CHAPTER 7011
MINNESOTA POLLUTION CONTROL AGENCY
AIR QUALITY DIVISION
STANDARDS FOR STATIONARY SOURCES

7011.0070 LISTED CONTROL EQUIPMENT AND CONTROL EQUIPMENT EFFICIENCIES.

Subpart 1. **Listed control equipment efficiencies.** Unless a part 70, state, or general permit specifies a different control efficiency, the owner or operator of a stationary source must at all times attain at least the control efficiency listed in Table A for each piece of listed control equipment at the stationary source. The applicable control efficiency for a type of listed control equipment and a given pollutant is determined by whether air emissions are discharged to the control equipment through a hood or through a total enclosure. The control equipment efficiencies in Table A do not apply to any hazardous air pollutant. The owner or operator of a stationary source that is subject to the control efficiencies given for hoods in Table A 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 subpart 3.

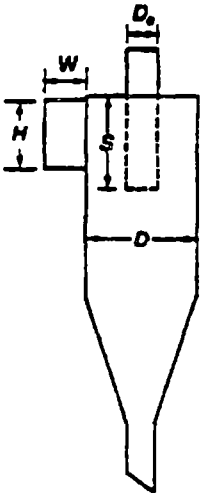
CONTROL EQUIPMENT EFFICIENCY–TABLE A

ID#	CONTROL EQUIPMENT DESCRIPTION	POLLUTANT	CONTROL EFFICIENCY	
			TOTAL ENCLOSURE	HOOD
	PM CONTROL CATEGORY–CYCLONES means a device where airflow is forced to spin in a vortex through a tube			
007	Centrifugal Collector (cyclone)–high efficiency means: a cyclonic device with parameters stated in drawing 1 and table 1	PM,PM–10	80%	64%
008	Centrifugal Collector (cyclone)–medium efficiency means: a cyclonic device with parameters stated in drawing 1 and table 1	PM,PM–10	50%	40%
009	Centrifugal Collector (cyclone)–low efficiency means. a cyclonic device with parameters stated in drawing 1 and table 1	PM,PM–10	10%	8%
076	Multiple Cyclone without Fly Ash Reinjection means: a cyclonic device with more than one tube where fly ash is not reinjected	PM,PM–10	80%	NA
077	Multiple Cyclone with Fly Ash Reinjection means: a cyclonic device with more than one tube where fly ash is reinjected	PM,PM–10	50%	NA
085	Wet Cyclone Separator or Cyclonic Scrubbers means: a cyclonic device that sprays water into a cyclone	PM,PM–10	50%	40%
012	PM CONTROL CATEGORY–ELECTROSTATIC PRECIPITATORS means: a control device in which the incoming particulate matter receives an electrical			

	charge and is then collected on a surface with the opposite electrical charge			
	–assumed efficiency for boiler fly ash control	PM–10	40%	NA
	–assumed efficiency for other applications	PM–10	70%	56%
	PM CONTROL CATEGORY–OTHER CONTROLS			
016	Fabric Filter means. a control device in which the incoming gas stream passes through a porous fabric filter forming a dust cake	PM,PM–10	99%	79%
052	Spray Tower means. a control device in which the incoming gas stream passes through a chamber in which it contacts a liquid spray	PM,PM–10	20%	16%
053	Venturi Scrubber means: a control device in which the incoming gas stream passes through a venturi into which a low pressure liquid is introduced	PM,PM–10	90%	72%
055	Impingement Plate Scrubber means: a control device in which the incoming gas stream passes a liquid spray and is then directed at high velocity into a plate	PM,PM–10	25%	20%
058	HEPA and Other Wall Filter means. a control device in which the incoming gas stream passes through a panel of coarse fibers. Other Wall Filters means removable panels for cleaning and replacement, or liquid curtains for particulate removal that provide little resistance to air flow	PM,PM–10	92%	NA
	VOC CONTROL CATEGORY			
019	Afterburners (thermal or catalytic oxidation) means: a device used to reduce VOCs	VOC	95%	57%

	to the products of combustion through thermal (high temperature) oxidation or catalytic (use of a catalyst) oxidation in a combustion chamber			
023	Flaring or Direct Combustor means: a device in which air, combustible organic waste gases, and supplementary fuel (if needed) react in the flame zone (e.g., at the flare tip) to destroy the VOCs	VOC	98%	59%

