

**AIR EMISSION PERMIT NO. 01900059- 001
IS ISSUED TO**

CITY OF CHASKA

AND

MINNESOTA MUNICIPAL POWER AGENCY – MINNESOTA RIVER STATION
Chaska, Carver County, MN 55318

The emission units, control equipment and emission stacks at the stationary source authorized in this permit are as described in the following permit application(s):

Permit Type	Application Date
Total Facility Operating Permit	December 27, 1999

This permit authorizes the permittee to operate and construct the stationary source at the address listed above unless otherwise noted in Table A. The permittee must comply with all the conditions of the permit. Any changes or modifications to the stationary source must be performed in compliance with Minn. R. 7007.1150 to 7007.1500. Terms used in the permit are defined in the state air pollution control rules unless the term is explicitly defined in the permit.

Permit Type: Federal; Part 70; Limits to avoid NSR

Issue Date: August 7, 2000

Expiration: August 7, 2005
All Title I Conditions do not expire.

Richard J. Sandberg, Manager
Major Facilities Section
Metro District

For Karen A. Studders, Commissioner
Minnesota Pollution Control Agency

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NOTICE TO THE PERMITTEE:

Your stationary source may be subject to the requirements of the Minnesota Pollution Control Agency's (MPCA) solid waste, hazardous waste, and water quality programs. If you wish to obtain information on these programs, including information on obtaining any required permits, please contact the MPCA general information number at:

Metro Area	(651) 296-6300
Outside Metro Area	1-800-657-3864
TTY	(651) 282-5332

The rules governing these programs are contained in Minn. R. chs. 7000-7105. Written questions may be sent to: Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

Questions about this air emission permit or about air quality requirements can also be directed to the telephone numbers and address listed above.

PERMIT SHIELD:

Subject to the limitations in Minn. R. 7007.1800, compliance with the conditions of this permit shall be deemed compliance with the specific provision of the applicable requirement identified in the permit as the basis of each condition.

FACILITY DESCRIPTION:

The Minnesota Municipal Power Agency (MMPA) includes the cities of Anoka, Arlington, Brownton, Chaska, Le Sueur, North St. Paul, Olivia, and Winthrop. The city of Shakopee is served as a customer by MMPA. MMPA is proposing to construct an electric generating station near Chaska, to be known as the Minnesota River Station (MRS). The city of Chaska will own the station and MMPA will manage the operation. MRS will consist of one simple cycle combustion turbine driving an electrical generator rated to produce 48.7 megawatts. The turbine will be capable of operating on natural gas, expected to be the primary fuel, with distillate fuel oil for backup. The facility also includes aboveground storage for the fuel oil.

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MPPA - Minnesota River Station

Permit Number: 01900059 - 001

Table A contains limits and other requirements with which your facility must comply. The limits are located in the first column of the table (What To do). The limits can be emission limits or operational limits. This column also contains the actions that you must take and the records you must keep to show that you are complying with the limits. The second column of Table A (Why to do it) lists the regulatory basis for these limits. Appendices included as conditions of your permit are listed in Table A under total facility requirements.

Subject Item:**Total Facility**

What to do	Why to do it
This facility is subject to the federal Acid Rain Program, based on Title IV of the Clean Air Act. Certain Acid Rain Program requirements are included in Table A and/or Table B for MPCA tracking purposes. All Acid Rain Program requirements are referenced in the Phase II Permit Application attached to this permit as an Appendix.	40 CFR pts. 72 - 75
Operation and Maintenance Plan: Retain at the stationary source an operation and maintenance plan for all air pollution control equipment.	Minn. R. 7007.0800, subp. 14 and Minn. R. 7007.0800, subp. 16(J)
Performance Testing: Conduct all performance tests in accordance with Minn. R. ch. 7017 unless otherwise noted in Tables A, B, and/or C.	Minn. R. ch. 7017
Limits set as a result of a performance test (conducted before or after permit issuance) apply until superseded as specified by Minn. R. 7017.2025 following formal review of a subsequent performance test on the same unit.	Minn. R. 7017.2025
Monitoring Equipment Calibration: Annually calibrate all required monitoring equipment (any requirements applying to continuous emission monitors are listed separately in this permit).	Minn. R. 7007.0800, subp. 4(D)
Operation of Monitoring Equipment: Unless otherwise noted in Tables A, B, and/or C, monitoring a process or control equipment connected to that process is not necessary during periods when the process is shutdown, or during checks of the monitoring systems, such as calibration checks and zero and span adjustments. If monitoring records are required, they should reflect any such periods of process shutdown or checks of the monitoring system.	Minn. R. 7007.0800, subp. 4(D)
Circumvention: Do not install or use a device or means that conceals or dilutes emissions, which would otherwise violate a federal or state air pollution control rule, without reducing the total amount of pollutant emitted.	Minn. R. 7011.0020
Shutdown Notifications: Notify the Commissioner at least 24 hours in advance of a planned shutdown of any control equipment or process equipment if the shutdown would cause any increase in the emissions of any regulated air pollutant. If the owner or operator does not have advance knowledge of the shutdown, notification shall be made to the Commissioner as soon as possible after the shutdown. However, notification is not required in the circumstances outlined in Items A, B and C of Minn. R. 7019.1000, subp. 3. At the time of notification, the owner or operator shall inform the Commissioner of the cause of the shutdown and the estimated duration. The owner or operator shall notify the Commissioner when the shutdown is over.	Minn. R. 7019.1000, subp. 3
Breakdown Notifications: Notify the Commissioner within 24 hours of a breakdown of more than one hour duration of any control equipment or process equipment if the breakdown causes any increase in the emissions of any regulated air pollutant. The 24-hour time period starts when the breakdown was discovered or reasonably should have been discovered by the owner or operator. However, notification is not required in the circumstances outlined in Items A, B and C of Minn. R. 7019.1000, subp. 2. At the time of notification or as soon as possible thereafter, the owner or operator shall inform the Commissioner of the cause of the breakdown and the estimated duration. The owner or operator shall notify the Commissioner when the breakdown is over.	Minn. R. 7019.1000, subp. 2
Notification of Deviations Endangering Human Health or the Environment: As soon as possible after discovery, notify the Commissioner or the state duty officer, either orally or by facsimile, of any deviation from permit conditions which could endanger human health or the environment.	Minn. R. 7019.1000, subp. 1
Notification of Deviations Endangering Human Health or the Environment Report: Within 2 working days of discovery, notify the Commissioner in writing of any deviation from permit conditions which could endanger human health or the environment. Include the following information in this written description: 1. the cause of the deviation; 2. the exact dates of the period of the deviation, if the deviation has been corrected; 3. whether or not the deviation has been corrected; 4. the anticipated time by which the deviation is expected to be corrected, if not yet corrected; and 5. steps taken or planned to reduce, eliminate, and prevent reoccurrence of the deviation.	Minn. R. 7019.1000, subp. 1

