

**CHAPTER 7007**  
**MINNESOTA POLLUTION CONTROL AGENCY**  
**PERMITS AND OFFSETS**

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

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

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

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

B. A major stationary source of air pollutants, as defined in section 302 of the act (General Provisions; Definitions), that directly emits or has the potential to emit, 100 tons per year or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the act, unless the stationary source belongs to one of the following categories of stationary sources:

*[For text of subitems (1) to (26), see M.R.]*

(27) all other stationary source categories regulated by a standard promulgated under section 111 or 112 of the act.

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

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

**Statutory Authority:** *MS s 116 07*

**History:** *28 SR 1482*

**7007.0300 SOURCES NOT REQUIRED TO OBTAIN A PERMIT.**

Subpart 1. **No permit required.** The following stationary sources are not required to obtain a permit under parts 7007 0100 to 7007 1850:

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

F. notwithstanding parts 7007 0200 and 7007 0250, any stationary source that would be required to obtain a permit solely because it is subject to one or more new source performance standards under Code of Federal Regulations, title 40, part 60, and that is subject only to the notification and record-keeping provisions of the applicable standards

**Statutory Authority:** *MS s 116 07*

**History:** *28 SR 1482*

**7007.0950 EPA REVIEW AND OBJECTION.**

Subpart 1 **Review by EPA.**

A. The agency shall provide to the administrator a copy of the following documents, unless the administrator agrees to accept a summary of the documents:

(1) for part 70 permits, each application for a permit or permit amendment, each proposed permit or permit amendment, and each final permit or permit amendment; and

(2) for state permits, each application for a permit, each draft permit, each final permit, each application for a major permit amendment described in part

7007.1500, subpart 1, item C or D, and the draft and final versions of each such major permit amendment.

B In the case of a part 70 permit, either.

(1) the draft permit or permit amendment must be provided to the administrator at the beginning of the public comment period, and the proposed permit or permit amendment must be provided to the administrator after the conclusion of public comment; or

(2) a permit or permit amendment that is identified as both a draft and a proposed permit or permit amendment may be provided to the administrator at the beginning of the public comment period, subject to the limitations of subpart 2. This document shall be clearly identified as a draft/proposed permit or permit amendment. The public notice for the draft/proposed permit or permit amendment shall state that the agency is seeking concurrent review of the permit or permit amendment, and that the 30-day public review period and the 45-day EPA review period will begin at the same time

C. In the case of a state permit, the draft permit or permit amendment may be provided to the administrator at the same time the draft permit or permit amendment is offered for public comment

**Subp. 2. EPA objection.**

A. In the case of a part 70 permit, and except as provided in item B, the agency shall not issue a permit or permit amendment if the administrator objects to its issuance in writing within 45 days of receipt of the proposed permit or permit amendment and any necessary supporting information

B. In the case of a part 70 permit, when the administrator is provided with a draft/proposed permit or permit amendment at the beginning of the public comment period, the agency may issue the permit 45 days after the administrator's receipt of the draft/proposed permit or permit amendment and any necessary supporting information except as provided in subitem (1), (2), or (3).

(1) If the agency makes changes to the draft/proposed permit or permit amendment other than modifications that would meet the requirements for an administrative amendment under part 7007 1400, subpart 1, the agency shall provide a revised proposed permit or permit amendment to the administrator. The agency shall not issue the permit or permit amendment if the administrator objects to its issuance in writing within 45 days of receipt of the revised proposed permit or permit amendment and any necessary supporting information

(2) If, within 45 days of receipt of the draft/proposed permit or permit amendment the administrator notifies the agency in writing that the administrator seeks additional time for review, the agency shall not issue the permit or permit amendment if the administrator objects to its issuance in writing within 45 days of the conclusion of the public comment period

(3) If the agency receives from the public any adverse comments on any applicable requirement of the permit during the 30-day comment period, the agency shall provide the comments to the administrator. The agency shall not issue the permit or permit amendment if the administrator objects to its issuance in writing within 45 days of receipt of the comments and, if applicable, the revised proposed permit or permit amendment and any necessary supporting information

C. In the case of a state permit, the agency shall not issue a permit, or an amendment for which EPA review is provided under subpart 1, if the administrator objects to its issuance in writing within 30 days of receipt of the draft permit or amendment and any necessary supporting information.