Drawing 1



SOURCE Lapple. 1951

Table 1
Cyclone Type

Ratio Dimensions	High Efficiency	Medium Efficiency	Low Efficiency
Height of inlet, H/D	≤0 44	>0.44 and <0.8	≥0.8
Width of inlet, W/D	≤0.2	>0.2 and <0.375	≥0.375
Diameter of gas exit, D_e/D	≤0.4	>0.4 and <0.75	≥0.75
Length of vortex finder, S/D	≤0.5	>0.5 and <0.875	≥0.875

If one or more of the "ratio dimensions," as listed in table 1, are in a different efficiency category (high, medium, low), then the lowest efficiency category shall be applied.

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

Subp. 3. **Certification for hoods.** The certification required by subpart 1 for hoods shall be signed by the responsible official, and shall state as follows:

"I certify under penalty of law that the aforementioned hood(s) has (have) been evaluated under my direction or supervision by qualified personnel and that, to the best of my knowledge and belief, the (each) hood conforms to the design and operating practices recommended in "Industrial Ventilation – A Manual of Recommended Practice, American Conference of Governmental Industrial Hygienists.""

Statutory Authority: *MS s 116.07*

History: *20 SR 2316*

7011.0080 MONITORING AND RECORDKEEPING FOR LISTED CONTROL EQUIPMENT.

The owner and operator of a stationary source shall comply with the monitoring and recordkeeping required for listed control equipment by the table in this part. The owner or operator shall maintain the records required by this part for a minimum of five years from the date the record was made. For hoods, the owner shall maintain at the stationary source the evaluation of each hood required in part 7011.0070, as well as a monthly record of the fan rotation speed, fan power draw, or face velocity of each hood, or other comparable air flow indication method.

EPA Identification Number(s)	Pollution Control Equipment Type	Monitoring Parameter(s)	Recordkeeping Requirement
007, 008, 009, 076, 077	Centrifugal collector (cyclone)	Pressure drop	Record pressure drop every 24 hours if in operation
011A, 011B, 012A, 012B	Electrostatic precipitator	Primary and secondary voltage; primary and secondary current; sparking rate; and number of fields on–line	Record each parameter every 24 hours if in operation
016	Fabric filter (bag house)	Pressure drop	Record pressure drop every 24 hours if in operation
052	Spray tower	Liquid flow rate and pressure drop	Record each parameter every 24 hours if in operation

053, 055	Venturi scrubber, impingement plate scrubber	Pressure drop and liquid flow rate	Record each parameter every 24 hours if in operation
058A, 058B	HEPA and other wall filters	Condition of the filters, including, but not limited to, alignment, saturation, and tears and holes	Record of filter(s) condition every 24 hours if in operation
085	Wet cyclone separator	Pressure drop; and water pressure	Record each parameter every 24 hours if in operation
019	Thermal incinerator	Combustion temperature or inlet and outlet temperatures	Continuous hard copy readout of temperatures or manual readings every 15 minutes
019	Catalytic incinerator	Inlet and outlet temperatures; and catalyst bed reactivity as per manufacturer's specifications	Continuous hard copy readout of temperatures or manual readings every 15 minutes; and results of catalyst bed reactivity
023	Flaring	Temperature indicating presence of a flame	Continuous hard copy readout of temperatures or manual readings every 15 minutes

Statutory Authority: *MS s 116 07*

History: *20 SR 2316*

7011.0150 PREVENTING PARTICULATE MATTER FROM BECOMING AIRBORNE.

No person shall cause or permit the handling, use, transporting, or storage of any material in a manner which may allow avoidable amounts of particulate matter to become airborne.