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MMPA - Minnesota River Station

Permit Number: 01900059 - 001

Operation Changes: In any shutdown, breakdown, or deviation the Permittee shall immediately take all practical steps to modify operations to reduce the emission of any regulated air pollutant. The Commissioner may require feasible and practical modifications in the operation to reduce emissions of air pollutants. No emissions units that have an unreasonable shutdown or breakdown frequency of process or control equipment shall be permitted to operate.	Minn. R. 7019.1000, subp. 4
Air Pollution Control Equipment: Operate all pollution control equipment whenever the corresponding process equipment and emission units are operated, unless otherwise noted in Table A.	Minn. R. 7007.0800, subp. 2; Minn. R. 7007.0800, subp. 16(J)
Fugitive Emissions: Do not 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. Comply with all other requirements listed in Minn. R. 7011.0150.	Minn. R. 7011.0150
Application for Permit Amendment: If a permit amendment is needed, submit an application in accordance with the requirements of Minn. R. 7007.1150 through Minn. R. 7007.1500. Submittal dates vary, depending on the type of amendment needed.	Minn. R. 7007.1150 through Minn. R. 7007.1500
Extension Requests: The Permittee may apply for an Administrative Amendment to extend a deadline in a permit by no more than 120 days, provided the proposed deadline extension meets the requirements of Minn. R. 7007.1400, subp. 1(H).	Minn. R. 7007.1400, subp. 1(H)
Recordkeeping: Maintain records describing any insignificant modifications (as required by Minn. R. 7007.1250, subp. 3) or changes contravening permit terms (as required by Minn. R. 7007.1350 subp. 2), including records of the emissions resulting from those changes.	Minn. R. 7007.0800, subp. 5(B)
Record keeping: Retain all records at the stationary source for a period of five (5) years from the date of monitoring, sample, measurement, or report. Records which must be retained at this location include all calibration and maintenance records, all original recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Records must conform to the requirements listed in Minn. R. 7007.0800, subp. 5(A).	Minn. R. 7007.0800, subp. 5(C); 40 CFR section 75.57(a)
Noise: The Permittee shall comply with the noise standards set forth in Minn. R. 7030.0010 to 7030.0080 at all times during the operation of any emission units. This is a state only requirement and is not enforceable by the EPA Administrator or citizens under the Clean Air Act.	Minn. R. 7030.0010 - 7030.0080
The Permittee shall comply with the General Conditions listed in Minn. R. 7007.0800, subp. 16.	Minn. R. 7007.0800, subp. 16
Inspections: The permittee shall comply with the inspection procedures and requirements as found at Minn. R. 7007.0800, subp 9(A).	Minn. R. 7007.0800, subp. 9(A)
Emission Fees: due 60 days after receipt of an MPCA bill.	Minn. R. 7002.0005 through Minn. R. 7002.0095

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MMPA - Minnesota River Station

Permit Number: 01900059 - 001

Subject Item: SV 001 Unit 001 stack**Associated Items:** EU 001 Simple Cycle combustion Turbine

