

CHAPTER 7007
MINNESOTA POLLUTION CONTROL AGENCY
PERMITS AND OFFSETS

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7007.0100 DEFINITIONS.

[For text of subs 1 to 6, see M.R.]

Subp 7 **Applicable requirement.** "Applicable requirement" means all the following as they apply to emissions units in a stationary source (including requirements that have been promulgated or approved by the EPA or the commissioner through rulemaking at the time of issuance but have future effective compliance dates)

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

T any standard or other requirement of the acid deposition control rule under chapter 7021,

U any standard or other requirement related to noise pollution under chapter 7030,

V any standard or other requirement established under section 169A (Visibility Protection for Federal Class I Areas) or 169B (Visibility) of the act including emission limits established in the determination of best available retrofit technology, and

W any standard or other requirement of the federal Clean Air Interstate Rule or a regulation adopted under it

[For text of subs 7a to 9a, see M.R.]

Subp. 9b **Environmental management system or EMS.** "Environmental management system" or "EMS" means an ongoing program of planning, implementing, reviewing, and improving the actions at a stationary source that the owner or operator takes to meet its environmental obligations and legal requirements, and to improve environmental performance, as measured by pollutants emitted or discharged, waste generated, or other objective measures. An EMS for a stationary source conforms to the requirements of the ISO 14001 standard, "Environmental management systems - Specification with guidance for use" published by the International Organization for Standardization (ISO), 2004. An EMS for a stationary source is either registered to the ISO 14001 EMS standard by a certification body accredited by the ANSI-ASQ National Accreditation Board (ANAB), or is an EMS that conforms to the requirements of the ISO 14001 EMS standard as determined by an EMS auditor.

Subp 9c. **EMS audit.** "EMS audit" means a systematic, independent, and documented verification process, conducted by an EMS auditor, objectively obtaining and evaluating evidence to determine whether a stationary source's EMS conforms to the requirements of the ISO 14001 EMS standard. EMS audits meet the requirements of

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

C IAF Guidance on the Application of ISO/IEC Guide 66, International Accreditation Forum (IAF), 2003; and

D. Advisories, ANSI-ASQ National Accreditation Board (ANAB)

The full scope of the stationary source's EMS is audited in a two-year period.

Subp 9d **EMS auditor.** "EMS auditor" means a person certified as an EMS lead auditor by RABQSA International (RABQSA) to conduct ISO 14001 EMS audits who is not an owner, operator, or employee of the stationary source or a subsidiary, division, or subdivision of an owner, operator, or employee of the stationary source. Other than previous EMS audits, an EMS auditor shall not have provided EMS or other environmental consulting services to the audited stationary source within the two years prior to the EMS audit.

[For text of subps 9e to 24a, see M.R.]

Subp 25 **Title I condition.** "Title I condition" means one of the following types of permit conditions, based on requirements of title I of the act:

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

D any condition which is part of a plan approved by the EPA or submitted to the EPA and pending approval under section 111(d) (Standards of Performance for New Stationary Sources) or section 129 (Solid Waste Combustion) of the act.

Subp. 26. **Title I modification.** "Title I modification" means any change that constitutes any of the following:

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

C. A new source review major stationary source: a modification at a stationary source that is not an existing major stationary source where the modification by itself would exceed major stationary source thresholds as defined in Code of Federal Regulations, title 40, section 52.21(b)(1)(i)

D. A new source performance standards modification: any modification as defined in Code of Federal Regulations, title 40, section 60.14, as amended, or any other rules adopted by the administrator under section 111 of the act.

E A hazardous air pollutant modification: any modification as defined in Code of Federal Regulations, title 40, section 61.15, as amended, or any other rules adopted by the administrator under section 112 of the act.

F Plantwide applicability limit (PAL) establishment, renewal, or increase: establishment, renewal, or increase in emissions of an actual PAL as defined in Code of Federal Regulations, title 40, section 51.165, paragraph (f), or 52.21, paragraph (aa), as amended, or in any other rules adopted by the administrator under part C or D of the act.

G Any other change that constitutes a modification under any provision of title I of the act.

[For text of subp 27, see M.R.]