No person shall cause or permit a building or its appurtenances or a road, or a driveway, or an open area to be constructed, used, repaired, or demolished without applying all such reasonable measures as may be required to prevent particulate matter from becoming airborne. All persons shall take reasonable precautions to prevent the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. The

commissioner may require such reasonable measures as may be necessary to prevent particulate matter from becoming airborne including, but not limited to, paving or frequent clearing of roads, driveways, and parking lots; application of dust–free surfaces; application of water; and the planting and maintenance of vegetative ground cover.

Statutory Authority: *MS s 116.07*

History: *20 SR 2316*

7011.0300 [Repealed, 21 SR 693]

7011.0305 [Repealed, 21 SR 693]

7011.0310 [Repealed, 21 SR 693]

7011.0315 [Repealed, 21 SR 693]

7011.0320 [Repealed, 21 SR 693]

7011.0325 [Repealed, 21 SR 693]

7011.0330 [Repealed, 21 SR 693]

HOT MIX ASPHALT PLANTS

7011.0900 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to the terms used in parts 7011 0900 to 7011.0920. The definitions in parts 7005.0100, 7007.0100, and 7011 0060 apply to the terms used in parts 7011.0900 to 7011.0920, unless the terms are defined in this part.

Subp. 2. **Asphalt plant control equipment.** "Asphalt plant control equipment" means the control equipment at a hot mix asphalt plant listed in part 7011 0917, subpart 7.

Subp. 3. **Existing hot mix asphalt plant.** "Existing hot mix asphalt plant" means a hot mix asphalt plant that is not a new hot mix asphalt plant.

Subp. 4. **Hot mix asphalt plant.** "Hot mix asphalt plant" means a facility used to manufacture hot mix asphalt paving materials by heating and drying aggregate and mixing with asphalt cements. "Hot mix asphalt plant" includes dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler; systems for mixing hot mix asphalt, and the loading, transfer, and storage systems associated with emission control systems.

Subp. 5. **New hot mix asphalt plant.** "New hot mix asphalt plant" means a hot mix asphalt plant that commences construction, modification, or reconstruction after June 11, 1973, and includes all hot mix asphalt plants subject to the new source performance standards incorporated by reference in part 7011.0909.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0903 COMPLIANCE WITH AMBIENT AIR QUALITY STANDARDS.

Subpart 1 **Fuel sulfur content limitation.** Notwithstanding part 7011.0913, no owner or operator of a hot mix asphalt plant shall use in the dryer burner any fuel with a sulfur content greater than 0.70 percent, unless.

A. authorized by a part 70, state, or general permit; or

B. compliance with part 7009.0080 has been demonstrated under subpart 2 for each dryer fuel with a sulfur content greater than 0 70 percent.

Subp. 2. **Modeling of emissions from high sulfur content fuels.** Prior to the use of each dryer fuel with a sulfur content greater than 0.70 percent, the owner or operator of a hot mix asphalt plant shall perform air dispersion modeling to determine whether burning that fuel would comply with the ambient air quality standard for sulfur dioxides (maximum one hour concentration not to be exceeded more than once per year) in part 7009.0080. The owner or operator shall model sulfur dioxide emissions using the most recent version of EPA's screen model described in SCREEN3 Model User's Guide, EPA–454/B–95–004, United States Environmental Protection Agency, Office of Air Quality Planning and Standards,

September 1995, which is incorporated by reference and is subject to frequent change. This publication and copies of the SCREEN3 model are available from the Pollution Control Agency library through the Minitex interlibrary loan system, through the National Technical Information Service (NTIS), Springfield, VA, (703) 487–4650, or may be downloaded from the Support Center for Regulatory Air Models (SCRAM) Bulletin Board System (BBS). The SCRAM BBS may be accessed at (919) 541–5742.

Subp 3. **Records required.**

A. For any fuel used in the dryer burner, except natural gas, methane, butane, propane, gasoline, kerosene, diesel fuel, and No. 1 and No. 2 fuel oil, the owner or operator of a hot mix asphalt plant shall keep for each fuel delivery a record of a vendor certification or fuel analysis which shows the sulfur content of the fuel.