What to do	Why to do it
OPTIONAL CONTINUOUS EMISSION MONITOR REQUIREMENTS	hdr
The permittee is not required to use continuous emission monitors (CEM) for sulfur dioxide or nitrogen oxides by this permit, provided the permittee complies with the requirements of 40 CFR pt. 75 Appendix D (for sulfur dioxide) and Appendix E (for nitrogen oxides). If the permittee chooses to install and operate a CEM for either sulfur dioxide or nitrogen oxides, or becomes ineligible for use of Appendix E, the permittee shall comply with the following requirements.	40 CFR Section 75.10(a)(1) and 75.10(a)(2)
Notification of CEM Installation: Notify the MPCA at least 60 days prior to installation of any CEM.	Minn. R. 7017.1040
CEMS Certification Test: due in accordance with 40 CFR Section 75.4. Certify all CEMS used for the Acid Rain Program in accordance with 40 CFR pt. 75, Appendix A.	40 CFR Section 75.4 (b)
CEM Certification Test Pretest Meeting: due 7 days before CEM Certification Test	Minn. R. 7017.1060, subp. 3
Daily Calibration Error (CE) Test: conduct daily CE testing on all CEMS required by the Acid Rain Program, in accordance with 40 CFR pt. 75, Appendix B.	40 CFR pt. 75, Appendix B, section 2.1
Linearity and Leak Check Test (Acid Rain Program): due before end of each calendar quarter following CEM Certification Test. Conduct a quarterly linearity test on CEMS required by the Acid Rain Program, in accordance with 40 CFR pt.75, Appendix B.	40 CFR pt. 75, Appendix B, section 2.2
CEMS Relative Accuracy Test Audit (RATA): due before end of each calendar half-year following CEM Certification Test. Conduct a RATA on all CEMS required by the Acid Rain Program, in accordance with 40 CFR pt. 75, Appendix B. If the RATA results indicate a relative accuracy of 7.5 % or less, the next RATA is not required for twelve months.	40 CFR pt. 75, Appendix B, section 2.3
CEMS QA/QC: The owner or operator of an affected facility shall operate, calibrate, and maintain each CEMS according to the QA/QC procedure in 40 CFR pt. 75, Appendix B as amended.	40 CFR Section 75.21
Recordkeeping: The owner or operator must retain records of all CEMS monitoring data and support information for a period of five years from the date of the monitoring sample, measurement or report. Records shall be kept at the source.	Minn. R. 7017.1130; 40 CFR Section 75.50

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MPPA - Minnesota River Station

Permit Number: 01900059 - 001

Subject Item: EU 001 Simple Cycle combustion Turbine**Associated Items:** SV 001 Unit 001 stack

What to do	Why to do it
MODIFICATION TO INCLUDE STEAM GENERATION	hdr
If the owner or operator proposes to modify this facility to also generate steam, either for cogeneration or to become a combined cycle electrical generating facility, the facility becomes one of the 28 named source categories in 40 CFR Section 52.21 for which the major source threshold is 100 tons per year. Such a modification is thus construction of a new major source and must comply with the requirements of 40 CFR Section 52.21 prior to commencing construction on the steam generating unit.	40 CFR Section 52.21(b)(1)(i)(a) and Section 52.21(i)(1)
ACID RAIN PROGRAM REQUIREMENTS	hdr
This facility is subject to the federal Acid Rain Program, based on Title IV of the Clean Air Act. Certain Acid Rain Program requirements are included in Table A and/or Table B for MPCA tracking purposes. All Acid Rain Program requirements are referenced in the Phase II Permit Application attached to this permit as an Appendix.	40 CFR pts. 72 - 75
EMISSION LIMITS	hdr
Sulfur Dioxide: less than or equal to 244.4 tons/year using 12-month Rolling Sum from combustion of fuel oil	Title 1 Condition: Limit to avoid classification as a major source under 40 CFR Section 52.21
Nitrogen Oxides: less than or equal to 245.7 tons/year using 12-month Rolling Sum	Title 1 Condition: Limit to avoid classification as a major source under 40 CFR Section 52.21
Nitrogen Oxides: less than or equal to 0.0111 percent by volume dry at 15 % oxygen when combusting natural gas	40 CFR Section 60.332(a)(1) and 60.332(b)
Nitrogen Oxides: less than or equal to 0.0109 percent by volume dry at 15 % oxygen when combusting fuel oil	40 CFR Section 60.332(a)(1) and 60.332(b)
Opacity: less than or equal to 20 percent opacity using 6-minute Average	Minn. R. 7011.2300, subp. 1
Sulfur Dioxide: less than or equal to 0.5 lbs/million Btu heat input	Minn. R. 7011.2300, subp. 2; most stringent, meets limit required by 40 CFR Section 60.333(b)
OPERATIONAL LIMITS AND REQUIREMENTS	hdr
Fuel Usage: limited to pipeline quality natural gas and distillate fuel oil	Minn. R. 7007.0800, subp. 2
MONITORING REQUIREMENTS	hdr
Fuel Use: Record the amount of natural gas and the amount of fuel oil combusted each month by the 15th day of the following month.	Title 1 Condition: Monitoring for Limit to avoid classification as a major source under 40 CFR Section 52.21
Sulfur Dioxide Emissions: By the 15th day of each month, calculate and record the twelve month rolling sum of sulfur dioxide emissions from fuel oil for the preceding 12 months. The monthly emission of sulfur dioxide shall be calculated using the fuel oil sulfur content determined as specified in 40 CFR Section 75.58(c) and 40 CFR pt. 75 Appendix D. Also calculate and record the sulfur dioxide emission in pounds per million Btu heat input from the fuel analysis of sulfur content, density, and heating value whenever a fuel oil sample is obtained.	Title 1 Condition: Monitoring for Limit to avoid classification as a major source under 40 CFR Section 52.21; 40 CFR Section 60.334(b)
Nitrogen Oxides Emissions: By the 15th day of each month, calculate and record the twelve month rolling sum of nitrogen oxides emissions for the preceding 12 months. The monthly emission of nitrogen oxides shall be calculated using the procedures and data required by 40 CFR pt. 75 Appendix E.	Title 1 Condition: Monitoring for Limit to avoid classification as a major source under 40 CFR Section 52.21; 40 CFR Section 60.334(b)
The Minnesota River Station (MRS) is subject to the Standards of Performance for New Stationary Gas Turbines under 40 CFR Part 60, subpart GG. MRS must continue to comply with these applicable requirements, including all applicable monitoring requirements, until an EPA-approved custom monitoring plan is issued to MRS, which meets the requirements under 40 CFR Part 60. MRS will switch to the custom monitoring plan under 40 CFR Section 60.334(b)(2) only if EPA approves of the plan.	40 CFR Section 60.334(b)
Initial Performance Test: due 60 days after achieving maximum capacity but not later than 180 days after startup, whichever occurs first, to measure sulfur dioxide, nitrogen oxides, and opacity.	Minn. R. 7017.2020, subp. 1; 40 CFR Section 60.8(a)
Performance Test Pre-test Meeting: due 7 days before Performance Test	Minn. R. 7017.2030, subp. 4
RECORDKEEPING	hdr

