIANCES.

Code of Federal Regulations, title 40, part 60, subpart SS, as amended, entitled "Standards of Performance for Industrial Surface Coating: Large Appliances," is ~~adopted and~~ incorporated by reference.

7011.2570 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; METAL COIL SURFACE COATING.

Code of Federal Regulations, title 40, part 60, subpart TT, as amended, entitled "Standards of Performance for Metal Coil Surface Coating," is ~~adopted and~~ incorporated by reference.

7011.2575 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR THE; BEVERAGE CAN SURFACE COATING INDUSTRY.

Code of Federal Regulations, title 40, part 60, subpart WW, as amended, entitled "Standards of Performance for the Beverage Can Surface Coating Industry," is ~~adopted and~~

incorporated by reference, except that ~~decisions made by the administrator under the~~ authorities identified in Code of Federal Regulations, title 40, section 60.496(a)(1), and the last sentence of Code of Federal Regulations, title 40, section 60.493(b)(2)(i)(A), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

7011.2580 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; INDUSTRIAL SURFACE COATING: SURFACE COATING OF PLASTIC PARTS FOR BUSINESS MACHINES.

Code of Federal Regulations, title 40, part 60, subpart TTT, as amended, entitled "Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.723(b)(1), 60.723(b)(2)(i)(C), 60.723(b)(2)(iv), 60.724(e), and 60.725(b), are not delegated to the commissioner and must be made by the administrator.~~

7011.2600 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; LIME MANUFACTURING PLANTS.

Code of Federal regulations, title 40, part 60, subpart HH, as amended, entitled "Standards of Performance for Lime Manufacturing Plants," is ~~adopted and~~ incorporated by reference.

7011.2650 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; LEAD-ACID BATTERY MANUFACTURING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart KK, as amended, entitled "Standards of Performance for Lead-Acid Battery Manufacturing Plants," is ~~adopted and~~ incorporated by reference.

7011.2700 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; METALLIC MINERAL PROCESSING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart LL, as amended, entitled "Standards of Performance for Metallic Mineral Processing Plants," is ~~adopted and~~ incorporated by reference.

7011.2750 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; PHOSPHATE ROCK PLANTS.

Code of Federal Regulations, title 40, part 60, subpart NN, as amended, entitled "Standards of Performance for Phosphate Rock Plants," is ~~adopted and~~ incorporated by reference.

7011.2800 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; AMMONIUM SULFATE MANUFACTURE.

Code of Federal Regulations, title 40, part 60, subpart PP, as amended, entitled "Standards of Performance for Ammonium Sulfate Manufacture," is ~~adopted and~~ incorporated by reference.

7011.2850 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; PUBLICATION ROTOGRAVURE PRINTING.

Code of Federal Regulations, title 40, part 60, subpart QQ, as amended, entitled "Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing," is ~~adopted and~~ incorporated by reference.

7011.2900 INCORPORATION BY REFERENCE OF; NEW SOURCE PERFORMANCE STANDARDS; SYNTHETIC ORGANIC CHEMICAL MANUFACTURING.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart VV, as amended, entitled "Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006," except that ~~decisions made by the administrator under~~ the authorities identified in Code of Federal Regulations, title 40, section 60.482-1(c)(2), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.;

B. Code of Federal Regulations, title 40, part 60, subpart III, as amended, entitled "Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.613(e), are not delegated to the commissioner and must be made by the administrator.;~~

C. Code of Federal Regulations, title 40, part 60, subpart NNN, as amended, entitled "Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.663(e), are not delegated to the commissioner and must be made by the administrator.;~~ and

D. Code of Federal Regulations, title 40, part 60, subpart VVa, as amended, entitled "Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006." ~~With this incorporation, reporting requirements of Code of Federal Regulations, title 40, section 60.487a, remain unchanged.~~

7011.2950 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; RESIDENTIAL WOOD HEATERS.

Code of Federal Regulations, title 40, part 60, subpart AAA, as amended through July 1, 2018, entitled "Standards of Performance for New Residential Wood Heaters," is adopted and incorporated by reference, except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.530(e), 60.531, 60.533, 60.534, 60.535, 60.536(i)(2), 60.537, 60.538(e), and 60.539, are not delegated to the commissioner and must be made by the administrator.

HYDRONIC HEATERS AND FORCED-AIR FURNACES

7011.2960 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS; RESIDENTIAL HYDRONIC HEATERS AND FORCED-AIR FURNACES.

Code of Federal Regulations, title 40, part 60, subpart QQQQ, as amended through July 1, 2018, entitled "Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces," is incorporated by reference.

7011.3000 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR THE; RUBBER TIRE MANUFACTURING INDUSTRY.

Code of Federal Regulations, title 40, part 60, subpart BBB, as amended, entitled "Standards of Performance for the Rubber Tire Manufacturing Industry," is ~~adopted and incorporated by reference, except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.543(e)(2)(ii)(B), are not delegated to the commissioner and must be made by the administrator.~~

7011.3050 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; POLYMER MANUFACTURING INDUSTRY.

Code of Federal Regulations, title 40, part 60, subpart DDD, as amended, entitled "Standards of Performance for Volatile Organic Compound (VOC) Emissions from the

Polymer Manufacturing Industry," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 60.562-2(c), are not delegated to the commissioner and must be made by the administrator.~~

7011.3100 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; POLYMERIC COATING OF SUPPORTING SUBSTRATES FACILITIES.

Code of Federal Regulations, title 40, part 60, subpart VVV, as amended, entitled "Standards of Performance for Polymeric Coating of Supporting Substrates Facilities," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.743(a)(3)(v)(A) and (B), 60.743(e), 60.745(a), and 60.746, are not delegated to the commissioner and must be made by the administrator.~~

7011.3150 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; FLEXIBLE VINYL AND URETHANE COATING AND PRINTING.

Code of Federal Regulations, title 40, part 60, subpart FFF, as amended, entitled "Standards of Performance for Flexible Vinyl and Urethane Coating and Printing," is ~~adopted and~~ incorporated by reference.

7011.3200 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; SYNTHETIC FIBER PRODUCTION FACILITIES.

Code of Federal Regulations, title 40, part 60, subpart HHH, as amended, entitled "Standards of Performance for Synthetic Fiber Production Facilities," is ~~adopted and~~ incorporated by reference.

7011.3250 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; PETROLEUM DRY CLEANERS.

Code of Federal Regulations, title 40, part 60, subpart JJJ, as amended, entitled "Standards of Performance for Petroleum Dry Cleaners," is ~~adopted and~~ incorporated by reference, except that ~~decisions made by the administrator under~~ the authorities identified in Code of Federal Regulations, title 40, section 60.623, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

7011.3300 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS BY REFERENCE; ONSHORE NATURAL GAS PROCESSING.

The following new source performance standards are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart KKK, as amended, entitled "Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011," except that ~~decisions made by the administrator under~~ authorities identified in Code of Federal Regulations, title 40, section 60.634, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator; and

B. Code of Federal Regulations, title 40, part 60, subpart LLL, as amended, entitled "Standards of Performance for ~~Onshore Natural Gas Processing; SO₂~~ SO₂ Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011."

CRUDE OIL AND NATURAL GAS PRODUCTION

7011.3325 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS; CRUDE OIL AND NATURAL GAS PRODUCTION, TRANSMISSION AND DISTRIBUTION.

The following new source performance standards are incorporated by reference:

A. Code of Federal Regulations, title 40, part 60, subpart OOOO, as amended through July 1, 2018, entitled "Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification, or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015";
and

B. Code of Federal Regulations, title 40, part 60, subpart OOOOa, as amended through July 1, 2018, entitled "Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015."

7011.3350 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS ~~OF PERFORMANCE FOR NEW~~; NONMETALLIC MINERAL PROCESSING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart OOO, as amended, entitled "Standards of Performance for Nonmetallic Mineral Processing Plants," is ~~adopted and~~ incorporated by reference.

7011.3400 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS ~~OF PERFORMANCE FOR NEW~~; WOOL FIBERGLASS INSULATION MANUFACTURING PLANTS.

Code of Federal Regulations, title 40, part 60, subpart PPP, as amended, entitled "Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants," is ~~adopted and~~ incorporated by reference.

7011.3430 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR; VOC EMISSIONS FROM SOCMI REACTOR PROCESSES.

