



Minnesota  
Pollution  
Control  
Agency

Majors and  
Remediation  
Division  
Air Quality  
Program

# Facts about General Air Quality Rules

Air Quality/Federal and State Regulations/#4.01/December 2003

The following is a summary of the state air quality rules to which every business in Minnesota is subject. These rules apply whether a facility needs an air emission permit or not.

## **Air Emission Fees (Minn. R. 7002.0005 - 7002.0085)**

This rule identifies who pays fees, the types of fees, the amount of the fees and how the fees are determined. New Facility Fees and Indirect Source Fees are fixed amounts and are listed in the rule.

Air Emission Fees are determined through a formula described in the rule. The fee is assessed to each facility annually as a per-ton charge on actual emissions from the facility.

A process to resolve errors provides for a refund if an error results in an over-assessment of fees. Late charges may be added if fees are not paid on time. The rules also describe the formula that determines the size of the Air Quality budget.

A fact sheet is available on this rule.

## **Air Emission Permits (Minn. R. 7007.0050 - 7007.3000)**

These rules explain when a facility must obtain an air emission permit, the types of permits that are available, and the procedures for obtaining permits. The rules also explain the requirements a facility is subject to when the facility is modified.

There is an Air Quality Permit Rules Fact Sheet available if you would like more information regarding these rules.

## **Industrial Process Equipment Rule (Minn. R. 7011.0700 - 7011.0735)**

Industrial process equipment can create airborne dust or particulate matter as a normal part of its operation. For many types of equipment, such as boilers, specific state rules or federal regulations limit the amount of particulate matter that may be emitted to the atmosphere. Particulate matter emissions from equipment to which no specific state rule or federal regulation applies are limited under the general "Industrial Process Equipment Rule." These limits vary depending on operating conditions. The rule includes a maximum limit that is not to be exceeded.

The owner or operator of a facility is responsible for determining the limit imposed by the rule and must meet the limit at all times.

A fact sheet providing more specific information is available.

## **Ambient Air Quality Standards (Minn. R. 7009.0010 - 7009.0080)**

This rule establishes the maximum allowable concentrations of pollutants that may exist in the air, averaged over a specified period of time.





These maximum concentrations vary among pollutants, but all established standards protect public health and welfare, as required by the Code of Federal Regulations Title 40, part 50, National Primary and Secondary Ambient Air Quality Standards.

Emissions from stationary sources, either alone or as a group, may cause a violation of an applicable standard. No facility may emit any pollutant in such an amount or in such a manner as to cause or contribute to a violation of this standard.

The Minnesota Pollution Control Agency (MPCA) may request that a facility provide information necessary to demonstrate compliance with ambient air quality standards. In some cases, the MPCA may require performance tests and/or air dispersion modeling.

Note: Part 70 permits will require modeling during the first permit term, if potential emissions of sulfur dioxide, nitrogen oxides, or fine particulate matter exceed 100 tons per year.

### **Applicability of Standards of Performance (Minn. R. 7011.0010)**

This rule states that an owner or operator of an existing emission facility must comply with all applicable state air pollution control rules for existing emission facilities.

The rule also states that an owner or operator who constructs, modifies, or reconstructs an emission facility shall comply with applicable federal New Source Performance Standards, and the standards of performance for a new facility as set forth in the state air pollution control rules.

### **Circumvention (Minn. R. 7011.0020)**

This rule states that no person shall install or use a device or means that conceals or dilutes emissions that would otherwise violate a federal or state air pollution control rule without reducing the total amount of pollutant emitted.

### **Emission Standards for Visible Air Contaminants (Minn. R. 7011.0100 - 7011.0115)**

This standard applies to any emission facility for which no other specific performance standard exists. An existing emission facility subject to this standard cannot discharge into the atmosphere any gases displaying more than 20 percent opacity, except that a maximum of 40 percent opacity is allowed for four minutes during any 60 minute period.

A new emission facility cannot discharge into the atmosphere any gases displaying more than 20 percent opacity, without exception. The MPCA may require a facility to conduct a performance test to demonstrate compliance with the standard. Any required performance test shall use the methods described in the rules for visual determination of opacity, unless the MPCA approves another method.

### **Preventing Particulate Matter From Becoming Airborne (Minn. R. 7011.0150)**

This rule states that no person shall cause or permit the handling, use, transportation, or storage of any material in a way that may allow avoidable amounts of particulate matter to become airborne.