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MPA - Minnesota River Station

Permit Number: 01900059 - 001

Recordkeeping: Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the facility including; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.	40 CFR Section 60.7(a)(4); Minn. R. 7019.0100, subp. 1
REPORTING REQUIREMENTS	hdr
Notification of any physical or operational change which increases emission rate: due 60 days (or as soon as practical) before the change is commenced. Within 180 days of completion of any physical or operational change subject to the control measures specified in 60.14(a), compliance with all applicable standards must be achieved.	40 CFR Section 60.7(a)(4); Minn. R. 7019.0100, subp. 1

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MPPA - Minnesota River Station

Permit Number: 01900059 - 001

Subject Item: TK 001 fuel oil

What to do	Why to do it
Recordkeeping: Maintain on site a record of the dimensions of the storage tank and a calculation of the tank capacity in gallons	40 CFR Section 60.116b(b)

TABLE A: LIMITS AND OTHER REQUIREMENTS

08/07/00

Facility Name: MPPA - Minnesota River Station

Permit Number: 01900059 - 001

Subject Item: TK 002 fuel oil

What to do	Why to do it
Recordkeeping: Maintain on site a record of the dimensions of the storage tank and a calculation of the tank capacity in gallons	40 CFR Section 60.116b(b)

TABLE B: SUBMITTALS

08/07/00

Facility Name: MMPA - Minnesota River Station
Permit Number: 01900059 - 001

Table B lists most of the submittals required by this permit. Please note that some submittal requirements may appear in Table A or, if applicable, within a compliance schedule located in Table C. Table B is divided into two sections in order to separately list one-time only and recurrent submittal requirements.

Each submittal must be postmarked or received by the date specified in the applicable Table. Those submittals required by parts 7007.0100 to 7007.1850 must be certified by a responsible official, defined in Minn. R. 7007.0100, subp. 21. Other submittals shall be certified as appropriate if certification is required by an applicable rule or permit condition.

Send any application for a permit or permit amendment to:

Permit Technical Advisor
Permit Section
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Also, where required by an applicable rule or permit condition, send to the Permit Technical Advisor notices of:

- accumulated insignificant activities,
- installation of control equipment,
- replacement of an emissions unit, and
- changes that contravene a permit term.

Unless another person is identified in the applicable Table, send all other submittals to:

Supervisor
Compliance Determination Unit
Air Quality Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

Send submittals that are required to be submitted to the U.S. EPA regional office to:

Mr. George Czerniak
Air and Radiation Branch
EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

Send submittals that are required by the Acid Rain Program to:

U.S. Environmental Protection Agency
Clean Air Markets Division
1200 Pennsylvania Avenue NW (6204N)
Washington, D.C. 20460

TABLE B: ONE TIME SUBMITTALS OR NOTIFICATIONS

08/07/00

Facility Name: MMPA - Minnesota River Station

Permit Number: 01900059 - 001

What to send	When to send	Portion of Facility Affected
Application for Permit Reissuance	due 180 days before expiration of Existing Permit	Total Facility
CEM Certification Test Plan	due 45 days before CEM Certification Test	SV001
CEM Certification Test Report - Microfiche Copy	due 105 days after CEM Certification Test	SV001
CEM Certification Test Report	due 30 days after CEM Certification Test	SV001
Notification of the Actual Date of Initial Startup	due 15 days after Initial Startup	EU001
Notification of the Anticipated Date of Initial Startup	due 30 days before Anticipated Date of Initial Startup	EU001
Notification of the Date Construction Began	due 30 days after Start Of Construction	EU001
Performance Test Notification (written)	due 30 days before Performance Test	EU001
Performance Test Plan	due 30 days before Performance Test	EU001
Performance Test Report - Microfiche Copy	due 105 days after Performance Test	EU001
Performance Test Report	due 45 days after Performance Test	EU001
Relative Accuracy Test Audit (RATA) Notification	due 30 days before CEMS Relative Accuracy Test Audit (RATA)	SV001
Testing Frequency Plan	due 60 days after Initial Performance Test for nitrogen oxide emissions. The plan shall specify a testing frequency based on the test data and MPCA guidance. Future performance tests based on one-year (12 month), 36 month, and 60 month intervals, or as applicable, shall be required upon written approval of the MPCA.	EU001