B. The owner or operator of a hot mix asphalt plant that has done modeling under subpart 2 shall keep a record of the modeling results. The record shall include:

(1) the sulfur content of the fuel modeled;

(2) the site modeled;

(3) model output files; and

(4) supporting calculations.

The owner or operator shall maintain the records required by this subpart for a minimum of five years from the date the record was made.

Subp. 4. **Hot mix asphalt plants with registration permits.** If the commissioner finds that a hot mix asphalt plant that has applied for or been issued a registration permit needs source–specific permit conditions to prevent violation of any ambient air quality standard, the commissioner shall require the owner or operator of the hot mix asphalt plant to apply for and obtain a part 70, state, or general permit. The owner or operator of a hot mix asphalt plant shall submit the required permit application within 120 days of the commissioner's written request under this subpart.

Subp. 5. **Compliance with ambient air quality standards.** Nothing in this part shall be construed to allow violation of any national or state ambient air quality standards. If the commissioner requests it, the owner or operator of a hot mix asphalt plant must demonstrate compliance with the national or state ambient air quality standards.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0905 STANDARDS OF PERFORMANCE FOR EXISTING HOT MIX ASPHALT PLANTS.

No owner or operator of an existing hot mix asphalt plant shall cause to be discharged into the atmosphere from the hot mix asphalt plant any gases which:

A. contain particulate matter in excess of the limits allowed by parts 7011.0700 to 7011.0735; or

B. exhibit greater than 20 percent opacity.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0909 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

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0911 MAINTENANCE OF DRYER BURNER.

Subpart 1. **Annual tuning of dryer burner.** The owner or operator of a hot mix asphalt plant must tune the dryer burner for maximum combustion efficiency once each calendar year.

Subp. 2. **Daily check of dryer burner.** The owner or operator of a hot mix asphalt plant must do the following while producing hot mix asphalt each day except when burning natural gas or propane:

A. read the fuel pressure gauge on the dryer burner; and

B. check for a negative draft at the dryer burner inlet.

Subp. 3. **Records kept on dryer burner.** The owner or operator of a hot mix asphalt plant must maintain a record of:

A. the dates of the annual tuning of the dryer burner;

B. the daily reading from the fuel pressure gauge on the dryer burner except when burning natural gas or propane;

C whether there was a negative draft at the dryer burner inlet each day except when burning natural gas or propane; and

D any corrective actions taken as a result of the daily checks required by subpart 2

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0913 HOT MIX ASPHALT PLANT MATERIALS, FUELS, AND ADDITIVES OPERATING REQUIREMENTS.

Subpart 1. **Materials, fuels, and additives allowed.** Except as provided in subpart 3, the owner or operator of a hot mix asphalt plant is allowed to use only the materials, fuels, and additives designated in subpart 2 unless specifically disallowed in a part 70, state, or general permit.

Subp. 2. **List of authorized materials, fuels, and additives.**

A. The designated materials are clay, silt, sand, gravel, and crushed stone produced from naturally occurring geologic formations, without additives; recycled asphalt pavement, portland cement concrete; recycled sediments from asphalt plant scrubber operations; fines from asphalt plant fabric filter operations, asphalt cement, and hydrated lime.

B. The designated fuels for combustion are natural gas, methane, butane, and propane; gasoline, kerosene, diesel fuel, jet fuel, and fuel oils (No 1, No. 2, No. 3, No. 4, No. 5, No. 6); petroleum derived waste oil as defined in part 7045 0020, subpart 102b; and on–specification used oil as defined in part 7045.0020, subpart 60a, except that total halogens shall not exceed 1,000 parts per million

C. The designated additives are silicone, organic soaps, and other substances of a similar nature added to the asphalt cement.