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

7011.3450 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS OF PERFORMANCE FOR NEW; MAGNETIC TAPE COATING FACILITIES.

Code of Federal Regulations, title 40, part 60, subpart SSS, as amended, entitled "Standards of Performance for Magnetic Tape Coating Facilities," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections 60.711(a)(16), 60.713(b)(1)(i), 60.713(b)(1)(ii), 60.713(b)(5)(i), 60.713(d), 60.715(a), and 60.716, are not delegated to the commissioner and must be made by the administrator.~~

7011.3500 DEFINITIONS.

Subpart 1. **Scope.** The definitions in Code of Federal Regulations, title 40, ~~section 60.751~~ subparts Cc, WWW, and XXX, apply to terms in parts 7011.3500 to ~~7011.3510~~ 7011.3525, unless the terms are otherwise defined in this part.

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

[For text of subparts 4 and 5, see Minnesota Rules]

Subp. 6. **Solid waste capacity.** "Solid waste capacity" means the ~~total amount of compacted solid waste~~ design capacity, as defined in Code of Federal Regulations, title 40,

section 60.751, that will be in place in the landfill at the time of the expiration of the facility's solid waste permit, or at the time ultimate capacity is reached.

7011.3505 STANDARDS OF PERFORMANCE FOR EXISTING MUNICIPAL SOLID WASTE LANDFILLS EXISTING BEFORE MAY 30, 1991.

Subpart 1. **Scope.** ~~Each~~ The owner or operator of ~~an existing~~ a landfill ~~shall~~ must comply with ~~the requirements of this part and~~ Code of Federal Regulations, title 40, part 60, subpart WWW, as amended, ~~and~~ as incorporated by reference in part 7011.3510, ~~with the following additions and changes:~~ if construction, modification, or reconstruction began before May 30, 1991, and:

- A. the landfill has accepted solid waste for disposal since November 8, 1987; or
- B. the landfill has additional solid waste capacity available for future waste disposal.

Subp. 2. **Operational standards for collection and control systems.** ~~Each~~ The owner or operator of a landfill that must monitor surface methane concentrations ~~shall~~ must comply with Code of Federal Regulations, title 40, section 60.755(c)(1), except that the owner or operator ~~shall~~ must conduct the monitoring at least three times per year, once during each of the following ~~time~~ periods: March 14 to May 14, June 21 to September 23, and October 21 to November 21.

Subp. 3. **Monitoring of operations.** ~~Each~~ The owner or operator of a landfill owner or operator seeking to comply with Code of Federal Regulations, title 40, section 60.752(b)(2)(iii), may confirm that there is no means to bypass the control device in the design plan, submitted in accordance with Code of Federal Regulations, title 40, section 60.752(b)(2)(i), in lieu of complying with the requirements in Code of Federal Regulations, title 40, ~~sections~~ section 60.756(b)(2) and ~~60.756(c)(2).~~

Subp. 4. **Reporting requirements.** The owner or operator of a landfill ~~shall~~ must submit the reports required by Code of Federal Regulations, title 40, sections 60.752(a); and 60.757(a)(1), 60.757(a) and (3), and 60.757(b)(1)(i), on the following schedule:

A. the owner or operator of an active landfill, and the owner or operator of a closed ~~existing~~ landfill with a solid waste capacity greater than or equal to 2.5 million megagrams, and 2.5 million cubic meters, ~~shall~~ must submit an initial solid waste capacity report no later than the submittal of the next annual report required by part 7035.2585;

B. the owner or operator of an active landfill that proposes to increase the total solid waste capacity to greater than or equal to 2.5 million megagrams, and 2.5 million cubic meters, ~~shall~~ must submit an amended solid waste capacity report no later than the submittal of the solid waste management facility permit application that proposes an increase in permitted capacity; and

C. the owner or operator of a landfill that must submit an NMOC emission rate report to comply with Code of Federal Regulations, title 40, section 60.757(b), ~~shall~~ must submit the initial NMOC emission rate report no later than the submittal of the next annual report required by part 7035.2585 or the submittal of the solid waste management facility permit application that proposes an increase in permitted capacity, whichever occurs earlier.

Subp. 5. **Compliance times for equipment installation.**

A. Each The owner or operator of ~~an existing~~ a landfill ~~with~~ that has:

(1) a ~~design~~ solid waste capacity greater than or equal to 2.5 million megagrams, and 2.5 million cubic meters; and with

(2) an NMOC emission rate of 50 megagrams per year or more, ~~shall~~ must complete installation of gas collection and control equipment capable of meeting the conditions ~~provided~~ in Code of Federal Regulations, title 40, section 60.752(b)(2)(ii), ~~within 30 months after January 28, 1997~~ by June 28, 2000.

B. The owner or operator of ~~an existing~~ a landfill ~~with~~ that has:

(1) a ~~design~~ solid waste capacity greater than or equal to 2.5 million megagrams; and 2.5 million cubic meters; and

(2) an NMOC emission rate less than 50 megagrams per year on January 28, 1997, ~~shall~~ must comply with this part within 30 months of the date of the first NMOC emission rate that equals or exceeds 50 megagrams per year.

Subp. 6. **Exception to standard or compliance schedule.** ~~An~~ The owner or operator of ~~an existing~~ a landfill seeking to apply a less stringent emission standard or longer compliance schedule than that specified in this part may submit a written request to the ~~agency commissioner~~ and the United States Environmental Protection Agency under Code of Federal Regulations, title 40, section 60.24(f).

Subp. 7. **NMOC emission rate estimations.** ~~An~~ The owner or operator of ~~an existing~~ a landfill that has a landfill gas collection system in place on January 28, 1997, may comply with Code of Federal Regulations, title 40, section 60.754(a)(5), using the method in Code of Federal Regulations, title 40, section 60.754(b), if the ~~existing landfill~~ owner or operator can demonstrate to the ~~agency commissioner~~ that the system effectively collects landfill gas from all ~~gas-producing~~ gas-producing areas of the landfill; and negative pressure can be maintained at each wellhead without excess air infiltration.

7011.3510 INCORPORATION OF BY REFERENCE; NEW SOURCE PERFORMANCE STANDARD BY REFERENCE STANDARDS; MUNICIPAL SOLID WASTE LANDFILLS EXISTING ON OR AFTER MAY 30, 1991.

Subpart 1. [See repealer.]

Subp. 1a. **Scope.** The requirements of this part apply to the owner or operator of a landfill that began construction, modification, or reconstruction after May 30, 1991.

Subp. 1b. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart WWW, as amended, entitled "Standards of Performance for Municipal Solid Waste Landfills," is incorporated by reference.

Subp. 2. **Additional requirements.** The owner or operator of a landfill subject to Code of Federal Regulations, title 40, part 60, subpart WWW, ~~as amended, shall~~ must additionally comply with part 7011.3505, subpart 4.

7011.3515 INCORPORATION BY REFERENCE; NEW SOURCE PERFORMANCE STANDARDS; MUNICIPAL SOLID WASTE LANDFILLS EXISTING AFTER JULY 17, 2014.

Subpart 1. **Scope.** The requirements of this part apply to the owner or operator of a landfill that began construction, modification, or reconstruction after July 17, 2014.

Subp. 2. **Incorporation by reference.** Code of Federal Regulations, title 40, part 60, subpart XXX, as amended through July 1, 2018, entitled "Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification after July 17, 2014," is incorporated by reference.

7011.3525 INCORPORATION BY REFERENCE; EMISSION GUIDELINES AND COMPLIANCE TIMES; MUNICIPAL SOLID WASTE LANDFILLS EXISTING ON OR BEFORE JULY 17, 2014.

Subpart 1. **Scope.** The requirements of this part apply to the owner or operator of a landfill that began construction, modification, or reconstruction on or before July 17, 2014.

