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| Minnesota Pollution Control Agency (MPCA), 520 Lafayette Road North, St. Paul, MN 55155-4194 | GI-09Applicable requirements formAir Quality Permit Program*Doc Type: Permit Application* |

**Facility information**

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| **a)** AQ Facility ID number: |       | **b)** Agency Interest ID number: |       |
| **c)** Facility name: |       |

## **Federal and state requirements**

This packet of forms (Form GI-09 and associated Forms GI-09A through GI-09I) will help you to determine the federal and state requirements with which your facility must comply.Be advised that you must include any applicable requirement that may not be addressed in this part of the application.

The first section of this form asks questions to find out if your facility is subject to specific federal and state regulations. To assist you in filling out this form, there are nine attachments, Forms GI-09A through GI-09I. This form will direct you to each of the attachments as necessary, which will help you determine if your facility is subject to these regulations. When you are directed to an attachment, complete it as required, but *always* return to this form.

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| 1. **National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories**

(40 CFR pt. 63)1a) To determine if any requirements for the NESHAPS for Source Categories (40 CFR pt. 63) apply to your facility, you must complete attached Form GI-09A. If applying for an amendment to an existing permit, Form GI-09A will direct you to use Form CH-07 instead.1b) After completing Form GI-09A, check one of the following boxes:[ ]  Yes, my facility is currently subject to NESHAP for Source Categories requirements.[ ]  No, my facility is not currently subject to NESHAP for Source Categories requirements.1c) After completing Form GI-09A, check one of the following boxes:[ ]  Yes, my facility is subject to requirements of case-by-case Maximum Achievable Control Technology (MACT) under Section 112(g)(2)(B).[ ]  No, my facility is not subject to requirements of case-by-case MACT under Section 112(g)(2)(B). |
| 1. **NESHAP**

(NESHAP; 40 CFR pt. 61)2a) To determine if any of the NESHAP (40 CFR pt. 61) apply to your facility, you must complete the attached Form GI-09B.2b) After completing item 2a, check one of the following boxes:[ ]  Yes, my facilityis subject to NESHAP requirements.[ ]  No, my facility is not subject to NESHAP requirements. |
| 1. **New Source Review – Nonattainment and Prevention of Significant Deterioration**

(NSR, 40 CFR pt. 51 and 52)3a) Choose from the following options, then complete Form GI-09C: [ ]  This application is for construction of a new facility.[ ]  This application is for a first time individual operating permit for an existing facility currently permitted under and in compliance with a registration permit, capped permit, or general permit.[ ]  This application is for a first time individual operating permit for an existing facility that is currently unpermitted, or is not currently in compliance with an issued registration, capped, or general permit.[ ]  This application is for reissuance of an expiring Part 70 or state operating permit. |

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| 3b) After completing Form GI-09C check all that apply:[ ]  Yes, my facility is subject to NSR requirements for a change I am proposing to make at this time.[ ]  Yes, my facility is subject to NSR requirements for one or more previous changes that have never been permitted (“backwards-looking” NSR).[ ]  No, my facility is not subject to NSR requirements at this time.. |
| **4)** <Reserved for potential new regulations.> |
| **5) Standards of Performance for New Stationary Sources**(NSPS, 40 CFR pt. 60)5a) Is your facility a Sulfuric Acid Plant?[ ]  No.[ ]  Yes, you may be subject to this regulation; complete the attached Form GI-09D (you may skip question 5b).5b) Have you constructed, modified (as defined in 40 CFR § 60.14), or reconstructed (as defined in 40 CFR § 60.15) your emission facility, or any portion thereof, after August 17, 1971?[ ]  No.[ ]  Yes, you may be subject to this regulation. Complete the attached Form GI-09D.5c) If you answered No to questions 5a and 5b your facility is not subject to federal NSPS requirements. Answer “No” to question 5d.5d) After completing the above questions (and the attachment if necessary) check one of the following boxes:[ ]  Yes, my facility (or a portion of it) is subject to NSPS requirements.[ ]  No, my facility is not subject to NSPS requirements. |
| **6)** **Acid Rain Program under Title IV**(40 CFR pt. 72, 40 CFR pt. 73; and 1990 Clean Air Act, as amended, Sections 401-416)6a) Is your facility one of the Phase I or Phase II units listed below?[ ]  No. Go to question 6b.[ ]  Yes. Go to question 6c and answer Yes.Austin Utilities: Northeast StationInterstate Power & Light: Fox LakeMinnesota Power: Clay Boswell, M.L. Hibbard, or Syl LaskinXcel Energy: High Bridge, Minnesota Valley, Riverside, Sherburne County, Allen S. King, Black Dog, Na. 1 – 7237, Future BaseOtter Tail Power: Hoot LakeRochester Public Utility: Silver Lake6b) Does your facility combust fossil fuel and generate electricity for wholesale or retail sale, such as a cogeneration facility, a qualifying facility (as defined in the Federal Power Act), independent power producer, or solid waste incinerator?[ ]  No. Go to question 6c and answer No.[ ]  Yes. Your facility may be subject to Acid Rain Requirements. Refer to the applicability definitions in 40 CFR § 72.6 to find out if they apply.6c) After completing question 6a and 6b, are you subject to Acid Rain Requirements?[ ]  No, my facility is not subject to Acid Rain Requirements.[ ]  Yes, my facility is subject to Acid Rain Requirements. Refer to Form GI-09E for more information about applying for an acid rain permit. |