TABLE B: RECURRENT SUBMITTALS

08/07/00

Facility Name: MPPA - Minnesota River Station

Permit Number: 01900059 - 001

What to send	When to send	Portion of Facility Affected
Excess Emissions/Downtime Reports (EER's)	due 30 days after end of each calendar quarter following Initial Startup of the Monitor (Submit Deviations Reporting Form DRF-1 as amended). The EER shall indicate all periods of monitor bypass and all periods of exceedances of the limit including exceedances allowed by an applicable standard, i.e., during startup, shutdown, and malfunction.	SV001
Linearity Test Results Summary	due 30 days after end of each calendar quarter following Linearity and Leak Check Test (Acid Rain Program) if performed.	SV001
Relative Accuracy Test Audit (RATA) Results Summary	due 30 days after end of each calendar half-year following CEMS Relative Accuracy Test Audit (RATA)	SV001
Semiannual Deviations Report	due 30 days after end of each calendar half-year following Initial Startup. The first semiannual report submitted by the Permittee shall cover the calendar half-year in which the permit is issued. The first report of each calendar year covers January 1 - June 30. The second report of each calendar year covers July 1 - December 31. If no deviations occurred during the calendar half-year covered by the report, a report shall be submitted stating that there were no deviations.	Total Facility
Compliance Certification	due 31 days after end of each calendar year following Initial Startup (for the previous calendar year). To be submitted on a form approved by the Commissioner, both to the Commissioner, and to the U.S. EPA regional office in Chicago. This report covers all deviations experienced during the calendar year. The EPA copy shall be sent to: Mr. George Czerniak, Chief, Air Enforcement and Compliance Assurance Branch, Air and Radiation Division, EPA Region V, 77 West Jackson Boulevard, Chicago, Illinois 60604.	Total Facility
Emissions Inventory Report	due 91 days after end of each calendar year following Permit Issuance (April 1). To be submitted on a form approved by the Commissioner.	Total Facility

Appendix I

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is ☒ New ☐ Revised

Minnesota Municipal Power Agency and City of Chaska – Minnesota River Station Plant Name	MN State	< > ORIS Code
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Compliance Plan

a Unit ID#	b Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	c Repowering Plan	d New Units Commence Operation Date	e New Units Monitor Certification Deadline
EU001	Yes	no	05/01/2001	

Standard Requirements

Permit Requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR parts 74, 75, and 76.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR parts 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c)

of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.

(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Appendix II

APPENDIX MATERIAL

Facility Name: MMPA - Minnesota River Station

Permit Number: 01900059-001

Insignificant Activities and Applicable Requirements

Minn. R. 7007.1300, subpart	Rule Description of the Activity	Applicable Requirement
3(A)	Fuel use: space heaters fueled by, kerosene, natural gas, or propane.	Minn. R. 7011.0510/0515
3(B)	Furnaces, boilers, and incinerators:	
	1. Infrared electric ovens; and	Minn. R. 7011.0105/0110
	2. fuel burning equipment with a capacity less than 500,000 Btu/hour but only if the total combined capacity of all fuel burning equipment at the stationary source with a capacity less than 500,000 Btu per hour is less than or equal to 2,000,000 Btu/hour.	Minn. R. 7011.0510/0515 OR Minn. R. 7011.0610 + Minn. R. 7011.1215, subp. 3
3(C)	Fabrication operations: equipment used exclusively for forging, pressing, drawing, spinning, or extruding hot metals.	Minn. R. 7011.0710/0715
3(D)	Processing operations:	
	1. open tumblers with a batch capacity of 1,000 pounds or less; and	Minn. R. 7011.0710/0715
	2. Equipment venting particulate matter (PM) or particulate matter less than 10 microns (PM-10) inside a building, provided that emissions from the equipment are: a) filtered through an air cleaning system; and b) vented inside of the building 100% of the time.	Minn. R. 7011.0710/0715
3(E)	Storage tanks:	
	1. gasoline storage tanks with a combined total tankage capacity of not more than 10,000 gallons; and	Minn. R. 7011.0710/0715 OR Minn. R. 7011.1505, subp. 2(B)/1505, subp. 3(B) OR Minn. R. 7011.0105/0110 (<i>if not associated with industrial process equipment</i>)
	2. nonhazardous air pollutant VOC storage tanks with a combined total tankage capacity of not more than 10,000 gallons of non-hazardous air pollutant VOCs and with a vapor pressure of not more than 1.0 psia at 60 degrees Fahrenheit.	Minn. R. 7011.0710/0715 OR Minn. R. 7011.1505, subp. 2(B)/1505, subp. 3 (B) OR Minn. R. 7011.0105/0110 (<i>if not associated with industrial process equipment</i>)