Subp. 2. **Incorporation by reference; federal emission guidelines.** Code of Federal Regulations, title 40, part 60, subpart Cf, as amended, entitled "Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills," is incorporated by reference with the following exceptions:

A. the incorporation of section 60.31f(e) changes the phrase "; 40 CFR part 62, subpart GGG; or a state plan implementing subpart Cc of this part" to "or 40 CFR part 62, subpart GGG,";

B. the incorporation of section 60.32f changes the phrase "Planning, awarding of contracts, installing, and starting up MSW landfill air emission collection and control equipment that is capable of meeting the Emission Guidelines under § 60.33f must be completed." to "The owner or operator must complete planning, awarding of contracts, installing, and starting up MSW landfill air emission collection and control equipment that is capable of meeting the Emission Guidelines under § 60.33f.";

C. the incorporation of section 60.33f(a) does not include the phrase "For approval, a state plan must require" and changes the phrase "to collect and control" to "must collect and control";

D. the incorporation of section 60.33f(b) changes the phrase "For approval, a state plan must include provisions for the installation of" to "The owner or operator must install";

E. the incorporation of section 60.33f(c) changes the phrase "For approval, a state plan must include provisions" to "The owner or operator must provide";

F. the incorporation of section 60.33f(d) changes the sentence "For approval, a state plan must require each owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume to submit an initial design capacity report to the Administrator as provided in § 60.38f(a)" to "The owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume must submit an initial design capacity report to the commissioner as provided in § 60.38f(a)";

G. the incorporation of section 60.33(e) changes the sentence "For approval, a state plan must require each owner or operator of an MSW landfill having a design capacity

equal to or greater than 2.5 megagrams and 2.5 million cubic meters to either install a collection and control system as provided in paragraphs (b) and (c) of this section or calculate an initial NMOC emission rate for the landfill using the procedures specified in § 60.35f(a)" to "The owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 megagrams and 2.5 million cubic meters must either install a collection and control system as provided in paragraphs (b) and (c) of this section or calculate an initial NMOC emission rate for the landfill using the procedures specified in § 60.35f(a)";

H. the incorporation of section 60.34f does not include the sentence "For approval, a state plan must include provisions for the operational standards in this section for an MSW landfill with a gas collection and control system used to comply with the provisions of § 60.33f(b) and (c)";

I. the incorporation of section 60.35f changes the phrase "For approval, a state plan must include" to "The owner or operator must use the";

J. the incorporation of section 60.36f changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

K. the incorporation of section 60.37f changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

L. the incorporation of section 60.38f:

(1) changes the phrase "For approval, a state plan must include" to "The owner or operator must comply with";

(2) changes the phrase in paragraph (a) "90 days after the effective date of EPA approval of the state's plan under section 111(d) of the Clean Air Act" to "12 months after the effective date of this rule";

(3) changes the phrase in paragraph (c) "90 days after the effective date of EPA approval of the state's plan under section 111(d) of the Clean Air Act" to "12 months after the effective date of this rule";

(4) in paragraph (d), does not include the sentence "The state plan must include a process for state review and approval of the site-specific design plan for each gas collection and control system"; and

(5) in paragraph (e), changes the phrase "; 40 CFR part 62, subpart GGG; or a state plan implementing subpart Cc of this part," to ", or 40 CFR part 62, subpart GGG,";

M. the incorporation of section 60.39f does not include the sentence "For approval, a state plan must include the recordkeeping provisions in this section"; and

N. the incorporation of section 60.40f does not include the sentence "For approval, a state plan must include the specifications for active collection systems in this section."

7011.7040 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ORGANIC HAZARDOUS AIR POLLUTANTS FROM SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart F, as amended, entitled "National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.106(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart G, as amended, entitled "National Emission Standards for Organic Hazardous Air Pollutants From The Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer

Operations, and Wastewater;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.153(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7050 INCORPORATION BY REFERENCE; EMISSION STANDARDS; INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS AND PROCESS HEATERS; MAJOR SOURCES.

Code of Federal Regulations, title 40, part 63, subpart DDDDD, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters," is incorporated by reference, ~~except that the authorities identified in Code of Federal Regulations, title 40, section 63.7570(b), are not delegated to the commissioner and are retained by the administrator.~~

7011.7055 INCORPORATION BY REFERENCE; EMISSION STANDARDS; INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL BOILERS; AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart JJJJJ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources," is incorporated by reference, ~~except that the authorities identified in Code of Federal Regulations, title 40, section 63.11236(e), are not delegated to the commissioner and are retained by the administrator.~~

7011.7060 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ORGANIC HAZARDOUS AIR POLLUTANTS FROM FOR EQUIPMENT LEAKS.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart H, as amended, entitled "National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.183(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart I, as amended, entitled "National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.193(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7080 INCORPORATION BY REFERENCE; EMISSION STANDARDS; COKE OVEN BATTERIES.

Code of Federal Regulations, title 40, part 63, subpart L, as amended, entitled "National Emission Standards for Coke Oven Batteries," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.313(d) are not delegated to the commissioner and are retained by the administrator.~~

7011.7090 INCORPORATION BY REFERENCE; EMISSION STANDARDS; COKE OVENS: PUSHING, QUENCHING, AND BATTERY STACKS.

Code of Federal Regulations, title 40, part 63, subpart CCCCC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.7351(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7100 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PERCHLOROETHYLENE DRY CLEANING FACILITIES.

Code of Federal Regulations, title 40, part 63, subpart M, as amended, entitled "National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.326(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7120 INCORPORATION BY REFERENCE; EMISSION STANDARDS; CHROMIUM EMISSIONS FROM HARD AND DECORATIVE CHROMIUM ELECTROPLATING AND CHROMIUM ANODIZING TANKS.

Code of Federal Regulations, title 40, part 63, subpart N, as amended, entitled "National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.348(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7140 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ETHYLENE OXIDE EMISSIONS STANDARDS FOR STERILIZATION FACILITIES STERILIZERS.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart O, as amended, entitled "Ethylene Oxide Emissions Standards for Sterilization Facilities," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.368(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart WWWW, as amended, entitled "National Emission Standards for Hospital Ethylene Oxide Sterilizers."

7011.7160 INCORPORATION BY REFERENCE; EMISSION STANDARDS; INDUSTRIAL PROCESS COOLING TOWERS.

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

**7011.7180 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
GASOLINE DISTRIBUTION.**

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart R, as amended, entitled "National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations);" is adopted and incorporated by reference, except that the authorities identified in section 63.429(c) are not delegated to the commissioner and are retained by the administrator; and

B. Code of Federal Regulations, title 40, part 63, subpart BBBBBB, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities."

**7011.7185 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
GASOLINE DISPENSING FACILITIES.**

~~Code of Federal Regulations, title 40, part 63, subpart CCCCCC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities," is adopted and incorporated by reference, except that the authorities identified in Code of Federal Regulations, title 40, part 63.11131 (e), are not delegated to the commissioner and are retained by the administrator.~~

**7011.7200 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
HALOGENATED SOLVENT CLEANING.**

~~Code of Federal Regulations, title 40, part 63, subpart T, as amended, entitled "National Emission Standards for Halogenated Solvent Cleaning," is adopted and incorporated by reference, except that the authorities identified in section 63.470(c) are not delegated to the commissioner and are retained by the administrator.~~

7011.7235 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRIMARY LEAD SMELTING.

Code of Federal Regulations, title 40, part 63, subpart TTT, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1550(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7240 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SECONDARY LEAD SMELTING.

Code of Federal Regulations, title 40, part 63, subpart X, as amended, entitled "National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.551(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7260 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MARINE TANK VESSEL LOADING OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart Y, as amended, entitled "National Emission Standards for Marine Tank Vessel Loading Operations," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.568(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7280 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PETROLEUM REFINERIES.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart CC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries;" is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.655(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart UUU, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1578(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7290 INCORPORATION BY REFERENCE; EMISSION STANDARDS; OIL AND NATURAL GAS PRODUCTION, TRANSMISSION, AND STORAGE.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart HH, as amended, entitled "National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.776(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart HHH, as amended, entitled "National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1286(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7300 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MAGNETIC TAPE MANUFACTURING OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart EE, as amended, entitled "National Emission Standards for Magnetic Tape Manufacturing Operations," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.708(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7320 INCORPORATION BY REFERENCE; EMISSION STANDARDS; AEROSPACE MANUFACTURING AND REWORK FACILITIES.

