



**Minnesota Pollution  
Control Agency**

520 Lafayette Road North  
St. Paul, MN 55155-4194

**CH-16**

**Applicability Determination Request**

Air Quality Permit Program

*Doc Type: Permit Application*

**Instructions on Page 2**

**Facility Information**

- 1a)** AQ Facility ID No.: \_\_\_\_\_ **1b)** AQ File No.: \_\_\_\_\_
- 2)** Facility Name: \_\_\_\_\_
- 3)** Date: \_\_\_\_\_
- 4)** Current Air Quality Permit status for your facility:
- ☐ Part 70 Permit
  - ☐ State Individual Permit
  - ☐ Registration Permit
  - ☐ General Permit
  - ☐ Capped Permit
  - ☐ No Current Facility Permit
  - ☐ Other, describe: \_\_\_\_\_
- 5)** Description of the proposed project/modification/rule interpretation that is subject of this request (use additional pages if needed):
- 6)** Complete and submit this form, Form CH-GI-01, Form SCP-01, and all other supporting forms, pertinent data, and discussion.

## Instructions for Form CH-16:

Minnesota Pollution Control Agency (MPCA) staff will conduct an applicability determination when requested by a facility. Applicability determination requests must include at a minimum the SCP-01, CH-16, and CH-GI-01 forms.

- 1a) AQ Facility ID No.** – Your Air Quality (AQ) Facility identification (ID) Number (No.) is the first eight digits of the permit number for all permits issued under the Title V operating permit program (12345678-XXX). If your facility has never been issued a permit under this program, leave this line blank.
- 1b) AQ File No.** – Your AQ File Number is the first group of characters in an Air Quality Emission Facility Permit issued before the Title V operating permit program. For example, given permit number 1899AB-93-OT-1, the AQ File number would be 1899AB. You may also find this number in the cc: portion of correspondence received from MPCA. If you never had an air quality permit, leave this line blank.
- 2) Facility Name** – Enter your facility name as it will appear on your permit. This will be the same name indicated on the Facility Information Form (CH-GI-01), item 2.
- 3) Date:** Enter the date your applicability request is submitted.
- 4) The Air Quality Permit status of the facility** – Indicate the current permit status of the facility.
- 5) Description of the proposed project/modification/rule interpretation that is subject of this request** – Describe the specific question of applicability you would like addressed, including your proposed determination. Provide a complete description of all physical and operational changes and/or proposed changes involved in this applicability determination request. Also note any needed changes to existing permit conditions. Attach supporting documentation such as appropriate MPCA forms (see Table below), rule citations, policy memos, calculations or other information that can aid in responding to the applicability determination request. (Supporting documentation includes relevant policy memoranda that support or contradict your proposed determination. In your submittal, address both the supporting and conflicting arguments.)

If this request involves:	Useful Forms	Supporting Information and Other Resources
Permit Type	GI Series	§ Minn. R. 7007.0150 - 7007.0300 <sup>1</sup> § Facts About Types of Air Quality Permits <sup>2</sup> § Minnesota Fact Sheets
Amendment Type	CH-02	§ Minn. R. 7007.1250 - 7007.1500 § Minnesota Fact Sheets <sup>2</sup>
New Source Review (NSR) Applicability	CH-04, CH-04a, CH-04b	§ 40 Code of Federal Regulations (CFR) 52.21 <sup>3</sup> § NSR Policy and Guidance Database <sup>4</sup>
New Source Performance Standard (NSPS) Applicability	CH-05	§ 40 CFR pt. 60 <sup>3</sup> § Applicability Determination Index <sup>5</sup>
National Emission Standard for Hazardous Air Pollutants (NESHAP) Pt. 61 Applicability	CH-06	§ 40 CFR pt. 61 <sup>3</sup> § Applicability Determination Index <sup>5</sup>
NESHAP Pt. 63 Applicability	CH-07	§ 40 CFR pt. 63 <sup>3</sup> § Applicability Determination Index <sup>5</sup>
Minnesota Rules	CH-13	§ Minn. R. chs. 7000-7017 <sup>1</sup>

For the MPCA to respond, applicability requests must include all information related to the project/modification/rule interpretation involved in the request. Submit any pertinent information regarding the project/modification /rule interpretation for the facility even if it is not explicitly requested through this form, particularly if it would help the MPCA understand the project/modification/rule interpretation. Submittals lacking sufficient documentation may be returned without a determination from the MPCA.

### Additional Information:

For determinations involving federal rules, the MPCA may contact U.S. Environmental Protection Agency (EPA) for assistance in reviewing your request. If this occurs, you should anticipate a lengthened response time for your request.

- 6)** Complete and submit Forms SCP-01 and CH-GI-01 along with this form and all other supporting forms, pertinent data, and discussion.

<sup>1</sup> Minnesota Rules are available at most public libraries. Rules specific to Air Quality permitting can be found at [http://www.pca.state.mn.us/air/air\\_mnrules.html](http://www.pca.state.mn.us/air/air_mnrules.html)

<sup>2</sup> All MPCA fact sheets pertaining to Air Quality permitting can be found at <http://www.pca.state.mn.us/air/pubs/index.html#aqpermit>

<sup>3</sup> The electronic Code of Federal Regulations can be found at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=27d0dad4dd3d4c1969aad205b798e315&c=ecfr&tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=27d0dad4dd3d4c1969aad205b798e315&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl)

<sup>4</sup> The New Source Review Policy and Guidance Database can be found at <http://www.epa.gov/region07/air/nsr/nsr.htm>

<sup>5</sup> The Applicability Determination Index can be found at <http://cfpub.epa.gov/adi/>