Minn. R. 7007.1300, subpart	Rule Description of the Activity	Applicable Requirement
3(F)	Cleaning operations: commercial laundries, not including dry cleaners and industrial launderers.	Minn. R. 7011.0105/0110
3(G)	Emissions from a laboratory, as defined in the subpart.	Minn. R. 7011.0510/0515 + Minn. R. 7011.0610 + Minn. R. 7011.0710/0715
3(H)	Miscellaneous:	
	1. total usage of less than 200 gallons of VOC (including hazardous air pollutant-containing VOC) combined in any consecutive 12 months period at a stationary source;	Minn. R. 7011.0710/0715 <i>OR</i> Minn. R. 7011.0105/0110
	2. equipment used exclusively for packaging lubricants or grease;	Minn. R. 7011.0710/0715 <i>OR</i> Minn. R. 7011.0105/0110
	3. equipment used for hydraulic or hydrostatic testing;	Minn. R. 7011.0710/0715
	4. brazing, soldering or welding equipment;	Minn. R. 7011.0510/.0515 + Minn. R. 7011.0610 + Minn. R. 7011.0710/0715
	5. blueprint copiers and photographic processes;	Minn. R. 7011.0105/0110
	6. equipment used exclusively for melting or application of wax;	Minn. R. 7011.0510/.0515 + Minn. R. 7011.0610 + Minn. R. 7011.0710/0715
	7. nonasbestos equipment used exclusively for bonding lining to brake shoes; and	Minn. R. 7011.0710/0715
	8. cleaning operations: alkaline/phosphate cleaners and associated cleaners and associated burners.	Minn. R. 7011.0510/.0515 + Minn. R. 7011.0610 + Minn. R. 7011.0710/0715
3(I)	Individual emissions units at a stationary source, each of which have a potential to emit the following pollutants in amounts less than: 1. 4,000 lbs/year of carbon monoxide; and 2. 2,000 lbs/year each of nitrogen oxide, sulfur dioxide, particulate matter, particulate matter less than ten microns, volatile organic compounds (including hazardous air pollutant-containing VOC), and ozone.	Varies according to type of emission unit
3(J)	Fugitive Emissions from roads and parking lots.	Minn. R. 7011.0150
3(K)	Infrequent use of spray paint equipment for routine housekeeping or plant upkeep activities not associated with primary production processes at the stationary source, such as spray painting of buildings, machinery, vehicles, and other supporting equipment.	Minn. R. 7011.0710/0715

TECHNICAL SUPPORT DOCUMENT
For
DRAFT AIR EMISSION PERMIT NO. 01900059-001

This technical support document is for all the interested parties of the draft permit. The purpose of this document is to set forth the legal and factual basis for the draft permit conditions, including references to the applicable statutory or regulatory provisions.

1. General Information

1.1. Applicant and Stationary Source Location:

Owner and Operator Address and Phone Number (list both if different)	Facility Address (SIC Code: 4911)
City of Chaska	South of Stoughton Avenue
One City Hall Place	Chaska, Minnesota
Chaska, Minnesota 55318	Carver County

1.2. Description of the Facility

The Minnesota Municipal Power Agency (MMPA) includes the cities of Anoka, Arlington, Brownston, Chaska, Le Sueur, North St. Paul, Olivia, and Winthrop. The city of Shakopee is served as a customer by MMPA. MMPA is proposing to construct an electric generating station near Chaska, to be known as the Minnesota River Station (MRS). The city of Chaska will own and finance the station and MMPA will manage the operation. MSR will consist of one simple cycle combustion turbine driving an electrical generator rated to produce 48.7 megawatts. The turbine will be capable of operating on natural gas, expected to be the primary fuel, with distillate fuel oil for backup.

This generating station is necessary for MMPA to have adequate installed generating capacity to meet the needs of its customers in 2001 and to also have the reserve capacity required by the Midwest Area Power Pool (MAPP). MAPP is an association of electrical power producers in the Midwestern United States, and each member, by maintaining some reserve capacity helps to insure the reliability of electrical service for all members.

1.3. Facility Emissions:

Table 1. Total Facility Potential to Emit Summary

EU #	SV#	Emission Unit Description	PM tpy	PM10 Tpy	SO2 tpy	NOx tpy	CO tpy	VOC tpy	Pb tpy	HAPs tpy
001	001	Combustion gas turbine	18.1	18.1	244.4	245.7	171.3	6.2	0.21	21.64

	PM tpy	PM10 tpy	SO2 tpy	NOx Tpy	CO tpy	VOC tpy	Pb tpy	HAPs tpy
Total Facility Limited Potential Emissions*	18.1	18.1	244.4	245.7	171.3	6.2	0.21	21.64

Table 2. Facility (TF) and Permit Classification

Classification (put x in appropriate box)	Major/Affected Source	*Synthetic Minor	*Minor
PSD (list pollutant)		NO _x SO ₂	PM, PM ₁₀ , VOC
NAAR (list pollutant)	NA	NA	NA
Part 70 Permit Program (list pollutant)	SO ₂ , NO _x , CO		PM, PM ₁₀ VOC, HAP

* Refers to potential emissions that are less than those specified as major by 40 CFR 52.21, 40 CFR pt. 51 Appendix S, and 40 CFR pt. 70.

2. Regulatory and/or Statutory Basis

Ambient Air Impact

The Minnesota Pollution Control Agency (MPCA) policy is that a Part 70 permit may be issued without a demonstration of ambient air impact. If the allowable emission of PM₁₀, SO₂, or NO_x exceeds 100 tons per year, the permit must contain a requirement to submit a modeled demonstration of attainment with the ambient air standards before reissuance, typically within four years. Due to staff concerns about the impact of internal combustion engines, MPCA staff examined the ambient air impact using the SCREEN model and found that the ambient air impact is well below all ambient air standards. Therefore, no further modeling is necessary.