Code of Federal Regulations, title 40, part 63, subpart GG, as amended, entitled "National Emission Standards for Aerospace Manufacturing and Rework Facilities," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.759(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7340 INCORPORATION BY REFERENCE; EMISSION STANDARDS; WOOD FURNITURE MANUFACTURING OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart JJ, as amended, entitled "National Emission Standards for Wood Furniture Manufacturing Operations," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.808(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7360 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SHIPBUILDING AND SHIP REPAIR OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart II, as amended, entitled "National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.789(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7370 INCORPORATION BY REFERENCE; EMISSION STANDARDS; BOAT MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart VVVV, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.5776(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7380 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRINTING AND PUBLISHING INDUSTRY.

Code of Federal Regulations, title 40, part 63, subpart KK, as amended, entitled "National Emission Standards for the Printing and Publishing Industry," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.831(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7385 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PAPER AND OTHER WEB COATING.

Code of Federal Regulations, title 40, part 63, subpart JJJJ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.3420(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7390 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MUNICIPAL SOLID WASTE LANDFILLS.

Code of Federal Regulations, title 40, part 63, subpart AAAA, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1985(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7400 INCORPORATION BY REFERENCE; EMISSION STANDARDS; OFF-SITE WASTE OPERATIONS.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart DD, as amended, entitled "National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations," is ~~adopted and~~ incorporated by reference, ~~except that the authorities~~

~~identified in section 63.698(e) are not delegated to the commissioner and are retained by the administrator.;~~

B. Code of Federal Regulations, title 40, part 63, subpart OO, as amended, entitled "National Emission Standards for Tanks-Level 1;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.908(e) are not delegated to the commissioner and are retained by the administrator.;~~

C. Code of Federal Regulations, title 40, part 63, subpart PP, as amended, entitled "National Emission Standards for Containers;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.929(e) are not delegated to the commissioner and are retained by the administrator.;~~

D. Code of Federal Regulations, title 40, part 63, subpart QQ, as amended, entitled "National Emission Standards for Surface Impoundments;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.949(e) are not delegated to the commissioner and are retained by the administrator.;~~

E. Code of Federal Regulations, title 40, part 63, subpart RR, as amended, entitled "National Emission Standards for Individual Drain Systems;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.967(e) are not delegated to the commissioner and are retained by the administrator.;~~ and

F. Code of Federal Regulations, title 40, part 63, subpart VV, as amended, entitled "National Emission Standards for Oil-Water Separators and Organic-Water Separators;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1050(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7410 INCORPORATION BY REFERENCE; EMISSION STANDARDS; HAZARDOUS WASTE COMBUSTION.

Code of Federal Regulations, title 40, part 63, subpart EEE, as amended, entitled "National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1214(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7420 INCORPORATION BY REFERENCE; EMISSION STANDARDS; POLYMERS AND RESINS.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Group I polymers and resins. Code of Federal Regulations, title 40, part 63, subpart U, as amended, entitled "National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins;" is ~~adopted and incorporated by reference, except that the authorities identified in section 63.507(e) are not delegated to the commissioner and are retained by the administrator.;~~

B. Group II polymers and resins. Code of Federal Regulations, title 40, part 63, subpart W, as amended, entitled "National Emission Standards for Hazardous Air Pollutants ~~from~~ for Epoxy Resins Production and Non-Nylon Polyamides Production;" is ~~adopted and incorporated by reference, except that the authorities identified in section 63.529(e) are not delegated to the commissioner and are retained by the administrator.;~~

C. Group III polymers and resins. Code of Federal Regulations, title 40, part 63, subpart OOO, as amended, entitled "National Emission Standards for Hazardous Air ~~Pollutants for~~ Pollutant Emissions: Manufacture of Amino/Phenolic Resins Production;" is ~~adopted and incorporated by reference, except that the authorities identified in section~~

~~63.1419(e) are not delegated to the commissioner and are retained by the administrator;~~
and

D. Group IV polymers and resins. Code of Federal Regulations, title 40, part 63, subpart JJJ, as amended, entitled "National Emission Standards for Hazardous Air ~~Pollutants~~ for Pollutant Emissions: Group IV Polymers and Resins;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1336(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7460 INCORPORATION BY REFERENCE; EMISSION STANDARDS; FERROALLOYS PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart XXX, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1661(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7480 INCORPORATION BY REFERENCE; EMISSION STANDARDS; FLEXIBLE POLYURETHANE FOAM PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart III, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1309(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7485 INCORPORATION BY REFERENCE; EMISSION STANDARDS; FLEXIBLE POLYURETHANE FOAM PRODUCTION AND FABRICATION OPERATIONS.

The following national air emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart MMMMM, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.8828(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart OOOOOO, as amended, entitled "National Emission Standards for Hazardous Air Pollutants Flexible Polyurethane Foam Production and Fabrication Area Sources."

7011.7520 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MINERAL WOOL PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart DDD, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1195(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7560 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PESTICIDE ACTIVE INGREDIENT PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart MMM, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: for Pesticide Active Ingredient Production," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.1369(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7580 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PHARMACEUTICALS PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart GGG, as amended, entitled "National Emission Standards for ~~Hazardous Air Pollutants:~~ Pharmaceuticals Production,"

is ~~adopted and incorporated by reference, except that the authorities identified in section 63.1261(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7600 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PHOSPHORIC ACID MANUFACTURING AND PHOSPHATE FERTILIZERS PRODUCTION.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart AA, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: from Phosphoric Acid Manufacturing and Phosphate Fertilizers Production, Plants" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.611(e) are not delegated to the commissioner and are retained by the administrator.; and~~

B. Code of Federal Regulations, title 40, part 63, subpart BB, as amended, entitled "National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.632(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7610 INCORPORATION BY REFERENCE; EMISSION STANDARDS; HYDROCHLORIC ACID PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart NNNNN, as amended, entitled "National Emission Standards for Hazardous Air ~~Pollutants~~ Pollutant Emissions: Hydrochloric Acid Production," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.9070(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7620 INCORPORATION BY REFERENCE; EMISSION STANDARDS; POLYETHER POLYOLS PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart PPP, as amended, entitled "National Emission Standards for Hazardous Air ~~Pollutants~~ Pollutant Emissions for Polyether Polyols Production," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1421(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7640 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PORTLAND CEMENT MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart LLL, as amended, entitled "National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1358(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7650 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRIMARY COPPER SMELTING.

Code of Federal Regulations, title 40, part 63, subpart QQQ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1458(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7660 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRIMARY ALUMINUM PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart LL, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants," is ~~adopted and~~ incorporated by reference, ~~except that the authorities listed in section 63.853(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7665 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SECONDARY ALUMINUM PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart RRR, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1519(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7670 INCORPORATION BY REFERENCE; EMISSION STANDARDS; STEEL PICKLING - HYDROCHLORIC ACID PROCESS.

Code of Federal Regulations, title 40, part 63, subpart CCC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCI Process Facilities and Hydrochloric Acid Regeneration Plants," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1166(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7675 INCORPORATION BY REFERENCE; EMISSION STANDARDS; INTEGRATED IRON AND STEEL MANUFACTURING FACILITIES.

Code of Federal Regulations, title 40, part 63, subpart FFFFF, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.7851(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7680 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PUBLICLY OWNED TREATMENT WORKS.

Code of Federal Regulations, title 40, part 63, subpart VVV, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in~~

~~section 63.1594(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7700 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PULP AND PAPER PRODUCTION.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart S, as amended, entitled "National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.458(e) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart MM, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.868(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7720 INCORPORATION BY REFERENCE; EMISSION STANDARDS; WET-FORMED FIBERGLASS MAT PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart HHHH, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production," ~~is adopted and incorporated by reference, except that the authorities identified in section 63.3002(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7730 INCORPORATION BY REFERENCE; EMISSION STANDARDS; WOOL FIBERGLASS MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart NNN, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.1388(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7740 INCORPORATION BY REFERENCE; EMISSION STANDARDS; CELLULOSE PRODUCTS MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart UUUU, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: for Cellulose Products Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.5605(b) are not delegated to the commissioner and are retained by the administrator.~~

7011.7760 INCORPORATION BY REFERENCE; EMISSION STANDARDS; LEATHER FINISHING OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart TTTT, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.5455(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7770 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRINTING, COATING, AND DYEING OF FABRICS AND OTHER TEXTILES.

