

7007.1144 CAPPED PERMIT; PUBLIC PARTICIPATION.

Subpart 1. **Notice of applications received.** The commissioner must post notice of receiving an application for a capped permit on the agency website for air permits at www.pca.state.mn.us/air/capped-air-emission-state-permit. A person may request to receive notification from the agency of applications received.

Subp. 2. **Contents of notice.** The notice must identify the name and location of the facility to be permitted; the facility's primary Standard Industrial Classification code and short title; whether it is an existing facility or a new facility; a brief description of the comment procedures required by this part including the dates on which the comment period commences and terminates; and the name, address, telephone number, and electronic mail address of a person from whom interested persons may obtain additional information, including copies of the application and information on facility emissions.

Subp. 3. **Length of comment period.** The agency shall provide 30 calendar days for comment.

Subp. 4. **Contents of written comments.** During the comment period established under subpart 3, an interested person may submit written comments on the eligibility of the applicant for the capped permit. A person who submits comments under this subpart shall include:

A. a statement of the person's interest in the permit application and any information related to a facility's eligibility for the capped permit;

B. a statement of the action the person wishes the agency to take; and

C. the reasons supporting the person's position, stated with sufficient specificity as to allow the commissioner to investigate the merits of the person's positions.

Subp. 5. **Petition for contested case hearing; exemptions.**

A. During the 30-day comment period, the person may also submit a petition for a contested case hearing on the application pursuant to part 7000.1800. The decision to grant or deny the petition for a contested case hearing must be based on the criteria in part 7000.1900, and any hearing must be held according to parts 7000.1750 to 7000.2200.

B. Item A and subparts 3 and 4 do not apply to applications under part 7007.1142, subparts 2 and 5, in which a stationary source is transferring from one capped permit option to another or there is a change in name, mailing address, ownership, or control of the stationary source.

Statutory Authority: *MS s 116.07*

History: *29 SR 626; 43 SR 797; 46 SR 1209*

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