New Source Performance Standards (NSPS)

The turbine is subject to the NSPS found at 40 CFR pt. 60, subp. GG. This NSPS imposes a limit on the emission of SO₂ and NO_x and requires periodic monitoring of fuel sulfur and nitrogen content. As noted below, the turbine is also subject to the federal Acid Rain program requirements which, among other things, requires hourly records of the emission of SO₂ and NO_x. The MPCA has requested that the U.S. Environmental Protection Agency (EPA) Region 5 approve the acid rain monitoring as an alternative fuel monitoring program as allowed by 40 CFR § 60.334(b)(2).

The nitrogen oxides limit under the NSPS is expressed in parts per million (ppm) and is determined by the following equation:

$$\text{NO}_x \text{ limit} = (0.0075)(14.4/Y) + F$$

Where Y = manufacturer's rated heat rate at manufacturer's rated load, kilojoules per watt hour

F = NO_x emission allowance for fuel bound nitrogen

For this facility, Y = 9148 Btu/Kwhr for natural gas and 9346 for distillate fuel oil.

F = 0 for natural gas and distillate fuel oil.

Federal Acid Rain Program

1. 40 CFR Part 72, Acid Rain permits, applies to this facility and requires submission of a permit application and recordkeeping requirements.
2. 40 CFR Part 73, Sulfur Dioxide Allowance System, applies to this facility which must hold adequate sulfur dioxide allowances equal to or exceeding the previous year's actual emissions.
3. 40 CFR Part 74, Sulfur Dioxide Opt-ins, does not apply since this facility is required to be in the sulfur dioxide allowance system.
4. 40 CFR Part 75 Monitoring, applies to this facility.
5. 40 CFR Part 76, Acid Rain Nitrogen Oxides program applies only to coal-fired utility boilers.

*EU	Applicable Regulations	**Comments:
EU001	40 CFR Section 52.21	Title 1 Condition to avoid classification as a major source under PSD by limiting SO ₂ to less than 250 tons per year.
	Periodic Monitoring	Monthly recording of fuel oil used, recording of fuel sulfur content according to 40 CFR pt. 75 Appendix D, monthly calculation of monthly emissions and 12-month rolling sum.
	40 CFR Section 52.21	Title 1 Condition to avoid classification as a major source under PSD by limiting NO _x to less than 250 tons per year.
	Periodic Monitoring	40 CFR pt. 75 Appendix E
	40 CFR Section 60.332 (a)(1) and 60.332 (b)	Limits NO _x to 111 ppm by volume dry at 15 % oxygen when burning natural gas, and to 109 ppm by volume dry at 15 % oxygen when burning fuel oil
	Periodic Monitoring	40 CFR pt. 75 Appendix E plus Initial Performance Test
	Minn. R. 7011.2300	Opacity: less than or equal to 20 % opacity
	Periodic Monitoring	Due to use of only natural gas and distillate fuel oil, the unit is expected to never approach the opacity limit and therefore no periodic monitoring is required.
	Minn. R. 7011.2300	SO ₂ : less than or equal to 0.5 lb/million Btu
	Periodic Monitoring	40 CFR 75 Appendix D

3. Technical Information

Emission calculations and the corrected GI-07 from Delta. (This will most likely be a corrected version of the calculations submitted by the facility: all EC forms, PE forms and other relevant calculations.)

4. Conclusion

Based on the information provided by the MMPA, the MPCA has reasonable assurance that the proposed operation of the emission facility, as described in the Air Emission Permit No. 01900059-001 and this technical support document, will not cause or contribute to a violation of applicable federal regulations and Minnesota rules.

Staff Members on Permit Team: David L. Beil, Jennifer Tschida, Steve Sommer

Attachment: Emission calculations from application
EC-03 SCREEN output summary

Notes regarding Table 1

PM = particulate matter or dust.

PM₁₀ = particulate matter smaller than 10 microns

Particulate matter emissions have been regulated by the U.S. Environmental Protection Agency (EPA) in one form or another since 1971. From 1971 to 1987, there was an **ambient air standard** for Total Suspended Particulates (TSP). In 1987, EPA replaced this with a standard for only those particulates smaller than 10 microns, PM₁₀ (A micron is 1/1,000,000 of a meter. A human hair is about 50 microns in diameter.) High levels of PM or PM₁₀ can cause irritation of the respiratory system and specific chemicals present in the PM can worsen this irritation and perhaps be absorbed into the body. In 1997, EPA added another ambient air standard, this time for PM_{2.5}, particles smaller than 2.5 microns, since these very small particles are most likely to get into the deeper parts of the lungs. **Emission standards** for particulates are still primarily for total particulate matter, that is, they limit the amount of particulate matter emitted of all sizes, bigger than 10 microns as well as smaller. These emission limits have often been effective for PM₁₀ because they often require a very high efficiency of collection of all particles, so that PM₁₀ is also well controlled. Emission limits for PM₁₀ are sometimes determined on a case-by-case basis for a specific permit that is being developed. **Emission estimates** for PM are usually based on the emission standards (state rules, federal regulations, or permit conditions) which establish limits for PM emissions, unless the specific type of equipment is not capable of emitting up to what the rule allows. In that case, engineering estimates or test data is used. For PM₁₀, engineering estimates or test data is usually used since there are few if any state rules or federal regulations which establish a limit for PM₁₀.

