



***Facts about* Voiding an Air Emissions Permit**

It is possible, and it may be desirable, for you to ask to have your air emissions permit “voided” (canceled) under certain circumstances.

According to Minn. R. 7007.1050, subp. 7, the Minnesota Pollution Control Agency (MPCA) may void a facility’s permit if it is determined that the stationary source no longer requires an air emissions permit under the current permitting rules.

In other words, if you determine that your permitted facility no longer needs an air emissions permit, you can send a letter to the MPCA requesting that your permit be voided. In your letter, you should provide the MPCA with a thorough explanation of why you believe that your facility no longer needs a permit. Please include the facility’s entire current permit number (for example, 999-91-OT-1, or 00009999-001; the format depends on how long ago the permit was issued). This letter must be signed by a responsible official

Alternatively, you can request to have your permit voided by completing a form. Contact the Document Coordinator at (651)282-5843 and ask for the form entitled “Request to Void an Air Emission Permit.”

In general, owners or operators of all facilities that emit air pollutants need to calculate their facilities’ Potential to Emit (PTE). The PTE is the number that the U.S. Environmental Protection Agency and the MPCA use to determine who needs a permit and who does not.

If a facility’s owner or operator determines through PTE calculations that the facility’s emissions fall below the permitting thresholds (indicating that the facility does not need a permit), the facility probably fits into one or more of the following categories:

1. Your facility has never had an MPCA air emissions permit and you have not yet submitted a permit application under the current permitting rules.

It is not necessary for you to inform the MPCA of your decision, or to send any paperwork to the MPCA. However, you should keep on site the calculations that demonstrating that your facility’s air emissions fall below permitting thresholds, as MPCA staff still have the right to inspect the facility and to request those calculations.

2. Your facility currently has an air emissions permit and you have determined that under the current permitting rules a permit is not needed for your facility.

You should write a letter to the MPCA Air emissions permit Technical Advisor, requesting that your permit be voided. In that letter, you must explain the basis for your determination. If a thorough explanation is not provided, MPCA staff will request more information to determine whether or not to void the permit.

MPCA staff will write to tell you of the decision. If the permit is voided, you will be released from all permit obligations, including

submitting the annual emission inventory and paying fees.

3. Your facility was previously permitted, you have reapplied for a new permit, and since then determined that you no longer need a permit.

Your reapplication was a sign to the MPCA that you require a permit, and according to Minn. R. 7007.1050, you are still bound to your existing permit. Therefore, as a facility owner or operator in this situation, you must write to the MPCA Air Quality Permit Technical Advisor and request that your current permit be voided, including a thorough explanation of why you believe that the facility no longer needs a permit. You should also ask in writing to withdraw your submitted permit application.

4. Your facility has never been permitted, but you submitted an application under the current permitting rules and then determined that a permit is not needed.

You should write to the MPCA Air Quality Permit Technical Advisor and ask to have your permit application withdrawn. In your letter, include a thorough explanation of why you no longer believe that your facility needs a permit.

5. Your permit has expired, and you are not planning to renew it.

If you don't request to have your permit voided, the MPCA will continue to send you the annual emission inventory and emission fee statements. In order to remove your name from the emission fee and emission inventory lists, you should send a letter to:

Minnesota Pollution Control Agency
Air Quality - Emission Inventory
520 Lafayette Road North
St. Paul, MN 55155

6. Your facility had one type of permit, and then was issued a different permit, replacing the previous permit.

If your facility is issued a new permit which replaces the previous permit, the permit that is being replaced will automatically be voided upon issuance of the new permit. It is not necessary to request to have the old permit voided.

7. Your facility is permitted to operate at the location shown in the permit, and you wish to move the operations to a new location.

An air emission permit must be issued for the facility at the new location before you begin construction or operation at the new location. When the facility is no longer operating at the previous location, a request should be sent to the MPCA to void the air emission permit for the previous location. You will be notified by a letter from the MPCA that this has been done.

More questions?

If you have any questions about voiding an air emissions permit, contact the Permit Technical Advisor at (651)282-5844 or (800)646-6247.



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