Code of Federal Regulations, title 40, part 63, subpart OOOO, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles," is ~~adopted and~~ incorporated by reference, ~~except that the~~

~~authorities identified in section 63.4370(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7780 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MANUFACTURING NUTRITIONAL YEAST.

Code of Federal Regulations, title 40, part 63, subpart CCCC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast," is ~~adopted and incorporated by reference, except that the authorities identified in section 63.2191(e) are not delegated to the commissioner and are retained by the~~ administrator.

7011.7800 INCORPORATION BY REFERENCE; EMISSION STANDARDS; REINFORCED PLASTIC COMPOSITES PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart WWWW, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production," is ~~adopted and incorporated by reference, except that the authorities identified in section 63.5930(e) are not delegated to the commissioner and are retained by the~~ administrator.

7011.7820 INCORPORATION BY REFERENCE; EMISSION STANDARDS; POLYVINYL CHLORIDE AND COPOLYMERS PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart J, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production," is ~~adopted and incorporated by reference, except that the authorities identified in section 63.216(b) are not delegated to the commissioner and are retained by the~~ administrator.

7011.7840 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SOLVENT EXTRACTION FOR VEGETABLE OIL PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart GGGG, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.2871(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7860 INCORPORATION BY REFERENCE; EMISSION STANDARDS; RUBBER TIRE MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart XXXX, as amended, entitled "National ~~Emission~~ Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.6014(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7880 INCORPORATION BY REFERENCE; EMISSION STANDARDS; FRICTION MATERIALS MANUFACTURING FACILITIES.

Code of Federal Regulations, title 40, part 63, subpart QQQQQ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.9560(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7900 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF LARGE APPLIANCES.

Code of Federal Regulations, title 40, part 63, subpart NNNN, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified~~

~~in section 63.4180(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7905 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF METAL COIL.

Code of Federal Regulations, title 40, part 63, subpart SSSS, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.5200(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7910 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF METAL FURNITURE.

Code of Federal Regulations, title 40, part 63, subpart RRRR, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.4980(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7920 INCORPORATION BY REFERENCE; EMISSION STANDARDS; REFRACTORY PRODUCTS MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart SSSSS, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.9822(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7930 INCORPORATION BY REFERENCE; EMISSION STANDARDS; BRICK AND STRUCTURAL CLAY PRODUCTS MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart JJJJ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay

Products Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.8510(c) are not delegated to the commissioner and are retained by the administrator.~~

7011.7935 INCORPORATION BY REFERENCE; EMISSION STANDARDS; CLAY CERAMICS MANUFACTURING.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart KKKKK, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.8660(c) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart RRRRRR, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources."

7011.7940 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ASPHALT PROCESSING AND ASPHALT ROOFING MANUFACTURING.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart LLLLL, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing;" ~~is adopted and incorporated by reference, except that the authorities identified in section 63.8697(b) are not delegated to the commissioner and are retained by the administrator;~~ and

B. Code of Federal Regulations, title 40, part 63, subpart AAAAAAA, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing."

7011.7960 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SEMICONDUCTOR MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart BBBBB, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.7194(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.7980 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ENGINE TEST CELLS/STANDS.

Code of Federal Regulations, title 40, part 63, subpart PTTTT, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stand," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.9370(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.8000 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF WOOD BUILDING PRODUCTS.

Code of Federal Regulations, title 40, part 63, subpart QQQQ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products," is ~~adopted and~~ incorporated by reference, ~~except that the authorities identified in section 63.4780(e) are not delegated to the commissioner and are retained by the administrator.~~

7011.8010 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SITE REMEDIATION.

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

7011.8020 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PRIMARY MAGNESIUM REFINING.

Code of Federal Regulations, title 40, part 63, subpart TTTTT, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining," is incorporated by reference, ~~except that the authorities identified in section 63.9941, paragraph (e), are not delegated to the commissioner and are retained by the administrator.~~

7011.8030 INCORPORATION BY REFERENCE; EMISSION STANDARDS; TACONITE IRON ORE PROCESSING.

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

7011.8040 INCORPORATION BY REFERENCE; EMISSION STANDARDS; IRON AND STEEL FOUNDRIES.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart EEEEE, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries," is ~~incorporated by reference, except that the authorities identified in section~~

~~63.7761, paragraph (c), are not delegated to the commissioner and are retained by the administrator.; and~~

B. Code of Federal Regulations, title 40, part 63, subpart ZZZZZ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources."

7011.8050 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING.

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

7011.8060 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF METAL CANS.

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

7011.8070 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MISCELLANEOUS COATING MANUFACTURING.

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

7011.8080 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MERCURY EMISSIONS FROM MERCURY CELL CHLOR-ALKALI PLANTS.

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

7011.8090 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF MISCELLANEOUS METAL PARTS AND PRODUCTS.

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

7011.8100 INCORPORATION BY REFERENCE; EMISSION STANDARDS; LIME MANUFACTURING PLANTS.

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

7011.8110 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ORGANIC LIQUIDS DISTRIBUTION (NONGASOLINE).

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

7011.8120 INCORPORATION BY REFERENCE; EMISSION STANDARDS; STATIONARY COMBUSTION TURBINES.

Code of Federal Regulations, title 40, part 63, subpart YYYY, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines," is incorporated by reference, ~~except that the authorities identified in section 63.6170, paragraph (c), are not delegated to the commissioner and are retained by the administrator.~~

7011.8130 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF PLASTIC PARTS AND PRODUCTS.

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

7011.8140 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SURFACE COATING OF AUTOMOBILES AND LIGHT-DUTY TRUCKS.

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

7011.8150 INCORPORATION BY REFERENCE; EMISSION STANDARDS; STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES.

Code of Federal Regulations, title 40, part 63, subpart ZZZZ, as amended, entitled "National ~~Emission~~ Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines," is incorporated by reference, ~~except that the~~

~~authorities identified in section 63.6670, paragraph (e), are not delegated to the commissioner and are retained by the administrator.~~

7011.8160 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PLYWOOD AND COMPOSITE WOOD PRODUCTS.

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

7011.8190 INCORPORATION BY REFERENCE; EMISSION STANDARDS; CLOSED VENT SYSTEMS, CONTROL DEVICES, RECOVERY DEVICES AND ROUTING TO A FUEL GAS SYSTEM OR PROCESS.

Code of Federal Regulations, title 40, part 63, subpart SS, as amended, entitled "National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process," is incorporated by reference.

7011.8200 INCORPORATION BY REFERENCE; EMISSION STANDARDS; EQUIPMENT LEAKS.

The following national emission standards for hazardous air pollutants are incorporated by reference:

A. Code of Federal Regulations, title 40, part 63, subpart TT, as amended, entitled "National Emission Standards for Equipment Leaks - Control Level 1"; and

B. Code of Federal Regulations, title 40, part 63, subpart UU, as amended, entitled "National Emission Standards for Equipment Leaks - Control Level 2 Standards."

7011.8205 INCORPORATION BY REFERENCE; EMISSION STANDARDS; STORAGE VESSELS (TANKS) - CONTROL LEVEL 2.

Code of Federal Regulations, title 40, part 63, subpart WW, as amended, entitled "National Emission Standards for Storage Vessels (Tanks) - Control Level 2," is incorporated by reference.

7011.8210 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ETHYLENE MANUFACTURING PROCESS UNITS: HEAT EXCHANGE SYSTEMS AND WASTE OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart XX, as amended, entitled "National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations," is incorporated by reference.

7011.8215 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ELECTRIC ARC FURNACE STEELMAKING FACILITIES.

Code of Federal Regulations, title 40, part 63, subpart YYYYY, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities," is incorporated by reference.

7011.8220 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PAINT STRIPPING AND MISCELLANEOUS SURFACE COATING OPERATIONS; AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart HHHHHH, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources," is incorporated by reference.

7011.8225 INCORPORATION BY REFERENCE; EMISSION STANDARDS; LEAD ACID BATTERY MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart PPPPP, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources," is incorporated by reference.

7011.8230 INCORPORATION BY REFERENCE; EMISSION STANDARDS; WOOD PRESERVING; AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart QQQQQQ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources," is incorporated by reference.

7011.8235 INCORPORATION BY REFERENCE; EMISSION STANDARDS; GLASS MANUFACTURING AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart SSSSSS, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources," is incorporated by reference.