Subp. 3. **Procedure for approval of additional materials, fuels, and additives.** The owner or operator may use materials, fuels, or additives not listed in subpart 2, if:

A. the use is specifically allowed by a part 70, state, or general permit; or

B. for hot mix asphalt plants with a registration permit, the commissioner has provided written approval of the use prior to its incorporation into asphalt or use as a fuel

Requests under item B must be received by the commissioner at least 60 days before the materials, fuels, or additives are used. The requests must be on a form provided by the commissioner. The owner or operator shall conduct performance testing under parts 7017.2001 to 7017.2060 to determine actual emission rates from the use of the material, fuel, or additive. The actual emission rates shall be used to determine actual emissions under part 7007.1130, subpart 3, for hot mix asphalt plants that hold option D registration permits. The commissioner shall deny these requests if the commissioner determines that use of the material would endanger human health or the environment or would subject the hot mix asphalt plant to different applicable requirements or different requirements under chapter 7007. The performance testing required by this subpart may be waived by the commissioner when the nonlisted material is substantially similar in composition to a listed material, or when the material has already been the subject of performance tests at a similar hot mix asphalt plant.

Subp. 4. **Compliance.** The owner or operator must comply with the conditions on the use of the materials, fuels, and additives established in the part 70, state, or general permit if the use is authorized under subpart 3, item A. The owner or operator must comply with the conditions on the use of the materials, fuels, and additives set forth in the commissioner's written approval if the use is authorized under subpart 3, item B.

Subp. 5. **Records required.** The owner or operator shall keep records of the materials, fuels, and additives used and the amount used on a calendar year basis. The owner or operator shall maintain the records required under this subpart for a minimum of five years from the date the record was made.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0915 [Repealed, 20 SR 2253(NO. 42)]

7011.0917 ASPHALT PLANT CONTROL EQUIPMENT REQUIREMENTS.

Subpart 1. **Operation of asphalt plant control equipment.** The owner or operator of a hot mix asphalt plant shall operate in compliance with this part all asphalt plant control equipment located at the stationary source whenever operating the emission units controlled by the asphalt plant control equipment. Unless specifically allowed by a part 70, state, or general permit, each piece of asphalt plant control equipment shall at all times be operated such that the monitoring parameters listed in subpart 7 are in the range established by the control equipment manufacturer's specifications, or within the operating parameters established by the commissioner as the result of the most recent performance test conducted under parts 7017.2001 to 7017.2060, if those are more restrictive.

The owner or operator applying for a registration permit may request an alternative range to the control equipment manufacturer's specifications, if the proposed range is based on two previous years of compliant monitoring data supplied with the request. For hot mix asphalt plants in operation on April 22, 1996, this request shall be made by the application deadline listed in part 7007.0350, subpart 1, item A The proposed operating range shall be deemed acceptable unless notified otherwise in writing within 30 days of receipt by the commissioner. The commissioner shall deny a request for an alternative monitoring parameter range if the commissioner finds that:

A. an owner or operator has failed to disclose fully all facts relevant to the proposed monitoring parameter range of the asphalt plant control device or the owner or operator has knowingly submitted false or misleading information to the agency;

B. operation of the control device in the monitoring parameter range proposed by the owner or operator would endanger human health or the environment, or subject the hot mix asphalt plant to different applicable requirements or requirements under chapter 7007; or

C. the proposed range is not supported by the data supplied with the request.

Subp. 2 **Maintenance of asphalt plant control equipment.** The owner or operator of a hot mix asphalt plant shall maintain each piece of asphalt plant control equipment as designed to ensure compliance with applicable requirements, comply with source–specific maintenance requirements specified in a part 70, state, or general permit, and shall perform the following on each piece of asphalt plant control equipment unless otherwise specified in a part 70, state, or general permit:

A thoroughly inspect all asphalt plant control equipment, including structural components, annually;

B. inspect ducts, connections, and housings for leaks monthly;

C. check monitoring equipment daily to ensure it is operating in the range required by subpart 1, for example: pressure gauges, temperature indicators, flow gauges, and recorders;

D. calibrate all monitoring equipment annually;

E. for fabric filter control devices: check exterior cleaning system equipment and its operation daily; and check interior cleaning equipment and its operation, and the clean air side of bags for evidence of leaks at least monthly; and

F. for control devices using water such as spray towers, scrubbers, and wet cyclone separators: check sediment level in non–self–cleaning ponds daily so as not to exceed one–half the pond depth, and check to ensure the pH of the water leaving the control device is between five and ten weekly; and check accessible dampers, spray bars, nozzles, and demister monthly for wear.