In addition, no person shall allow a building or its additions, a road, a driveway, or an open area to be constructed, used, repaired, or demolished without applying reasonable measures necessary to prevent particulate matter from becoming airborne.

The MPCA may require reasonable control measures including, but not limited to paving or frequent clearing of roads, driveways, and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover.



## **Continuous Monitoring (Minn. R. 7017.1000)**

This rule gives the MPCA Commissioner the authority to require facilities to install and conduct performance evaluations of continuous emissions monitoring systems (CEMS). The rule includes requirements for frequency of data collection, calibration and adjustments, and data reduction.

Monitoring system specifications are found in 40 CFR 60, appendix B.

## **Performance Tests (Minn. R. 7017.2001 - 7017.2060)**

The performance test rule must be followed when a facility conducts any air emission test. This rule describes notification, reporting, quality assurance, and required operating conditions for performance testing.

A company that conducts a performance test must give the MPCA written notice of testing and submit a test plan at least 30 days in advance of the planned testing. A pre-test meeting must be held at least seven working days prior to the test in order to discuss and finalize the test plan.

Within 45 days of completing the test, the facility must submit a report containing the results of the test and documenting the operating conditions of the emission unit.

More detail on this rule can be found in a separate fact sheet.

## **Reports (Minn. R. 7019.2000)**

This rule states that an owner or operator who is required to install a CEMS shall submit a written report of excess emissions for every calendar quarter. This report is required to be postmarked by the thirtieth day following the end of each calendar quarter.

The report must identify time periods during which the monitoring system was inoperative. The rule requires that owners and operators maintain files of all measurements and maintain records of facility operation and periods during which the continuous monitoring system is inoperative.

## **Emission Inventory (Minn. R. 7019.3000 - 7019.3100)**

The Emission Inventory rule states that any facility required to obtain a state or Part 70 permit and all facilities with the potential to emit 25 tons per year or more of any criteria pollutant must submit annual inventories to the MPCA by April 1st of the year following the year being reviewed.

Emission inventories quantify the amount of pollutants a facility releases into the environment each year. Emission factors from EPA document AP-42 and those derived by the MPCA will be used by default unless a facility quantifies its emissions with one of the following acceptable methods:

- CEMS results for the year in question;
- Stack Tests (Performance Tests) results for the year in question;
- Volatile Organic Compound material balance; or
- Sulfur Dioxide material balance.

A fact sheet on the inventory and fee rule is available.

## **Motor Vehicles (Minn. R. 7023.0100 - 7023.0120)**

This standard regulates the emission of visible air contaminants from internal combustion engines powering motor vehicles designed for use on public highways. This rule separates vehicles powered by diesel cycle engines from other internal combustion engines.

Diesel cycle engines manufactured prior to January 1, 1973, may not emit visible air contaminants over 20 percent opacity for more than 20 consecutive seconds, while those manufactured after January 1, 1973, may not emit more than 10 percent opacity for the same time period.

Vehicles powered by any other engine may not emit visible air contaminants at any opacity level for more than 10 consecutive seconds, regardless of manufacture date. The emission restrictions mentioned above also apply to other internal combustion engines, such as those found in trains, boats, and construction equipment.



This rule also restricts tampering with the air pollution control systems on motor vehicles. With the exception of repair or replacement, no person may remove, alter, or make pollution control equipment inoperative. In addition, ownership of a motor vehicle cannot be transferred unless all air pollution control systems are in place and in operating condition.

## **Noise Pollution Control (Minn. R. 7030.0010 - 7030.0080)**

These rules describe the maximum sound levels allowed under different scenarios. No person may violate these standards, which establish three noise area classifications with respectively increasing levels of allowable sound.

The first classification includes lodging and residential locations, along with educational, religious, and cultural entertainment activities.

The second classification applies to transportation passenger terminals (e.g. bus, rail, marine, air, and auto), most retail and recreational activities.

The third classification includes most manufacturing facilities, modes of material transportation (e.g. bus, rail, marine, auto, air), and natural resource production and extraction activities, such as agriculture, forestry, and mining.

The MPCA can require a facility to conduct sound measurements to demonstrate compliance with the applicable noise standard.

To obtain additional information or fact sheets on any of these topics, please call the MPCA Customer Assistance Center at (651) 297-2274 or (800) 646-6247 (with Minnesota only).

Printed copies of the rules are available from the Minnesota Bookstore. To order a copy, you may contact the bookstore at (651) 297-3000.

**MPCA Web site:** <http://www.pca.state.mn.us>