7011.8240 INCORPORATION BY REFERENCE; EMISSION STANDARDS; SECONDARY NONFERROUS METALS PROCESSING AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart TTTTTT, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources," is incorporated by reference.

7011.8245 INCORPORATION BY REFERENCE; EMISSIONS STANDARDS; CHEMICAL MANUFACTURING AREA SOURCES.

Code of Federal Regulations, title 40, part 63, subpart VVVVVV, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources," is incorporated by reference.

7011.8250 INCORPORATION BY REFERENCE; EMISSION STANDARDS; AREA SOURCE STANDARDS FOR PLATING AND POLISHING OPERATIONS.

Code of Federal Regulations, title 40, part 63, subpart WWWWWW, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations," is incorporated by reference.

**7011.8255 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
METAL FABRICATION AND FINISHING.**

Code of Federal Regulations, title 40, part 63, subpart XXXXXX, as amended, entitled "National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories," is incorporated by reference.

**7011.8260 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
FERROALLOYS PRODUCTION FACILITIES.**

Code of Federal Regulations, title 40, part 63, subpart YYYYYY, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities," is incorporated by reference.

**7011.8265 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
ALUMINUM, COPPER, AND OTHER NONFERROUS FOUNDRIES.**

Code of Federal Regulations, title 40, part 63, subpart ZZZZZZ, as amended, entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries," is incorporated by reference.

**7011.8270 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
CHEMICAL PREPARATIONS INDUSTRY.**

Code of Federal Regulations, title 40, part 63, subpart BBBB BB, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry," is incorporated by reference.

**7011.8275 INCORPORATION BY REFERENCE; EMISSION STANDARDS;
PAINTS AND ALLIED PRODUCTS MANUFACTURING.**

Code of Federal Regulations, title 40, part 63, subpart CCCCCC, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing," is incorporated by reference.

7011.8280 INCORPORATION BY REFERENCE; EMISSION STANDARDS; PREPARED FEEDS MANUFACTURING.

Code of Federal Regulations, title 40, part 63, subpart DDDDDDD, as amended, entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing," is incorporated by reference.

7011.9910 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ARSENIC.

The following national emission standards for hazardous air pollutants are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 61, subpart N, as amended, entitled "National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants," except that ~~decisions made by the administrator~~ the authorities identified under Code of Federal Regulations, title 40, ~~sections~~ section 61.164(a)(2) and ~~61.164(a)(3)~~, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator;

B. Code of Federal regulations, title 40, part 61, subpart O, as amended, entitled "National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters," except that ~~decisions made by the administrator~~ the authorities identified under Code of Federal Regulations, title 40, sections 61.172(b)(2)(ii)(B), ~~61.172~~ and (b)(2)(ii)(C); and 61.174(a)(2); and ~~61.174(a)(3)~~, are not delegated to the commissioner and ~~must be made~~ are retained by the administrator; and

[For text of item C, see Minnesota Rules]

7011.9920 INCORPORATION BY REFERENCE; EMISSION STANDARDS; ASBESTOS.

Code of Federal Regulations, title 40, part 61, subpart M, as amended, entitled "National Emission Standard for Asbestos," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections~~

~~61.149(e)(2), 61.150(a)(4), 61.151(e), 61.152(b)(3), 61.154(d), and 61.155(a), are not delegated to the commissioner and must be made by the administrator.~~

7011.9921 DEFINITIONS.

Subpart 1. **Scope.** ~~The following definitions of words and phrases are controlling terms in this part have the meanings given for the purposes of parts 7011.9921 to 7011.9927:~~

Subp. 2. **Air flow permeability.** "Air flow permeability" means the volumetric rate of air flow in cfm, produced by a pressure decrease of 0.5 inches water gage across a new, clean filtering fabric, divided by the area of the fabric in ft². ~~Tests of air flow permeability must be performed as specified in ASTM Designation D737-69.~~

Subp. 3. [See repealer.]

[For text of subpart 4, see Minnesota Rules]

Subp. 4a. [See repealer.]

Subp. 5. **Debris.** "Debris" means waste produced by ~~the demolition of~~ demolishing a building or structure.

Subp. 6. [Repealed by amendment, L 1987 c 186 s 15]

Subp. 7. **Local exhaust ventilation system.** "Local exhaust ventilation system" means ~~the capture of~~ a system that captures particulate matter generated by a process ~~through the application of~~ by applying an air stream induced at the process and that has a device which ~~that~~ encloses the process, partially encloses the process, or guides the capturing air flow at the process. ~~The design and operation of ventilation devices must conform with ANSI Z9.2-1971, published by the American National Standards Institute.~~

Subp. 8. **Manufacturing operation.** "Manufacturing operation" means the processing of asbestos or the production of any a product containing asbestos, with the exception of any a process in which an ~~asbestos-containing~~ asbestos-containing material is sprayed.

Subp. 9. [See repealer.]

[For text of subpart 10, see Minnesota Rules]

Subp. 11. **Visible emission.** "Visible emission" means any emission ~~which~~ that is visually detectable.

Subp. 12. [See repealer.]

7011.9922 MANUFACTURING OPERATIONS.

Subpart 1. **Emissions from local exhaust ventilation system.** Emissions of particulate matter to the atmosphere from a local exhaust ventilation system in a building, structure, facility, or installation within which any manufacturing operation is carried on ~~shall~~ must not exceed the amount ~~which~~ that would be emitted if ~~such~~ the emissions were treated in a fabric filter installation as described in part 7011.9925.

Subp. 2. **Other emissions.** All other visible emissions of particulate matter to the atmosphere from a building, structure, facility, or installation within which any manufacturing operation is carried on ~~shall~~ must not exceed the amount ~~which~~ that would be emitted if ~~such~~ the emissions were treated in a fabric filter installation as described in part 7011.9925.

[For text of subpart 3, see Minnesota Rules]

Subp. 4. **Design and operation requirements.** The design and operation of ventilation devices in ventilation systems must conform with ANSI Z9.2, Fundamentals Governing the Design and Operation of Local Exhaust Ventilation Systems (2012), published by the American National Standards Institute. The standard is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

7011.9923 SPRAYING.

Subpart 1. **Open area.** The spraying in any area open to the outdoor atmosphere of any acoustical insulating, thermal insulating, or fireproofing product ~~which~~ that contains asbestos is prohibited.

Subp. 2. **Emissions to outdoor atmosphere.** Emissions to the outdoor atmosphere of particulate matter from ~~the~~ spraying of any acoustical insulating, thermal insulating, or fireproofing product ~~which~~ that contains asbestos, if ~~such~~ the spraying is not otherwise prohibited by law, ~~shall~~ must not exceed the amounts ~~which~~ that would be emitted to the atmosphere if the area containing ~~such~~ the emissions were treated by a fabric filter installation as described in part 7011.9925.

Subp. 3. **Detectable amount of asbestos.** A product is deemed to contain asbestos if a detectable amount of asbestos is in the product or in any material that goes into the product. "Detectable amount of asbestos" means an amount detectable by x-ray diffraction, petrographic optical microscopy, or any other method approved by the commissioner.

7011.9925 FABRIC FILTER SPECIFICATIONS.

Subpart 1. **Requirements.** Fabric filter collection devices referred to in parts 7011.9922, subparts 1 and 2, and 7011.9923, subpart 2, ~~shall~~ must be operated at not more than four inches water gage pressure decrease as measured across the filter fabric. No bypass devices are permitted. ~~Such~~ The collection devices ~~shall~~ must be equipped with either of the following classes of fabrics:

A. woven fabrics ~~which~~ that have an air flow permeability not exceeding 30 cfm/ft² and ~~which~~ that, if constructed of synthetic materials, contain no fill yarn other than ~~that~~ which is spun yarn; or

B. felted fabrics ~~which~~ that have an average density of not less than 14 oz/yd², an average thickness of not less than 1/16 inch, and an air flow permeability of not more than 35 cfm/ft².

Subp. 2. **Failure to meet requirements.** Fabric filter devices do not meet the requirements of this part if any of the following conditions exist: leakage of gases, ~~containing~~ that contain particulate matter; from the control system ~~prior to~~ before filtration; torn or ruptured bags; improperly positioned bags; badly worn or threadbare bags; or presence of visible emissions of particulate matter ~~during the emptying of~~ when collection hoppers are emptied.