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| **7)** **Stratospheric Ozone Protection** (1990 Clean Air Act, as amended, Sections 601-618)7a) To determine if this federal regulation applies to your facility, you must complete the attached FormGI-09F.7b) After completing Form GI-09F, check one of the following boxes:[ ]  Yes, my facility is subject to this requirement.[ ]  No, my facility is not subject to this requirement. |
| **8) Risk Management Programs for Chemical Accidental Release Prevention**(40 CFR pt. 68, Section 112(r) of the Clean Air Act Amendments)8a) Section 112(r) of the Clean Air Act requires facilities that produce, process, store or use any of the substances listed in Form GI-09G, in amounts greater than the listed thresholds, to develop and implement a risk management plan for accidental releases. 8b) Determine if you produce, process, store or use any of the substances listed in Form GI-09G, and check one of the following boxes:[ ]  Yes, my facility does produce, process, store or use one or more of the substances listed in Form GI-09G, in amounts exceeding the listed thresholds.[ ]  No, my facility does not produce, process, store, or use any of the substances listed in Form GI-09G, in amounts exceeding the listed thresholds. |
| 1. **Compliance Assurance Monitoring (CAM)**

(CAM, 40 CFR pt. 64)9a) Choose from the following options:[ ]  This application is **not** for a Part 70 permit nor an amendment to a Part 70 permit; therefore, my facility is not subject to CAM requirements. Go to question 10.[ ]  This application is for a Part 70 permit or is an amendment to a Part 70 permit. To determine if the CAM regulations apply to your facility, you must complete the attached Form GI-09H, then answer 9b.9b) After completing Form GI-09H, check one of the following boxes:[ ]  Yes, my facility is subject to CAM requirements.[ ]  No, my facility is not subject to CAM requirements. |
| 1. **Federal Ozone Measures for the Control of Emissions from Certain Sources**

(1990 Clean Air Act, as amended, Section 183(e))10a) Rules have been promulgated under the above section of the Clean Air Act regulating volatile organic compounds (VOCs) from consumer or commercial products that emit VOCs. Does your facility manufacture: (check all that apply)[ ]  Household consumer products containing VOCs[ ]  Architectural coatings containing VOCs[ ]  Autobody refinishing coatings containing VOCs[ ]  My facility does not manufacture any of the above. (Go to question 11.)10b) If you checked any boxes in question 10a) review the regulations on U.S. Environmental Protection Agency (EPA) webpage at <http://www.epa.gov/ttn/atw/183e/gen/183epg.html> to determine whether your facility may be subject to any rules that are adopted under § 183(e) requiring emission reductions. After reviewing the regulations, check one of the following boxes.[ ]  Yes, my facility is subject to consumer and commercial products regulation under section 183(e). Go to question 10c.[ ]  No, my facility is not subject to consumer and commercial products regulation under section 183(e). Go to question 11.10c) Check the box that best describes your source’s compliance status with regards to applicable 183(e) requirements on the date of application, then go on to question 11. [ ]  Compliance.[ ]  Non-Compliance. |
| **Describe:**      |

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| **11) Minnesota State Air Quality Rules**11a) To determine which Minnesota State rules you may be subject to, go to form GI-09I.11b) Whether permitted or not, every business and activity in Minnesota is subject to the rules listed in the following table: |
| **Title of the Rule** | **Minnesota Rules (Chapter or Part)** | **What the content of the Rule is:** |
| Air Quality Emission Fees | Part 7002.0025 - 7002.0095 | Requires facilities to pay emission fees every year within 60 days of MPCA billing. |
| Air Emission Permits | Parts 7007.0050 - 7007.1850 | Outlines when an air emission permit is required and procedures for obtaining one. |
| Trichloroethylene Ban | Part 7007.0100, subp. 7(X) | Bans facilities from using trichloroethylene after June 1, 2022, including in any manufacturing, processing, or cleaning processes, except as described in Minn. Stat. 116.385 subd. 2(B) and 4. Replacement chemicals must be demonstrated to be less toxic to human health and reviewed in a form approved by the commissioner of the MPCA. |
| Minnesota and National Ambient Air Quality Standards | Part 7009.0010 - 7009.0080 | No one is allowed to emit any of the limited pollutants in such a manner that ambient levels of the pollutant are higher than the maximum level. |
| Applicability of Standards of Performance | Parts 7011.0010, and 7011.0050 | Indicates that facilities must comply with all applicable state air pollution rules. |
| Circumvention | Part 7011.0020 | States that no one may conceal or dilute emissions which would otherwise violate a federal or state air pollution control rule. |
| Emission Standards for Visible Air Contaminants | Part 7011.0100 - 7011.0120 | Outlines restrictions against emitting opaque smoke from facilities. |
| Preventing Particulate Matter from Becoming Airborne | Part 7011.0150 | States that no person shall cause particulate matter to become airborne if it can be avoided with listed preventative measures. |
| Continuous Monitors | Part 7017.1000 | Outlines requirements for continuous monitoring systems. |
| Performance Tests | Part 7017.2001 - 7017.2060 | Outlines procedures and methods for emissions and performance testing if required. |
| Notifications | Part 7019.1000 | Requires facilities to notify the MPCA of shutdowns and breakdowns. |
| Reports | Part 7019.2000 | Requires specific records and reports from facilities with continuous monitoring systems. |
| Emission Inventory | Part 7019.3000 - 7019.3100 | Requires facilities to submit an Emission Inventory Report by April 1 every year. |
| Motor Vehicles | Part 7023.0100 - 7023.0120 | Outlines restrictions against emitting opaque smoke from motor vehicles, trains, boats, construction equipment and stationary internal combustion engines. |
| Noise Pollution Control | Part 7030.0010 - 7030.0080 | Sets noise standards which cannot be exceeded. |
| **12)** <Reserved for potential new regulations.> |
| **13) You have completed the *Applicable requirements form*.** |