The owner or operator shall maintain a record of activities conducted in items A to F, consisting of the activity completed, the date the activity was completed, and any corrective action taken; and the owner or operator shall maintain the records required by this subpart for a minimum of five years from the date the record was made.

Subp. 3. **Installation of monitoring equipment.** The owner or operator of a hot mix asphalt plant shall install monitoring equipment to measure operating hours as specified in part 7011.0922, subpart 3, and the monitoring parameters for all asphalt plant control equipment as specified by subpart 7. For hot mix asphalt plants not in operation on April 22, 1996, the monitoring equipment must be installed prior to operation of any hot mix asphalt plant equipment controlled by the control equipment. For hot mix asphalt plants in operation on April 22, 1996, the owner or operator must install monitoring equipment no later than 30 days after April 22, 1996.

Subp. 4. **Operation of monitoring equipment.** The owner or operator of a hot mix asphalt plant shall operate in compliance with this part the monitoring equipment for each piece of asphalt plant control equipment at all times the asphalt plant control equipment is required to operate.

Subp. 5. **Shutdown and breakdown procedures.** In the event of a shutdown or breakdown of asphalt plant control equipment, the owner or operator of a hot mix asphalt plant shall comply with part 7019.1000.

Subp. 6. **Deviation of asphalt plant control equipment from operating specifications.** Unless otherwise specified in a part 70, state, or general permit, the owner or operator of a stationary source shall report to the commissioner deviations from any monitored operating parameter required by subpart 7. "Deviation" means any recorded reading outside of the specification or range of specifications allowed by subpart 1. The report shall be on a form approved by the commissioner. The owner or operator shall report the deviation to the commissioner semiannually in a midyear report and an end–of–year report. The midyear report, covering deviations which occurred during the period from January 1 to June 30, is due by July 30 of each year. The end–of–year report, covering deviations which occurred during the period from July 1 to December 31, is due by January 30 each year.

Subp. 7. **Monitoring and recordkeeping for asphalt plant control equipment.** Unless otherwise specified in a part 70, state, or general permit, the owner or operator of a hot mix asphalt plant shall comply with the monitoring and recordkeeping required by the table in this subpart for asphalt plant control equipment. The owner or operator shall maintain the records required by this subpart for a minimum of five years from the date the record was made.

EPA ID NO.	POLLUTION CONTROL EQUIPMENT TYPE	MONITORING PARAMETERS	RECORDKEEPING REQUIREMENT
001, 002, 003	"Miscellaneous Wet Scrubber" means a control device in which the particulates in the incoming gas stream are entrained by a liquid and the control device is not a spray tower, venturi scrubber, impingement plate scrubber, or a wet cyclone separator.	Pressure drop, liquid flow rate, and water pressure	Record each parameter every calendar day of operation
016	"Fabric Filter" (Bag House) means a control device in which the incoming gas	Pressure drop	Record every calendar day of operation

	stream passes through a porous fabric filter forming a dust cake.		
052	"Spray Tower" means a control device in which the incoming gas stream passes through a chamber in which it contacts a liquid spray.	Liquid flow rate, pressure drop, and water pressure	Record each parameter every calendar day of operation
053	"Venturi Scrubber" means a control device in which the incoming gas stream passes through a venturi into which low pressure liquid is introduced.	Pressure drop, liquid flow rate, and water pressure	Record each parameter every calendar day of operation
055	"Impingement Plate Scrubber" means a control device in which the incoming gas stream passes a liquid spray and is then directed at high velocity into a plate.	Pressure drop, liquid flow rate, and water pressure	Record each parameter every calendar day of operation
085	"Wet Cyclone Separator" or "Cyclonic Scrubbers" means a cyclonic device that sprays water into a cyclone.	Pressure drop, water pressure, and water flow rate	Record each parameter every calendar day of operation
019	"Afterburners" (thermal or catalytic oxidation) means a device used to reduce VOCs to the products of combustion through thermal (high temperature) oxidation or catalytic (use of a catalyst) oxidation in a combustion chamber.	Combustion temperature or inlet and outlet temperatures	Continuous hard copy readout of temperatures or manual readings every 15 minutes of operation

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0920 PERFORMANCE TESTS.