Subp. 3. **Air flow permeability.** Tests of air flow permeability must be performed as specified in ASTM D737-18, Standard Test Method for Air Permeability of Textile Fabrics (2018), published by ASTM International. The test method is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

7011.9930 INCORPORATION BY REFERENCE; EMISSION STANDARDS; BENZENE.

The following national emission standards for hazardous air pollutants are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 61, subpart J, as amended, entitled "National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene," except that ~~decisions made by the administrator under~~ the authorities identified in Code of Federal Regulations, title 40, section 61.112(c), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator;

B. Code of Federal Regulations, title 40, part 61, subpart L, as amended, entitled "National Emission Standard for Benzene Emissions from ~~Coke By-Product~~ Coke By-Product Recovery Plants;" ~~except that decisions made by the administrator under~~ Code of Federal

~~Regulations, title 40, section 61.136(d), are not delegated to the commissioner and must be made by the administrator;~~

C. Code of Federal Regulations, title 40, part 61, subpart Y, as amended, entitled "National Emission Standard for Benzene Emissions from Benzene Storage Vessels;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 61.273, are not delegated to the commissioner and must be made by the administrator;~~

D. Code of Federal Regulations, title 40, part 61, subpart BB, as amended, entitled "National Emission Standard for Benzene Emissions from Benzene Transfer Operations:"; and

E. Code of Federal Regulations, title 40, part 61, subpart FF, as amended, entitled "National Emission Standard for Benzene Waste Operations;" ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, section 61.353, are not delegated to the commissioner and must be made by the administrator.~~

7011.9940 INCORPORATION BY REFERENCE; EMISSION STANDARDS; BERYLLIUM.

The following national emission standards for hazardous air pollutants are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 61, subpart C, as amended, entitled "National Emission Standard for Beryllium:"; and

[For text of item B, see Minnesota Rules]

7011.9950 INCORPORATION BY REFERENCE; EMISSION STANDARDS; MERCURY.

Code of Federal Regulations, title 40, part 61, subpart E, as amended, entitled "National Emission Standard for Mercury," is ~~adopted and~~ incorporated by reference, ~~except that decisions made by the administrator under Code of Federal Regulations, title 40, sections~~

~~61.53(e)(4) and 61.55(d), are not delegated to the commissioner and must be made by the administrator.~~

7011.9960 INCORPORATION BY REFERENCE; EMISSION STANDARDS; RADON.

The following national emission standards for hazardous air pollutants are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 61, subpart B, as amended, entitled "National Emission Standards for Radon Emissions From Underground Uranium Mines:";

B. Code of Federal Regulations, title 40, part 61, subpart Q, as amended, entitled "National Emission ~~Standard~~ Standards for Radon Emissions From Department of Energy Facilities:";

C. Code of Federal Regulations, title 40, part 61, subpart R, as amended, entitled "National Emission Standards for Radon Emissions From Phosphogypsum Stacks:";

D. Code of Federal regulations, title 40, part 61, subpart T, as amended, entitled "National Emission Standards for Radon Emissions From the Disposal of Uranium Mill Tailings:"; and

[For text of item E, see Minnesota Rules]

7011.9970 INCORPORATION BY REFERENCE; EMISSION STANDARDS; RADIONUCLIDES.

The following national emissions standards for hazardous air pollutants are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, part 61, subpart H, as amended, entitled "National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities:";

B. Code of Federal Regulations, title 40, part 61, subpart I, as amended, entitled "National Emission Standards for Radionuclide Emissions From Federal Facilities Licensed by the Other Than Nuclear Regulatory Commission Licensees and Federal Facilities Not Covered by Subpart H-"; and

[For text of item C, see Minnesota Rules]

7011.9980 INCORPORATION BY REFERENCE; EMISSION STANDARDS; VINYL CHLORIDE.

Code of Federal Regulations, title 40, part 61, subpart F, as amended, entitled "National Emission Standard for Vinyl Chloride," is ~~adopted and~~ incorporated by reference, except that ~~decisions made by the administrator~~ authorities identified under Code of Federal Regulations, title 40, section 61.66, are ~~not delegated to the commissioner and must be made~~ retained by the administrator.

7011.9990 INCORPORATION BY REFERENCE; EMISSION STANDARDS; VOLATILE HAZARDOUS AIR POLLUTANTS.

Code of Federal Regulations, title 40, part 61, subpart V, as amended, entitled "National Emission Standard for Equipment Leaks (Fugitive Emission Sources)," is ~~adopted and~~ incorporated by reference, except that ~~decisions made by the administrator~~ authorities identified under Code of Federal Regulations, title 40, sections 61.242-1(c)(2) and 61.244, are ~~not delegated to the commissioner and must be made~~ retained by the administrator.

7017.0150 GENERAL PROVISIONS OF MONITORING AND TESTING REQUIREMENTS.

References to the administrator in the incorporated federal regulations refer to the commissioner, except when authorities are specifically identified in Code of Federal Regulations or state rule as nondelegable.

7017.1010 INCORPORATION OF FEDERAL MONITORING REQUIREMENTS BY REFERENCE; MONITORING REQUIREMENTS.

Subpart 1. **New source performance standards.** The following regulations are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, ~~part~~ section 60.13, as amended, entitled "Monitoring Requirements";

[For text of items B and C, see Minnesota Rules]

Subp. 2. **National emissions standards for hazardous air pollutants.** The following regulations are ~~adopted and~~ incorporated by reference:

[For text of item A, see Minnesota Rules]

B. ~~National Emissions Standards for Hazardous Air Pollutants~~, Code of Federal Regulations, title 40, section 63.8, as amended, entitled "Monitoring Requirements."

Subp. 3. [See repealer.]

7017.1020 INCORPORATION BY REFERENCE; CONTINUOUS EMISSION MONITORING BY AFFECTED SOURCES.

Affected sources, as defined in part 7007.0100, subpart 4, ~~shall~~ must comply with Code of Federal Regulations, title 40, part 75, as amended, entitled "Continuous Emission Monitoring," which is ~~adopted and~~ incorporated by reference.

7017.1170 QUALITY ASSURANCE AND CONTROL REQUIREMENTS FOR CEMS.

[For text of subparts 1 and 1a, see Minnesota Rules]

Subp. 2. **Quality assurance plan required.** The owner or operator of the facility must develop and implement a written quality assurance plan that covers each CEMS. The plan must be on site and available for inspection within 30 days after monitor certification. The plan must be revised as needed to keep the plan up to date with the facility's current

policies and procedures. The plan must contain all of the information required by Code of Federal Regulations, title 40, part 60, appendix F, section 3, or Code of Federal Regulations, title 40, part 75, Appendix B, as amended. The plan must include the manufacturer's spare parts list for each CEMS and require that those parts be kept at the facility unless the commissioner gives written approval to exclude specific spare parts from the list. ~~The commissioner may approve requested exclusions if the commissioner determines that it is not reasonable to keep a specific part on site after consideration of~~ considering the consequences of a malfunction of the part, the likelihood of a malfunction, the time required to obtain the part, and other pertinent factors.

Subp. 3. **Daily calibration drift assessment and adjustment.** The facility owner or operator must conduct daily calibration drift assessments and make adjustments as needed according to the procedure listed in items A and B, Code of Federal Regulations, title 40, section 60.13(d)(1), or Code of Federal Regulations, title 40, part 75, Appendix B, section 2.1, as amended, as applicable, for each pollutant concentration and diluent monitor. The calibration drift assessment must be conducted on each monitor range. The span value specified in the applicable requirement or compliance document must be used to determine the zero and span calibration points. If no span value is specified in the applicable requirement or compliance document, the owner or operator must use a span value equivalent to 1.5 times the emission limit.

A. For an extractive CEMS, minimum drift assessment procedures ~~shall~~ must include introducing applicable zero and span gas mixtures into the measurement system as near the probe as is practical. Gases within \pm two percent of tag value ~~shall~~ must be used to perform the span (upscale) drift assessment. The span and zero gas mixtures ~~shall~~ must be the same composition as specified in the applicable performance specification.