Statutory Authority: *MS s 116.07*

History: *32 SR 904*

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.

A any stationary source that is not described in part 7007.0200, subparts 2 to 5, or 7007.0250;

B 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 of the following new source performance standards

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

(3) Code of Federal Regulations, title 40, part 60, subpart Kb, 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 (incorporated by reference at part 7011.1520, item C), if all storage vessels subject to this standard at the stationary source each have a capacity greater than or equal to 40 cubic meters and less than 75 cubic meters,

(4) Code of Federal Regulations, title 40, part 60, subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (incorporated by reference at part 7011 0570), if all steam generating units subject to this standard at the stationary source are only capable of combusting natural gas or propane, and

(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 3520), 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;

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

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1100 GENERAL PERMITS.

[For text of subpart 1, see M R]

Subp 2 **Public participation.** The agency shall follow the same public participation procedures in part 7007 0850, subparts 2 and 3, for individual permits except as stated otherwise in this subpart. The notice of the agency's intent to publish a general permit need not be published in newspapers of general circulation but shall be published in the State Register. The notice need not include any facility specific information. The notice issued by the agency shall identify criteria for stationary sources that qualify for the general permit and identify the geographic area in which it applies. If the general permit is sector-based, the notice shall state whether a stationary source holding a registration permit issued under parts 7007 1110 to 7007 1130 or a capped permit issued under parts 7007 1140 to 7007 1148 must apply for the sector-based general permit. The agency need not comply with part 7007 0850, subpart 2, item A, subitem (4), unless the stationary source category includes stationary sources subject to the requirement to obtain part 70 permits.

[For text of subps 3 to 8, see M R.]

Statutory Authority: *MS s 116.07*

History: *32 SR 904*

7007.1102 INCORPORATIONS BY REFERENCE.

For the purpose of parts 7007 0100, subparts 9b, 9c, and 9e; 7007 1105, and 7007 1107, the documents in items A to E are incorporated by reference. These documents are subject to change, including numbering, title, consolidation, reorganization, and minor wording revisions. The ISO documents are published by the International Organization for Standardization (ISO), Geneva, Switzerland. The documents in items A to C are available at the American National Standards Institute (ANSI), New York, New York 10036 (www.ansi.org), or through the Mintex interlibrary loan system.

A ISO 14001. Environmental management systems - Specification with guidance for use, ISO, 2004

B. ISO 19011. Guidelines for quality and/or environmental management systems auditing, ISO, 2002

C ISO/International Electrotechnical Commission (IEC) Guide 66. General requirements for bodies operating assessment and certification/registration of environmental management systems, ISO, 1999

D IAF Guidance on the Application of ISO/IEC Guide 66, International Accreditation Forum (IAF), 2003. This publication is available through IAF (www.iaf.nu)

E Advisories, ANSI-ASQ National Accreditation Board (ANAB) These publications are available through ANAB, P.O. Box 3005, Milwaukee, Wisconsin 53201-0586 (www.anab.org)

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

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

Subp. 2. Stationary sources that may not obtain a registration permit.

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

B. A stationary source may not obtain a registration permit if air quality specific conditions or limits not contained in parts 7007 1110 to 7007 1130 were assumed

- (1) as a mitigation measure in an environmental impact statement,
- (2) in obtaining a negative declaration in an environmental assessment worksheet, or
- (3) in demonstrating compliance with any state or national ambient air quality standard

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 (8), see M R]

(9) Code of Federal Regulations, title 40, part 60, subpart OOO, Standards of Performance for Nonmetallic Mineral Processors (incorporated by reference in part 7011 3350), except that a stationary source subject to this performance standard may not obtain a registration permit if subpart 2b applies,

(10) Code of Federal Regulations, title 40, part 60, subpart TTT, Standards of Performance for Industrial Surface Cleaning of Plastic Parts for Business Machines (incorporated by reference in part 7011.2580),

(11) Code of Federal Regulations, title 40, part 60, subpart I, Standards of Performance for Hot Mix Asphalt Facilities (incorporated by reference in part 7011 0909),

(12) Code of Federal Regulations, title 40, part 60, subpart GG, Standards of Performance for Stationary Gas Turbines (incorporated by reference in part 7011 2350); and