Subpart 1. **Methods and procedures.** Performance tests shall be conducted according to the requirements of this part and parts 7017.2001 to 7017.2060.

Subp. 2. **Performance test frequency for hot mix asphalt plants using fabric filters.** If an owner or operator of a hot mix asphalt plant uses a fabric filter, including, but not limited to, EPA ID No. 016 listed in part 7011.0917, subpart 7, as the primary or secondary control equipment to remove particulate matter, then the owner or operator shall conduct performance testing for particulate matter and opacity as required by part 7017.2020, subpart 1.

Subp. 3. **Performance test frequency for hot mix asphalt plants with control equipment that uses liquid to remove pollutants.** If an owner or operator operates a hot mix asphalt plant that has only control equipment that uses liquid to remove pollutants or has a secondary control device that uses liquid to remove pollutants, including, but not limited to, EPA ID Nos. 052, 053, 055, and 085 listed in part 7011.0917, subpart 7, then the owner or operator shall conduct performance testing for particulate matter and opacity as described in items A to E.

A. If the hot mix asphalt plant produced no more than 35,000 tons in each of the three previous calendar years and has a manufacturer's rated capacity of 100 tons per hour or less at five percent moisture, then the owner or operator shall conduct performance testing as required by part 7017.2020, subpart 1.

B. Except as provided in item A, if the hot mix asphalt plant produced no more than 100,000 tons in any of the three previous calendar years, then the owner or operator shall conduct performance testing every three calendar years.

C. If the hot mix asphalt plant produced greater than 100,000 tons, but no more than 200,000 tons in any of the three previous calendar years, then the owner or operator shall conduct performance testing every two calendar years.

D. If the hot mix asphalt plant produced more than 200,000 tons in the previous calendar year, then the owner or operator shall conduct performance testing withm 60 days of start–up in the following calendar year.

E. The owner or operator of a hot mix asphalt plant shall conduct additional performance testing as required by part 7017 2020, subpart 1.

Subp. 4. **Performance test required for all hot mix asphalt plants.** If the owner or operator of a hot mix asphalt plant has not conducted a performance test for particulate matter and opacity approved by the commissioner under parts 7017.2001 to 7017.2060 since January 1, 1991, the owner or operator must conduct such a performance test:

A. in 1996, for hot mix asphalt plants that are operated in the state in 1996; or

B. within 60 days after the hot mix asphalt plant begins operation in the state.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0922 OPERATIONAL REQUIREMENTS AND LIMITATIONS FROM PERFORMANCE TESTS.

Subpart 1. **Throughput limit.** The owner or operator of a hot mix asphalt plant shall not exceed the production throughput at which compliance with part 7011.0905 or 7011.0909 was demonstrated during the plant's most recent performance test, unless authorized by subpart 2.

Subp. 2. **Certain exceptions to throughput limit.** Except as provided in items A and B, if a hot mix asphalt plant demonstrated compliance for particulate matter and opacity during its most recent performance test and its tested emission rate (gr/dscf or lb/hr) was less than 80 percent of the applicable rule or permit emission limit, then the owner or operator may increase production throughput ten percent over that allowed under subpart 1.

A. If a hot mix asphalt plant with a fabric filter control device has conducted a performance test since January 1, 1991, has demonstrated compliance for particulate matter and opacity, and its tested emission rate (gr/dscf or lb/hr) was less than 50 percent but greater than or equal to 25 percent of the applicable rule or permit emission limit, then the owner or operator may increase production throughput 15 percent over that allowed under subpart 1.

B. If a hot mix asphalt plant with a fabric filter control device has conducted a performance test since January 1, 1991, has demonstrated compliance for particulate matter and opacity, and its tested emission rate (gr/dscf or lb/hr) was less than 25 percent of the applica-

ble rule or permit emission limit, then the owner or operator may increase production throughput 20 percent over that allowed by subpart 1.