SO₂ = sulfur dioxide

Sulfur dioxide is most commonly emitted when a fuel which contains sulfur is burned. In higher concentrations in the ambient air, it can cause irritation of the respiratory system, and may aggravate asthma in sensitive individuals. EPA established an **ambient air standard** for sulfur dioxide in 1971 which has been reviewed several times since then, but remains the same today. Since the 1990 Clean Air Act Amendments, sulfur dioxide is also regulated under the Acid Rain program, which requires many of the electric power plants east of the Mississippi River to limit the total emission of SO₂ to a cap established by the 1990 Amendments. **Emission standards** have been established for most types of fuel burning equipment for SO₂. **Emission estimates** for SO₂ are usually based on the emission standards (state rules, federal regulations, or permit conditions) which establish limits for SO₂ emissions, unless the specific type of equipment is not capable of emitting up to what the rule allows. In that case, engineering estimates or test data is used.

NO_x = nitrogen oxides

Nitrogen oxides, like sulfur dioxide, are most commonly formed from fuel combustion. However, a nitrogen-containing fuel is not necessary since air is 79 % nitrogen by volume, and some NO_x is formed from the nitrogen in the air. Like sulfur dioxide it is a respiratory irritant. In addition, NO_x together with VOCs (discussed below) can form photochemical smog, the brown haze sometimes seen during warmer weather in urban areas. This smog is primarily due to the NO_x and VOC emitted from motor vehicles. The **ambient air standard** for NO_x established in 1971 remains in effect today. **Emission estimates** for NO_x are usually based on engineering estimates or test data, since few emission standards have been established for fuel burning equipment for NO_x. Combustion gas turbines are one of the few types of equipment for which a national emission limit has been established in federal regulations.

CO = carbon monoxide

Most fuels burn because they are mostly carbon, which burns readily to form carbon dioxide and release heat. However, a small percent of the carbon burns incompletely and forms CO. The health effect of CO is well-known, since it reacts in the human blood to prevent uptake of oxygen. Motor vehicles as well as large industrial fuel-burning sources, are significant emitters of CO. Where CO problems have been found, however, they are usually due to local traffic patterns. The **ambient air standard** for CO, also established in 1971, remains in effect today. **Emission estimates** for CO are usually based on engineering estimates or test data, since few emission standards have been established for CO.

VOC = volatile organic compounds

VOC includes any organic compound (carbon-containing compound other than CO and CO₂) which can evaporate and be present in the air as a gas. Examples are gasoline vapors which are released while filling a car's gas tank, the solvents in oil-based paint, and paint thinners. Some VOC is also created by combustion of any fuel; in other words, no fuel burns perfectly completely. There is not an **ambient air standard** for VOC as such. As mentioned above under NO_x, VOC and NO_x react, usually during warmer weather, to form photochemical smog. An easy way to measure the amount of this smog is to measure one component of it known as ozone, O₃. Ozone is very irritating to the eyes and respiratory system. Thus, EPA established an **ambient air standard**, first for photochemical oxidants in 1971, replaced by a standard for ozone in 1979. The ozone standard was revised in 1997. Federal regulations contain many **emission standards** for VOC. However, most of these are for industrial painting, printing and other coating operations in which the VOC is a solvent which evaporates at some stage in the process. For combustion sources, there are no emission standards for VOC, so **emission estimates** are based on engineering estimates or test data.

Pb = lead

Elemental lead has been regulated as an air pollutant since at least 1978 when EPA established an **ambient air standard** for lead. Lead can cause anemia and adversely affect the central nervous system. Lead was of great concern in the 1970's due to the use of lead additives in gasoline. With the phaseout of leaded gas, there are few significant sources of lead emissions except where lead ore or metal is processed. Some lead still occurs in wastewater since lead piping was commonly used in homes built many years ago and some of this piping is still in service.

HAP = hazardous air pollutant

HAP refers to a list of 188 specific chemicals and elements listed in the Clean Air Act Amendments of 1990 (Initially there were 189. One has been delisted by EPA.) Some HAP are manufactured pesticides, some are common organic solvents, many are formed as products of incomplete combustion, and some occur as trace elements in common fuels such as fuel oil and coal. HAP includes both organic compounds, such as formaldehyde, and metals such as cadmium and its compounds.

Notes regarding Table 2

CFR = Code of Federal Regulations

A set of books in which the regulations of all federal agencies are contained. The CFR is updated and reprinted every year, and can be found in most libraries. The EPA regulations are found in Title 40 of the CFR which is available on the WorldWideWeb through either the MPCA home web page (www.pca.state.mn.us) or EPA's home web page (www.epa.gov).

Prevention of Significant Deterioration or PSD

The federal PSD regulation requires an owner/operator to obtain a permit prior to beginning construction of a new source, or a modification to an existing source, if the emissions from the new source or the modification exceed certain thresholds. The table above documents that this facility is an existing major source under the PSD program, which in turn determines the thresholds for which a future modification would be subject to PSD.

Nonattainment Area New Source Review or NSR

The federal NSR regulation requires an owner/operator to obtain a permit prior to beginning construction of a new source, or a modification to an existing source, in a nonattainment area, if the emissions from the new source or the modification exceed certain thresholds for the nonattainment pollutant(s). The location of this facility is classified as attainment for all criteria pollutants, so this regulation does not currently apply.

Part 70 Permit Program

Under the Part 70 operating permit program, a source is a major source if it has the potential-to-emit 100 tons per year or more of any pollutant, 10 tons per year or more of any single HAP, or 25 tons per year or more of all HAPs combined. The table above documents that this is a major source under Part 70 and the pollutants for which it is major