B. For a nonextractive, in situ CEMS, minimum drift assessment procedures ~~shall~~ must include upscale checks using a certified calibration gas cell or test cell ~~which~~ that is

functionally equivalent to a known gas concentration. The zero check may be performed by computing the zero value from upscale measurements or by mechanically producing a zero condition.

[For text of subparts 4 to 8, see Minnesota Rules]

7017.1215 INCORPORATION BY REFERENCE; QUALITY ASSURANCE AND CONTROL REQUIREMENTS FOR COMS.

For quality assurance and control requirements for COMS, the facility owner or operator must conduct quality assurance and quality control as specified in Procedure 3 - Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources, Code of Federal Regulations, title 40, part 60, Appendix F, as amended, which is ~~adopted~~ ~~and~~ incorporated by reference.

7017.2010 INCORPORATION OF TEST METHODS BY REFERENCE; TEST METHODS.

For the purpose of parts 7017.2020 to 7017.2060, the documents in items A to D are incorporated by reference. ~~These documents are subject to frequent change.~~

[For text of items A to D, see Minnesota Rules]

7017.2015 INCORPORATION OF FEDERAL TESTING REQUIREMENTS BY REFERENCE; TESTING REQUIREMENTS.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **New source performance standards.** The following are ~~adopted and~~ incorporated by reference:

A. Code of Federal Regulations, title 40, section 60.8, as amended, entitled "Performance Tests," except that ~~decisions made by the administrator under~~ authorities identified in Code of Federal Regulations, title 40, sections 60.8(b)(2) and 60.8(b)(3), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

B. Code of Federal Regulations, title 40, section 60.11, as amended, entitled "Compliance with Standards and Maintenance Requirements," except that ~~decisions made under~~ authorities identified in Code of Federal Regulations, title 40, section 60.11(e), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

Subp. 3. **National emission standards for hazardous air pollutants.** The following are ~~adopted and~~ incorporated by reference:

[For text of item A, see Minnesota Rules]

B. Code of Federal Regulations, title 40, section 61.13, as amended, entitled "Emission Tests and Waiver of Emission Tests," except that ~~decisions made by the administrator under~~ authorities identified in Code of Federal Regulations, title 40, section 61.13(h)(1)(ii), are not delegated to the commissioner and ~~must be made~~ are retained by the administrator.

Subp. 4. [See repealer.]

7017.2060 PERFORMANCE TEST PROCEDURES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Sample port location.** The sampling location, as selected by Method 1, ~~shall~~ be the same for each pollutant during a performance test.

Subp. 3. **Particulate matter determination.** The owner or operator must conduct particulate matter emission tests as required in this subpart.

[For text of items A to D, see Minnesota Rules]

[For text of subparts 4 and 4a, see Minnesota Rules]

Subp. 5. **Opacity determination by Method 9.** Opacity observations ~~shall~~ must be performed by a certified observer and in accordance with the requirements of Method 9. In addition, the requirements of subpart 6 and the following items ~~shall~~ apply:

A. The commissioner ~~may~~ must reject the opacity results if the commissioner cannot determine the compliance status of the emission facility due to error, bias, or insufficient documentation during the performance test. The recommendations of Method 9 and EPA document EPA-600/4-77-027b, Addition Section 3.12 (Feb. 1984), as amended, entitled "Quality Assurance Handbook for Air Pollution Measurement Systems: Volume III. Stationary Source Specific Methods," which is incorporated by reference, ~~shall~~ must be used in determining the acceptability of opacity results. This document is available ~~at the State Law Library~~ through the Minitex interlibrary loan system and is not subject to frequent change.

B. One series of readings is required for each condition where opacity is required to be tested. Each test run ~~shall comprise~~ consists of 240 consecutive readings at 15-second intervals and ~~shall~~ must be obtained concurrently with a test run for particulate matter, where applicable. Copies of the opacity form showing all readings and required notation ~~shall~~ must be included in the performance test report.

C. The results of continuous monitoring by transmissometer ~~which~~ that indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, ~~provided that if~~ the owner or operator ~~shall meet~~ meets the burden of proving that the instrument used met, at the time of the alleged violation, Performance Specification 1, had been properly maintained and, at the time of the alleged violation, calibrated, and that the resulting data have not been tampered with in any way. The data ~~shall be~~ is subject to the reduction processes in subpart 6.

D. Data reduction ~~shall~~ must be performed in accordance with Paragraph 2.5 of Method 9 and subpart 6. A one-hour period means any 60 consecutive minutes and a six-minute period means any set of 24 consecutive 15-second intervals.

Subp. 6. **Opacity data reduction procedures.** For the purpose of this part, "excursion" means an opacity higher than the base standard that is allowed for a limited number of minutes within a time period. Compliance with opacity limits ~~shall be~~ is determined from all data points collected in an averaging period and according to items A and B.

A. For opacity standards ~~which~~ that allow excursions based on six-minute periods, an exceedance of the standard ~~has occurred~~ occurs if, having taken the allowable excursion into account, any six-minute average exceeds the standard. The exceedance ~~shall be~~ is expressed as the value of the highest six-minute average and the number of nonoverlapping six-minute averages that exceed the standard within the period of the test run.

B. For opacity standards that do not allow excursions, an exceedance of the standard ~~has occurred~~ occurs if any six-minute average exceeds the standard. The exceedance ~~shall be~~ is expressed as the value of the highest six-minute average and the number of nonoverlapping six-minute averages that exceed the standard within the period of the test run.

Subp. 7. **Polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans determination.** For Method 23, each sample run ~~shall~~ must be at least three hours in duration at an average sampling rate of 0.5 dscf/minute or higher. The minimum sample volume ~~shall be~~ is 90 dscf. Longer test runs may be required by the commissioner ~~in order~~ to collect a greater sample volume if low resolution mass spectroscopy is to be used for analysis of the field samples or as otherwise required by part 7017.2045, subpart 6.

7019.0050 GENERAL PROVISIONS OF EMISSION INVENTORY REQUIREMENTS.

References to the administrator in the incorporated federal regulations refer to the commissioner, except when authorities are specifically identified in Code of Federal Regulations or state rule as nondelegable.

7019.0100 INCORPORATION ~~OF BY REFERENCE~~; NOTIFICATION AND ~~RECORD-KEEPING~~ RECORD-KEEPING REQUIREMENTS BY REFERENCE.

Subpart 1. **New source performance standards.** Code of Federal Regulations, title 40, section 60.7, as amended, entitled "Notification and record keeping," is ~~adopted and~~ incorporated by reference.

Subp. 2. **National emission standards for hazardous air pollutants.** The following are ~~adopted and~~ incorporated by reference:

[For text of item A, see Minnesota Rules]

B. Code of Federal Regulations, title 40, section 63.10, as amended, entitled "~~Record keeping~~ Recordkeeping and reporting requirements."

[For text of items C and D, see Minnesota Rules]

Subp. 3. [See repealer.]

7019.3030 METHOD OF CALCULATION.

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

C. For purposes of selecting a calculation method, a method is considered available if the conditions associated with the method in parts 7019.3040 to 7019.3100 are met. The method described in part 7019.3100 may be used, provided that the proposal is submitted to the ~~division manager~~ commissioner by September 1 of the first year for which the emissions are being calculated. The commissioner ~~shall~~ must reject data submitted using the methods described in parts 7019.3040 to 7019.3090 if the conditions for the method are not fully met.

TERM CHANGE. The term "agency," when it refers to the Minnesota Pollution Control Agency, is changed to "commissioner" wherever it appears in Minnesota Rules, parts 7011.0115, 7011.0120, 7011.0520, 7011.0535, 7011.0615, 7011.0720, 7011.0917, 7011.1285,

7011.1320, 7011.1325, 7011.1430, 7011.1625, 7011.1910, 7011.1915, 7011.2010, 7011.2015, 7011.2300, and 7011.3505.

REPEALER. Minnesota Rules, parts 7005.0100, subparts 9a and 42b; 7011.1405, subpart 4; 7011.1410, subpart 4; 7011.3500, subparts 2 and 3; 7011.3510, subpart 1; 7011.7000; 7011.8170; 7011.9900; 7011.9921, subparts 3, 4a, 9, and 12; 7017.1010, subpart 3; 7017.2015, subpart 4; and 7019.0100, subpart 3, are repealed.