(13) Code of Federal Regulations, title 40, part 60, subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (incorporated by reference in part 7011 3520), but only if the compression ignition internal combustion engine has a displacement less than 30 liters per cylinder

Subp 2b. Additional limitations on stationary source eligibility for a registration permit. A stationary source may not obtain an option B, C, or D registration permit if:

A. the source qualifies for a sector-based state general permit available under part 7007 1100, unless specifically allowed under the general permit, or

B. the commissioner determines that site-specific permit requirements are needed to ensure compliance with applicable requirements or to protect human health or the environment

Any owner or operator of a stationary source that holds a registration permit and is eligible for a sector-based general permit that is available on or before January 1, 2007, shall apply for the general permit on or before December 31, 2008

[For text of subps 3 and 4, see M R.]

Subp. 5 **Registration permit issuance, denial, and revocation.** The commissioner shall issue a registration permit to the owner or operator of a stationary source if the owner or operator has submitted a complete application for a registration permit and the commissioner determines that the stationary source qualifies for the registration permit under parts 7007 1110 to 7007 1130 for which the application was submitted, and the commissioner anticipates that the stationary source will comply with the registration permit. The commissioner shall deny an application for a registration permit if the commissioner determines that the stationary source does not qualify for the registration permit under parts 7007.1110 to 7007 1130 for which the application was submitted or that the stationary source will not be able to comply with the registration permit. The grounds for permit denial in part 7007 1000, subparts 1, item H, and 2, items B to G, also constitute grounds for the commissioner to deny a registration permit application. The commissioner may revoke a registration permit, if the commissioner finds that any of the grounds under subpart 16 or under part 7007.1700, subpart 1, exist, by following the procedure in part 7007.1700, subpart 2.

[For text of subps 6 to 15, see M R]

Subp 15a **Relocation of stationary source issued a registration permit.** This subpart does not apply if the registration permit already authorizes operation in more than one location under subpart 20 and the proposed relocation is within the scope of that authorization. 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,
- C. will qualify for the same type of registration permit at the new location; and
- D. will not operate a stationary source in both the existing and new locations at the same time for any period of time

Prior to a change in the location of a stationary source that meets the criteria in items A to D, the owner or operator must provide 45 days advance written notice to the commissioner, stating the exact location where the source will operate. If any of items A to D are not met, the owner or operator must obtain a new permit for the new location prior to operation in the new location.

Subp 16 **Agency request for a different type of permit application.** The owner or operator shall submit an application for a part 70, state, capped, or general permit, or a different registration permit option, within 120 days of the commissioner's written request for the application if the commissioner determines that:

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

C. the stationary source qualifies for a different registration permit option under parts 7007.1110 to 7007 1130,

D. the applicable requirements to which the stationary source is subject are about to or have changed substantially;

E. the permit application contains material mistakes or inaccurate statements related to establishing eligibility for the emissions standards, limitations, or other terms or conditions of the permit and correction of such mistakes or statements would result in ineligibility for the permit applied for,

F. alterations or modifications to the permitted facility will result in or have the potential to result in alteration in the nature or quantity of regulated air pollutants to be emitted by the permittee such that the permittee is no longer eligible for the permit it holds; or

G. the commissioner receives information previously unavailable to the commissioner that shows that the terms and conditions of the permit do not accurately represent the actual circumstances of the permitted facility.

[For text of subs 17 to 22, see M R]

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1120 REGISTRATION PERMIT OPTION B.

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

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

B. the only emissions from the stationary source are from VOC-containing materials, or are from insignificant activities under part 7007 1300, subparts 2 and 3, or are from conditionally insignificant activities meeting the requirements of parts 7008 4000 and 7008 4110, and

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

Subp 2 **Application content.** An application for a registration permit under this part must contain the following

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

E the gallons of VOC-containing materials purchased or used in a calendar year. If the stationary source has not been operated, the owner or operator shall estimate the gallons of VOC-containing materials that will be purchased or used on a calendar year basis during normal operation using a worksheet provided by the commissioner. If the stationary source has been operated less than 12 months or has not been operated a full calendar year on the date of application under this part, the owner or operator shall calculate gallons of VOC-containing materials purchased or used by multiplying 12 months by the larger of the two following monthly averages

(1) the average monthly gallons purchased or used, or

(2) the estimated average monthly gallons purchased or used for normal operation.

