

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 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*

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