*[For text of subps 3 and 4, see MR ]*

**Statutory Authority:** *MS s 116 07*

**History:** *28 SR 1482*

**7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.***[For text of subpart 1, see MR ]***Subp. 2 Stationary sources that may not obtain a registration permit.***[For text of items A and B, see MR ]*

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

*[For text of subitems (1) to (11), see MR ]**[For text of subps 3 to 15, see MR ]*

Subp. 15a **Relocation of stationary source issued a registration permit.** This subpart applies only to a stationary source that has been issued a registration permit under parts 7007 1110 to 7007.1130, and that

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

B. does not trigger the need for air dispersion modeling for the relocated source, and

C. will qualify for the same type of registration permit at the new location. Prior to a change in the location of a stationary source that meets the criteria in this subpart, the owner or operator must provide advance written notice to the commissioner, providing the exact location where the source will operate. If the commissioner determines that the new owner or operator meets the requirements of parts 7007.1110 to 7007 1130 for registration permit issuance, then the commissioner shall issue the registration permit for the new location. Issuance of the registration permit for the new location voids and supersedes the registration permit for the previous location

*[For text of subps 16 to 22, see M.R ]***Statutory Authority:** *MS s 116 07***History:** *28 SR 1482***7007.1130 REGISTRATION PERMIT OPTION D.***[For text of subparts 1 to 3a, see MR ]*

Subp 4. **Calculation of actual emissions.** The owner or operator of a stationary source may use a calculation worksheet provided by the commissioner for calculating actual emissions under this part, or may use the calculation methods under items A to E. The owner or operator must calculate actual emissions for each emissions unit, except that similar emissions units may be aggregated for emission calculation purposes. The owner or operator of a stationary source shall use the calculation method in item B instead of the calculation method in item A if the data described in item B are available for the stationary source. The alternative methods described in items C, D, and E may be used by the owner or operator without advance notification to the commissioner. The commissioner shall reject data submitted using the methods described in items B to E if the conditions set forth for the method are not fully met. To prevent double counting of emissions, the owner or operator must select one calculation method under this subpart for each emissions unit at the stationary source. Fugitive dust emissions must be included in the calculations under this subpart only if the stationary source is in a category listed in part 7007.0200, subpart 2, item B, subitems (1) to (27)

*[For text of items A and B, see MR ]*

C. Emission factors from performance tests may be used for the calculation of actual emissions, provided that the performance tests met all the requirements of parts 7017 2001 to 7017 2060, and all other applicable state rules and federal regulations governing performance tests. The owner or operator of a stationary source that uses an emission factor developed from a performance test shall use the calculation method under item A

*[For text of items D and E, see M R.]*

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

**Statutory Authority:** *MS s 116 07*

**History:** *28 SR 1482*

**7007.1300 INSIGNIFICANT ACTIVITIES LIST.**

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

Subp. 3 **Insignificant activities required to be listed.** The activities described in this subpart must be listed in a permit application, and calculation of emissions from these activities shall be provided if required by the agency, under part 7007 0500, subpart 2, item C, subitem (2). If emissions units listed in this subpart are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or if accounted for, make a stationary source subject to a part 70 permit, emissions from the emissions units must be calculated in the permit application.

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

D. Processing operations: open tumblers with a batch capacity of 1,000 pounds or less

*[For text of items E to I, see M R ]*

J. Fugitive dust emissions from unpaved entrance roads and parking lots, except that a stationary source applying for an Option D registration permit under part 7007 1130 must include fugitive dust emissions in calculations when required under part 7007 1130, subpart 4.

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

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

**Statutory Authority:** *MS s 116 07*

**History:** *28 SR 1482*

**7007.4010 DEFINITIONS.**

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

Subp 11a [Repealed, 28 SR 1482]

*[For text of subps 19a and 19b, see M R ]*

Subp 20. [Repealed, 28 SR 1482]