Insignificant activities at the stationary source listed in part 7007 1300, subparts 2 and 3, and conditionally insignificant activities are not required to be included in the application

Subp. 3 **Compliance requirements.** The owner or operator of a stationary source issued a registration permit under this part shall

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

D have emissions from the stationary source only from VOC-containing materials or from insignificant activities under part 7007 1300, subparts 2 and 3, or from conditionally insignificant activities described in and meeting the requirements of parts 7008 4000 and 7008 4110,

E comply with part 7007 1110, and

F comply with all applicable requirements, including new source performance standards

[For text of subp 4, see M R]

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1125 REGISTRATION PERMIT OPTION C.

Subpart 1 **Eligibility.** The owner or operator of a stationary source may apply for a registration permit under this part if the stationary source consists of only indirect heating units (boilers), reciprocating internal combustion engines, and/or emissions from use of VOC-containing materials, and meets the following criteria

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

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

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

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

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

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

F. The 12-month rolling sum determined by the calculation in item D, the eligibility number, shall not exceed 50

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

Subp. 3a **Compliance requirements for low-emitting Option C sources.** If the eligibility number determined by the calculation in item D is less than 25 for the previous calendar year, the owner or operator of a stationary source issued a registration permit under this part shall comply with all of the requirements in items A to E

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

D. The owner or operator must add together and record by April 1 of each calendar year the sum of the calculations made in items A to C. This sum, the eligibility number, shall not exceed 25 to be eligible under this subpart. If the eligibility number exceeds 25, then the owner or operator must comply with subpart 3 and have an eligibility number of less than 25 for two consecutive calendar years before eligibility for this subpart is reinstated.

E. The owner or operator must comply with subpart 3, items E and G to J.

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

Subp 5 **Transition period.** Any owner or operator of a stationary source that holds a registration permit option C and is ineligible for a registration permit option C on or after January 1, 2007, shall apply for another type of permit on or before December 31, 2008

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1130 REGISTRATION PERMIT OPTION D.

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

Subp. 2 **Application content.** An application for a registration permit under this part must contain all of the following requirements.

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

G. if the calculations required by subpart 4 used emission factors established by a performance test approved by the commissioner under parts 7017.2001 to 7017.2060 and reflected use of control equipment that is not listed in part 7011.0070, a copy of the portion of the control equipment manufacturer's specifications which includes the operating parameters. If the emissions are discharged to the control equipment through a hood, then the owner or operator must evaluate, on a form provided by the commissioner, whether the hood conforms to the design and operating practices recommended in "Industrial Ventilation - A Manual of Recommended Practice, American Conference of Governmental Industrial Hygienists," and must include with the permit application the certification required in part 7011.0072, subpart 2.

Insignificant activities at the stationary source listed in part 7007.1300, subparts 2 and 3, or conditionally insignificant activities, are not required to be included in the application

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

A If the stationary source determined eligibility in the permit application, in whole or in part, by calculating VOC and hazardous air pollutant actual emissions from VOC-containing or hazardous air pollutant-containing materials, purchased or used (whichever was stated in the permit application), the owner or operator must:

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

(2) maintain a record of the material safety data sheet (MSDS), or a signed statement from the supplier stating the maximum VOC or hazardous air pollutant content, for each VOC-containing or hazardous air pollutant-containing material purchased or used (whichever was stated in the permit application),

(3) recalculate and record by the last day of each month the 12-month rolling sum of actual VOC and hazardous air pollutant emissions from VOC-containing and hazardous air pollutant-containing materials purchased or used (whichever was stated in the permit application) for the previous 12 months, the date the calculation was made, and the calculation itself, and

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

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

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

F If the stationary source qualified in the permit application, in whole or in part, by using control equipment efficiencies for.

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

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

K If the stationary source determined eligibility in the permit application, in whole or in part, by using fuel sulfur data in the calculations in subpart 4, the owner or operator must.

