

7008.0300 PERMITS.

Subpart 1. **Existing permit or permit application.** If the owner or operator has submitted a complete application for a permit for a stationary source that could otherwise be conditionally exempt from the requirement to obtain a permit under this chapter, then the owner or operator may withdraw the original application by giving notice in writing to the commissioner. If a permit has been issued for a stationary source that could otherwise be conditionally exempt from the requirement to obtain a permit under this chapter, the owner or operator may request the commissioner to void the permit because the owner or operator intends to comply with this chapter.

Subp. 2. **Application for permit.** The owner or operator shall submit an application for a part 70, state, general, or registration permit, within 120 days of the commissioner's written request for the application if the commissioner determines that:

A. the stationary source has a history of noncompliance with applicable requirements;

B. the stationary source is not eligible for the conditional exemption from the requirement to obtain a permit as provided by part 7007.0300, subpart 1;

C. the applicable requirements to which the stationary source is subject have changed substantially; or

D. the stationary source endangers human health or the environment and that a change in the operation of the stationary source would remove the danger to human health or the environment.

Subp. 3. **No circumvention; permit shield.**

A. The owner or operator of a stationary source that claims to be exempt from the requirement to obtain a permit under this chapter is subject to enforcement action for operation without a permit if the commissioner later determines that the stationary source does not qualify for the conditional exemption.

B. The permit shield under part 7007.1800 does not apply to any stationary source that is exempt from the requirement to obtain a permit under this chapter.

Statutory Authority: *MS s 116.07*

History: *27 SR 1579*

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