

Comparison of air permit flexibility options

(Acronyms are listed at the end of the table)

Feature	Registration Permit Option D	Capped Emission Permit	Individual State Permit (Limits to be minor for NSR & Pt. 70)	Individual Pt. 70 Permit (Limits to be Minor for NSR)	Individual permit with precap limits
Type	State (rule-based)	State (rule-based)	State	Part 70	State or Part 70
Thresholds/ Applicability Limits	Using actual emissions: < 50 tpy PM, PM ₁₀ , VOC, SO ₂ , NO _x , CO < 5 tpy single HAP < 12.5 tpy all HAP < 0.5 tpy lead < 50,000 tpy CO ₂ e	Using actual emissions: Option 1: < 90 tpy PM, PM ₁₀ , VOC, SO ₂ , NO _x , CO < 9 tpy one HAP < 20 tpy all HAP < 0.5 tpy lead < 90,000 tpy CO ₂ e Includes IAs Option 2: < 90 tpy for SO ₂ < 85 tpy for VOC, NO _x , and CO < 75 tpy for PM ₁₀ , PM < 8 tpy one HAP < 20 tpy all HAP < 0.5 tpy lead < 85,000 tpy CO ₂ e Does not include IAs	< 100 tpy each of PM, PM ₁₀ , PM _{2.5} , VOC, NO _x , CO, SO ₂ (limited at 90 tpy or lower) < 100,000 tpy CO ₂ e < 10 tpy one HAP (limited at 9 tpy or lower) < 25 tpy all HAP (limited at 22.5 tpy or lower) Limits lowered to leave room for IAs and compliance method issues (adjusted for individual facility).	< 100/250 tpy each of PM ₁₀ , PM _{2.5} , VOC, NO _x , CO, SO ₂ (limited at 90/225 tpy or lower) depending on NSR threshold. < 100,000 tpy CO ₂ e May also include HAP limits if source wants to avoid major source NESHAP requirements. Limits lowered to leave room for IAs and compliance method issues (adjusted for individual facility).	Cap facility-wide emissions of key (or all) pollutants to avoid Pt. 70 or to avoid NSR major source threshold if Pt. 70 – See individual state and pt. 70 columns for specific values.

Feature	Registration Permit Option D	Capped Emission Permit	Individual State Permit	Individual Pt. 70 Permit (Limits to be Minor for NSR)	Precap Individual Permit
Eigibility	Not eligible if: <ul style="list-style-type: none"> • Acid Rain source • Waste combustor • SIP requirements • Assumed things in an EIS, EAW, MAAQS compliance, or NAAQS compliance that must be made enforceable • NSPS applies other than those listed in the rule • Eligible for sector-based state general permit 	Same as Option D plus: <ul style="list-style-type: none"> • No ethanol plants • Must pass ambient air assessment without restrictions 	Issuance criteria listed in Minn. R. 7007.1000, subp. 1		
Application Process – Applicant	Very short application packet. Must identify applicable NSPS and area source NESHAPs, need not identify other applicable requirements or specific equipment, just eligibility.	Shortened application packet, but must provide information on all equipment/ materials	Full application packet. Must determine all applicable requirements and propose compliance methods for all equipment.		
Permit Document	One page permit	One page permit	Full permit document. Requirements are specific to equipment and operations.		

Feature	Registration Permit Option D	Capped Emission Permit	Individual State Permit	Individual Pt. 70 Permit (Limits to be Minor for NSR) Precap Individual Permit
Making Changes	Can make changes without receiving permit amendment as long as remain below thresholds and continue to qualify.	Can make changes without amendment as long as remain below thresholds and meet other eligibility requirements. Must do pre-change analysis when increasing emissions to show will meet eligibility requirements (including ambient air standards).	No pre-authorized changes. Must apply for appropriate permit amendment (minor, moderate, major, or administrative) for each change at facility that triggers need for amendment.	Emissions cap written to “pre-limit” (precap) annual emission increases of new or modified equipment. Amendments still apply if changes under the pre-cap result in a potential increase in hourly emissions.
Record-keeping, Monitoring & Reporting	Monthly records and calculations Annual calculations if emissions are < 25 percent of Pt. 70 thresholds Do not have to calculate HAPs if VOCs < 5tpy Follow Control Equipment Rule Compliance requirements in rule	Daily production/ usage records and monthly calculations of actual emissions. Must calculate all HAP emissions. Follow Control Equipment Rule. Compliance requirements in rule but must create tailored compliance plan.	Daily records and monthly calculations. Tailored control equipment requirements. Compliance requirements in permit.	Additional recordkeeping for changes made under the precap when no amendment was needed.
Submittals	Shutdown/ breakdown notification	Shutdown/ breakdown notification. Report deviations semi-annually only if a deviation. Annual compliance certification. Submittals associated with applicable requirements, e.g. NSPS.	Shutdown/ breakdown notification. Deviations reporting every six months. Annual compliance certification. Submittals associated with applicable requirements, e.g. NSPS. Any case specific submittals (e.g., equipment inventory).	

Feature	Registration Permit Option D	Capped Emission Permit	Individual State Permit	Individual Pt. 70 Permit (Limits to be Minor for NSR)	Precap Individual Permit
Duration	Non-expiring	Non-expiring with certain exceptions	Non-expiring with certain exceptions	Five year term	Non-expiring with certain exceptions (state) or five-year term (Pt. 70)
Issuance Time (Generally)	Within 60 days of receiving complete application	Within 60-90 days of receiving complete application.	Within six to twelve months of starting work	Within six to twelve months of starting work	Within six to twelve months of starting work
Public Participation	No public notice of individual permits issued. Public can request a list of facilities with Option D Permit.	List of facilities on agency website that have applied for Capped permit. 30 day comment period on eligibility. Persons can elect to receive electronic notification of capped applications received.	Standard 30-day public notice of draft permit	Standard 30-day public notice of draft permit; EPA 45-day review	Standard 30-day public notice of draft permit; EPA 45-day review (Pt. 70 only)
Emissions Inventory	Annual submittal of total facility emissions (not by unit or process)	Annual submittal of emissions by unit/process			

List of acronyms used in table

CO - Carbon Monoxide
CO₂e - Carbon Dioxide Equivalent
EAW – Environmental Assessment Worksheet
EI- Emissions Inventory
EIS – Environmental Impact Statement
HAP - Hazardous Air Pollutant
IA -Insignificant Activities
NESHAP – National Emission Standards for Hazardous Air Pollutants
NO_x - Nitrogen Oxides
NSR – New Source Review
NSPS – New Source Performance Standard
PM - Particulate Matter
PM₁₀ – PM Smaller than 10 Microns in Diameter
SIP- State Implementation Plan
SO₂ - Sulfur Dioxide
tpy – Tons Per Year
VOC - Volatile Organic Compounds

*Go to <https://www.revisor.mn.gov/rules/?id=7007> to view the rule-based permits or to <http://www.pca.state.mn.us/air/permits/issued/index.html> view a specific permit.