Subp. 3. **Monitoring and recordkeeping required.** To determine compliance with subpart 1, the owner or operator of a hot mix asphalt plant must:

A. operate an accumulating hour meter on the dryer burner at all times the dryer burner is m operation;

B. record each day the plant's hours of operation as determined by the hour meter and total tons of hot mix asphalt produced, and

C. determine the production throughput by dividing the total tons of hot mix asphalt produced by the hours of operation for each calendar day of operation.

Statutory Authority: *MS s 116.07*

History: *20 SR 2253(NO. 42)*

7011.0925 [Renumbered 7011.0909]

7011.2215 [Repealed, 21 SR 693]

7011.2220 OTHER ODOR CONTROL MEASURES REQUIRED.

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

Subp. 4. [Repealed, 21 SR 693]

Statutory Authority: *MS s 116.07*

History: *21 SR 693*

EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

7011.7000 GENERAL PROVISIONS OF FEDERAL NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES INCORPORATED BY REFERENCE.

For purposes of interpreting, applying, and enforcing National Emission Standards for Hazardous Air Pollutants for Source Categories that are incorporated by reference into this chapter, 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 adopted and incorporated by reference.

All requests, reports, applications, submittals, and other communications to the administrator pursuant to National Emission Standards for Hazardous Air Pollutants for Source Categories that are incorporated by reference into this chapter must be submitted to the commissioner.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7040 ORGANIC HAZARDOUS AIR POLLUTANTS FROM SYNTHETIC ORGANIC CHEMICAL MANUFACTURING INDUSTRY.

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 decisions made by the administrator under Code of Federal Regulations, title 40, section 63.102(b), are not delegated to the commissioner and must be made by the administrator.

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 decisions made by the administrator under Code of Federal Regulations, title 40, section 63.150(i)(1) to (i)(4), are not delegated to the commissioner and must be made by the administrator.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7060 ORGANIC HAZARDOUS AIR POLLUTANTS FROM EQUIPMENT LEAKS.

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 decisions made by the administrator under Code of Federal Regulations, title 40, section 63.177, are not delegated to the commissioner and must be made by the administrator.

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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7080 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 decisions made by the administrator under Code of Federal Regulations, title 40, sections 63.302(d), 63.304(b)(6), 63.305(b), (d), and (e), 63.307(d), and section 2 of Method 303 in Appendix A of Part 63, are not delegated to the commissioner and must be made by the administrator.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7100 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7120 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7140 ETHYLENE OXIDE EMISSIONS STANDARDS FOR STERILIZATION FACILITIES.

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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7160 INDUSTRIAL PROCESS COOLING TOWERS.

Code of Federal Regulations, title 40, part 63, subpart Q, as amended, entitled "National Emission Standards for Hazardous Air Pollutants Industrial Process Cooling Towers," is adopted and incorporated by reference.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7180 GASOLINE DISTRIBUTION.

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 decisions made by the administrator under Code of Federal Regulations, title 40, sections 63.426 and 63.427(a)(5), are not delegated to the commissioner and must be made by the administrator.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7200 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7220 EPOXY RESINS PRODUCTION AND NON–NYLON POLYAMIDES PRODUCTION.

Code of Federal Regulations, title 40, part 63, subpart W, as amended, entitled "National Emission Standards for Hazardous Air Pollutants from Epoxy Resins Production and Non–Nylon Polyamides Production," is adopted and incorporated by reference.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7240 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.

Statutory Authority: *MS s 116 07*

History: *20 SR 2254(NO. 42)*

7011.7260 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7280 PETROLEUM REFINERIES.

Code of Federal Regulations, title 40, part 63, subpart CC, as amended, entitled "National Emission Standards for Petroleum Refineries," is adopted and incorporated by reference.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7300 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*

7011.7320 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.

Statutory Authority: *MS s 116.07*

History: *20 SR 2254(NO. 42)*