(1) record by the last day of each month the amount of each fuel burned for each batch of fuel for the previous month,

(2) maintain a record of the fuel sulfur content verified by vendor certification or measured by an independent laboratory using ASTM methods for each batch of fuel received, and

(3) recalculate and record by the last day of each month the 12-month rolling sum of SO₂ emissions for the previous 12 months, the date the calculation was made, and the calculation itself using the calculation method in subpart 4

L If the stationary source determined eligibility in the permit application, in whole or in part, by using hours of operation in the calculations in subpart 4, the owner or operator must

(1) record by the last day of each month the hours operated for each emissions unit, rounded to the nearest hour for the previous month, and

(2) recalculate and record by the last day of each month the 12-month rolling sum of emissions for the previous 12 months, the date the calculation was made, and the calculation itself.

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

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

G If the stationary source determined eligibility in the permit application, in whole or in part, by using fuel sulfur data in the calculations in subpart 4, the owner or operator must:

- (1) maintain records of the amount of each fuel burned for each batch of fuel for each calendar year;
- (2) maintain a record of the fuel sulfur content verified by vendor certification or measured by an independent laboratory using ASTM methods for each batch of fuel received, and
- (3) calculate and record by April 1 of each calendar year the sum of SO₂ emissions and the calculation itself for the previous calendar year using the calculation method in subpart 4

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

- (1) maintain records of the number of hours operated for each emissions unit, rounded to the nearest hour for each calendar year, and
- (2) calculate and record by April 1 of each calendar year the sum of emissions and the calculation itself for the previous calendar year

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

POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
HAP	2.5 tons/year for a single HAP 6 25 tons/year total for all HAPs
PM	25 tons/year
PM-10	25 tons/year for an Attainment Area 0 tons/year for a Nonattainment Area
VOC	25 tons/year
SO ₂	25 tons/year
NO _x	25 tons/year
CO	25 tons/year
Pb	0 05 tons/year

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 M.R.]

C. Emission factors from performance tests may be used for the calculation of actual emissions, provided that

(1) the emissions unit is either an uncontrolled unit (for the tested pollutant) or is fitted with air pollution control equipment subject to the monitoring and record-keeping requirements of parts 7011.0060 to 7011.0080 or is fitted with air pollution equipment that has met the requirements of subpart 6, and

(2) 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 item D, see M.R.]

E. The owner or operator of a stationary source may determine sulfur dioxide actual emissions by measuring the sulfur content of the fuel and assuming that all of the sulfur in the fuel is oxidized to sulfur dioxide. The sulfur content of each batch of fuel received must be measured by an independent laboratory using ASTM methods or verified by vendor certification. The sulfur dioxide actual emissions shall be determined for each batch of fuel received by using the following equation:

$$\text{SO}_2 = \%S/100 \times F/2,000 \times 2, \text{ where}$$

SO_2 = Sulfur dioxide emissions from a batch of fuel in tons

%S = Weight percent sulfur in the fuel being burned

F = Amount of fuel burned by weight in pounds

2,000 = Pounds per ton

2 or 64/32 = Pounds of sulfur dioxide per pound of sulfur in one pound-mole

The total sulfur dioxide emissions for the year shall be the sum total of the individual batch totals.

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

Statutory Authority: *MS s 116.07*

History: *32 SR 904*

7007.1140 CAPPED PERMIT ELIGIBILITY REQUIREMENTS.

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

Subp. 2 **Sources that may not obtain a capped permit.**

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

E. No stationary source may obtain a capped permit if it is subject to a new source performance standard other than one of the following:

[For text of subitems (1) to (10), see M.R.]

(11) Code of Federal Regulations, title 40, part 60, subpart JJJ, Standards of Performance for Petroleum Dry Cleaners, incorporated by reference in part 7011.3250,

(12) Code of Federal Regulations, title 40, part 60, subpart TTT, Standards of Performance for Industrial Surface Cleaning of Plastic Parts for Business Machines, incorporated by reference in part 7011.2580, and

(13) Code of Federal Regulations, title 40, part 60, subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, incorporated by reference in part 7011.3520, but only if the compression ignition internal combustion engine has a displacement less than 30 liters per cylinder or is an emergency engine with a displacement greater than 30 liters per cylinder

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1200 CALCULATING EMISSION CHANGES FOR PERMIT AMENDMENTS.

