CHAPTER 7021
MINNESOTA POLLUTION CONTROL AGENCY
AIR QUALITY DIVISION
ACID DEPOSITION CONTROL

7021.0010 DEFINITIONS.

Subpart 1. **Scope.** The definitions in part 7005.0100 apply to the terms used in parts 7021.0010 to 7021.0050 unless the terms are defined in this part.

Subp. 2. **Electric utility.** "Electric utility" means persons, corporations, or other legal entities, their lessees, trustees, and receivers operating, maintaining, or controlling in Minnesota facilities used for the generation of electricity.

Subp. 3. **Offsets.** "Offsets" means any documented reductions in actual emissions of sulfur dioxide that are legally enforceable.

Subp. 4. **Reasonably available control technology (RACT).** "Reasonably available control technology" (RACT) means the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

Subp. 5. **Sensitive areas.** "Sensitive areas" means the areas listed by the agency pursuant to Minnesota Statutes, section 116.44 because the agency has determined these areas contain natural resources sensitive to the impacts of acid deposition.

Statutory Authority: *MS s 116.44*

History: *11 SR 401; 18 SR 614*

7021.0020 APPLICABILITY.

The acid deposition standard established in part 7021.0030 applies only in sensitive areas.

Statutory Authority: *MS s 116.44*

History: *11 SR 401; 18 SR 614*

7021.0030 ACID DEPOSITION STANDARD.

The acid deposition standard is an annual average of 11 kilograms of wet sulfate deposition per hectare.

Statutory Authority: *MS s 116.44*

History: *11 SR 401; 18 SR 614*

7021.0040 MEASUREMENT METHODOLOGY FOR SULFATE.

Subpart 1. **Incorporation by reference.** Quality Assurance Handbook for Air Pollution Measurement Systems (EPA–600/4–82–042 a & b), as amended, is incorporated by reference. This publication is available from the United States Environmental Protection Agency, Office of Research and Development, 26 West St. Clair, Cincinnati, Ohio 45268 and can be found at the offices of the agency, 1935 West County Road B–2, Roseville, Minnesota 55113, the Government Documents Section, Room 409, Wilson Library, University of Minnesota, 309 19th Avenue South, Minneapolis, Minnesota 55454, and the State of Minnesota Law Library, 25 Constitution Avenue, St. Paul, Minnesota 55155. This document is not subject to frequent change.

Subp. 2. **Measurement procedure.** For sulfate, measurements made to determine compliance with the standard contained in part 7021.0030 shall be performed in accordance with the Quality Assurance Handbook for Air Pollution Measurement Systems: Volume V,

Manual for Precipitation Measurement Systems (EPA–600/4–82–042 a & b). A person seeking to make measurements to determine compliance with the acid deposition standard shall develop and submit to the commissioner for approval a quality assurance plan containing equipment specifications and procedures for operation, maintenance, and internal quality control of the measurement system.

Statutory Authority: *MS s 116.44*

History: *11 SR 401; L 1987 c 186 s 15; 18 SR 614*

7021.0050 ACID DEPOSITION CONTROL REQUIREMENTS IN MINNESOTA.

Subpart 1. **Emission limitations.** Any electric utility whose electric generating facilities located in Minnesota have a total combined net generating capacity greater than 1,000 megawatts may not emit from the emission facilities which it owns, operates, maintains, or controls in Minnesota total emissions of sulfur dioxide in excess of 130 percent of the number of tons of sulfur dioxide emitted from the electric utility's emissions facilities in 1984. This limitation shall apply beginning January 1, 1990. The determination as to the number of tons emitted by an electric utility's emission facilities shall be made by the commissioner based on emission information obtained from the electric utility pursuant to Minnesota Rules, part 7019.2000.

Subp. 2. **Offsets required.** In the event that an electric utility described in subpart 1 intends to increase emissions of sulfur dioxide from its emission facilities in Minnesota after January 1, 1990, beyond the limitations specified in subpart 1, the electric utility shall obtain sulfur dioxide emission offsets equal to the amount to be emitted in excess of the limitation specified.

Subp. 3. **Transfer requiring reduced emissions.** If any emission facility owned by an electric utility described in subpart 1 on July 1, 1985, is sold or transferred to any person other than another electric utility described in subpart 1, and if the transfer results in the operation of the transferred emission facility by a person other than the seller, the amount of sulfur dioxide emissions allowed by the seller under subpart 1 shall be reduced by the amount of sulfur dioxide emissions emitted by the transferred emission facility in 1984 or the maximum SO_2 emissions allowed under the permit issued to the new owner or operator whichever is greater. If any emission facility owned by an electric utility described in subpart 1 on July 1, 1985, is sold or transferred to another electric utility described in subpart 1, and if the transfer results in the operation of the transferred emission facility by a person other than the seller, the amount of sulfur dioxide emissions allowed by the seller under subpart 1 shall be reduced by the maximum amount of sulfur dioxide emissions allowed under the permit issued to the new operator, and the amount of emissions allowed by the buyer under subpart 1 shall be increased by the maximum amount of sulfur dioxide emissions allowed under the permit issued to the new operator.

Subp. 4. **1990 recommendations required.** On or before February 1, 1988, the commissioner shall make a recommendation to the agency as to what, if any, additional regulatory requirements need to be imposed on emission facilities in Minnesota in order to maintain or achieve a statewide sulfur dioxide emission limitation of 224,000 tons per year on and after January 1, 1990.

Subp. 5. **Requirement for application of reasonably available control technology.** On and after January 1, 1990, the owner or operator of any electric generating facility that contains indirect heating equipment with a rated heat input of greater than 5,000 million BTU per hour shall reduce sulfur dioxide emissions at the facility to a level consistent with RACT.

Subp. 6. **1994 recommendations required.** On or before February 1, 1992, the commissioner shall make a recommendation to the agency as to what, if any, additional regulatory requirements need to be imposed on emission facilities in Minnesota in order to maintain or achieve a statewide sulfur dioxide emission limitation of 194,000 tons per year on and after January 1, 1994.

Statutory Authority: *MS s 116.44*

History: *11 SR 401; L 1987 c 186 s 15; 18 SR 614*