[For text of subs 1 to 3, see MR]

Subp 4 **Record-keeping requirements.** When this part applies and the permittee determines that no permit amendment or agency notification is required prior to making the change, the permittee must retain records of all calculations required under this part. For expiring permits, these records shall be kept for a period of five years from the date the change was made or until permit reissuance, whichever is longer. For nonexpiring permits, these records shall be kept for a period of five years from the date that the change was made. The records shall be kept at the stationary source for the current calendar year of operation and may be kept at the stationary source or office of the stationary source for all other years. The records may be maintained in either electronic or paper format.

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1250 INSIGNIFICANT MODIFICATIONS.

Subpart 1 **When an insignificant modification can be made.** The permittee may make a modification described in either item A or B at a permitted stationary source without getting a permit amendment, unless the modification is prohibited by subpart 2. However, if the modification triggers new monitoring, record keeping, or reporting requirements under applicable requirements or parts 7007.0100 to 7007.1850, the permittee shall initiate an administrative amendment under part 7007.1400 to include the new requirements no more than 30 days after making the modification.

A. Construction or operation of any emissions unit, or undertaking any activity, that is on the insignificant activities list in part 7007.1300, subparts 2 and 3, or that is described as and meets the requirements of a conditionally insignificant activity under parts 7008.4000 and 7008.4110.

[For text of item B, see MR]

[For text of subp 2, see MR]

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

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

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.1300 INSIGNIFICANT ACTIVITIES LIST.

[For text of subpart 1, see M R]

Subp 2 **Insignificant activities not required to be listed.** The activities described in this subpart are not required to be listed in a permit application under part 7007 0500, subpart 2, item C, subitem (2)

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

C Fabrication operations.

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

(4) mixers, blenders, roll mills, or calendars for rubber or plastics for which no materials in powder form are added and in which no organic solvents, diluents, or thinners are used

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

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

Statutory Authority: *MS s 116.07*

History: *32 SR 904*

7007.3000 PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY.

Any person who constructs, modifies, reconstructs, or operates an emissions unit, emission facility, or stationary source must meet the requirements of Code of Federal Regulations, title 40, part 52 21, as amended, entitled "Prevention of Significant Deterioration of Air Quality," which is adopted and incorporated by reference

All applications and other information required pursuant to Code of Federal Regulations, title 40, part 52 21, from emissions units, emission facilities, and stationary sources located in Minnesota shall be submitted to the commissioner

Statutory Authority: *MS s 116 07*

History: *32 SR 904*

7007.5000 BEST AVAILABLE RETROFIT TECHNOLOGY.

Subpart 1 **Incorporation by reference.** Code of Federal Regulations, title 40, part 51 301 (Definitions), as amended, is incorporated by reference Appendix Y (Guidelines for Best Available Retrofit Technology (BART) Determinations Under the Regional Haze Rule) of Code of Federal Regulations, title 40, part 51, as amended, is incorporated by reference

Subp 2 **BART determination.** The owner or operator of a stationary source shall submit a best available retrofit technology (BART) analysis to the commissioner if the commissioner determines the stationary source is subject to BART according to Code of Federal Regulations, title 40, part 51, Appendix Y (Guidelines for BART Determinations Under the Regional Haze Rule). The owner or operator shall prepare the BART analysis according to section IV of Appendix Y of Code of Federal Regulations, title 40, part 51, as directed by the commissioner The owner or operator of a stationary source shall submit the BART analysis 180 days after receipt of written notification by the commissioner that a BART analysis is required The commissioner shall make the BART determination according to Appendix Y of Code of Federal Regulations, title 40, part 51

Subp 3 **BART implementation.** The owner of each BART-eligible source subject to BART shall install and operate BART no later than five years after the United States Environmental Protection Agency approval of Minnesota's regional haze state implementation

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plan. The owner or operator of each source subject to BART shall operate and maintain the control equipment or work practices required by this part and shall establish procedures to ensure such equipment or work practices are properly operated and maintained.

Statutory Authority: *MS s 116.07*

History: *32 SR 904*