

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Permanent Rules Relating to Air Toxics Reporting

AGENCY: Minnesota Pollution Control Agency

REVISOR ID: R-4599

MINNESOTA RULES: Chapters 7002, 7005, 7007, and 7019

INCORPORATIONS BY REFERENCE:

Part 7019.3110, subpart 3: *Report on Carcinogens*, National Toxicology Program, United States Department of Health and Human Services (15th edition and subsequent editions). The report is not subject to frequent change and is available on the website of the National Institute of Environmental Health Sciences (<https://www.niehs.nih.gov>).

Part 7019.3110, subpart 3: *IARC Monographs on the Identification of Carcinogenic Hazards to Humans*, International Agency for Research on Cancer (volumes 1 to 134 and as subsequently added). The monographs are subject to frequent change and are available on the website of the International Agency for Research on Cancer (<https://monographs.iarc.who.int/monographs-available>).

The attached rules are approved for
publication in the State Register

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Proposed Permanent Rules Relating to Air Toxics Reporting

7002.0015 DEFINITIONS.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 2a. **Chargeable pollutant.** "Chargeable pollutant" means a pollutant that is assessed a fee and includes the following:

[For text of items A and B, see Minnesota Rules]

[For text of subparts 2b to 4, see Minnesota Rules]

7005.0100 DEFINITIONS.

[For text of subparts 1 to 2b, see Minnesota Rules]

Subp. 2c. **Air toxics.** "Air toxics" means pollutants, except for criteria pollutants, that are known or suspected to cause cancer or other serious health effects or adverse environmental and ecological effects. Air toxics includes the pollutants listed under part 7019.3110, subpart 2.

Subp. 2d. **Air toxics reporting facility.** "Air toxics reporting facility" means a facility in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County for which the owner or operator of the facility must obtain an air emission permit under chapter 7007, but does not include a facility permitted under part 7007.1120, registration permit option B.

[For text of subparts 3 to 44a, see Minnesota Rules]

Subp. 44b. **Toxic release inventory list.** "Toxic release inventory list" or "TRI list" means the list of chemicals and chemical categories adopted by the Environmental Protection Agency under Code of Federal Regulations, title 40, section 372.65, according to the federal Emergency Planning and Community Right-to-Know Act, United States Code, title 42, section 11023.

2.1 [For text of subpart 45, see Minnesota Rules]

2.2 **7007.0800 PERMIT CONTENT.**

2.3 [For text of subparts 1 to 5, see Minnesota Rules]

2.4 Subp. 6. **Reporting.**

2.5 [For text of items A to E, see Minnesota Rules]

2.6 ~~F. For deviations caused by emergencies, as defined in part 7007.1850, the~~
2.7 ~~permittee may assert an affirmative defense only if it meets all the requirements of part~~
2.8 ~~7007.1850.~~

2.9 [For text of subparts 7 to 16, see Minnesota Rules]

2.10 **7007.1146 CAPPED PERMIT; COMPLIANCE REQUIREMENTS.**

2.11 [For text of subparts 1 to 4, see Minnesota Rules]

2.12 Subp. 5. **Reporting.** An owner or operator of a source with a capped permit must
2.13 submit to the ~~agency~~ commissioner the reports described under items A to E. All reports
2.14 required under a capped permit ~~shall~~ must be certified by a responsible official consistent
2.15 with part 7007.1143, subpart 1.

2.16 A. Deviation reporting time frames as described in subitems (1) and (2).

2.17 (1) For deviations that endanger human health or the environment, the
2.18 permittee ~~shall~~ must notify the commissioner as required in part 7019.1000, subpart 1. ~~The~~
2.19 ~~permittee may assert the affirmative defense of emergency only if it meets all the~~
2.20 ~~requirements of part 7007.1850, which includes notifying the agency within two working~~
2.21 ~~days of when the emission limitations were exceeded due to the emergency.~~

2.22 [For text of subitem (2), see Minnesota Rules]

2.23 [For text of items B to E, see Minnesota Rules]

3.1 **7019.3000 EMISSION INVENTORY.**

3.2 Subpart 1. **Emission inventory required.**

3.3 A. All owners or operators of emission reporting facilities, as defined in part
3.4 7002.0015, subpart 3a, ~~shall~~ and air toxics reporting facilities, as defined in part 7005.0100,
3.5 subpart 2d, must submit an annual emission inventory report to the ~~agency,~~ commissioner.

3.6 B. The report under item A must meet the following criteria:

3.7 (1) the owner or operator of an emission reporting facility must submit the
3.8 report in a format specified by the commissioner, relating to ammonia, carbon monoxide,
3.9 particulate matter, and all chargeable pollutants as defined in part 7002.0015, subpart 2a;

3.10 (2) the owner or operator of an air toxics reporting facility must submit the
3.11 report in a format specified by the commissioner, relating to air toxics according to part
3.12 7019.3110;

3.13 (3) ~~The report shall be submitted~~ the owner or operator of an emission
3.14 reporting facility or air toxics reporting facility must submit the report on or before April
3.15 1 of the year following the calendar year being reported; and

3.16 (4) the responsible official, as defined in part 7007.0100, subpart 21, must
3.17 sign the report and ~~shall~~ make the following certification:

3.18 "I certify under penalty of law that this document and all attachments were prepared
3.19 under my direction or supervision by qualified personnel. The information submitted
3.20 is, to the best of my knowledge and belief, true, accurate, and complete. I understand
3.21 that the data provided in this document will be used by the MPCA to calculate a fee;
3.22 ~~which that~~ the facility will be required to pay under Minnesota Rules, part 7002.0065,
3.23 based on the tons of pollution emitted by the facility."

3.24 ~~B. C.~~ (1) All owners or operators of facilities issued option B registration permits
3.25 under part 7007.1120 ~~shall~~ must submit either an emission inventory using methods described

under subitem (3) and parts 7019.3020 to 7019.3100 or the certification and VOC-containing material report in subitem (2). The report ~~shall~~ must be submitted on or before ~~the~~ April 1 following the calendar year being reported.

(2) All owners or operators that choose to be assessed a fee under part 7002.0025, subpart 1, item C, subitem (2), ~~shall~~ must submit a report and certification to the agency commissioner. The responsible official, as defined in part 7007.0100, subpart 2, must sign the report and ~~shall~~ make the following certification:

"I certify under penalty of law that the facility described in registration permit number is eligible for the option B registration permit that it was issued and holds and that the facility purchased or used (as stated in the permit application) gallons of VOC-containing materials in the 12-month reporting period. I further certify that the eligibility of the facility and the quantity of material reported herein were determined under my direction or supervision by qualified personnel. The information used to determine eligibility and the quantity of material reported herein for the registration permit is, to the best of my knowledge and belief, true and accurate. I understand that the information provided in this certification will be used by the MPCA to assess a fee under Minnesota Rules, part 7002.0025, subpart 1, item C, ~~which~~ that the facility will be required to pay under Minnesota Rules, part 7002.0065."

(3) All owners and operators that choose to be assessed a fee under part 7002.0025, subpart 1, item C, subitem (1), ~~shall~~ must submit an emission inventory report to the agency commissioner, in a format specified by the commissioner, relating to emissions from the use of VOC-containing materials using methods described in part 7019.3030, ~~item B~~ subpart 2, and the certification in subitem (2). The certification and emission inventory ~~shall~~ must be signed by the responsible official, as defined in part 7007.0100, subpart 2.

Subp. 2. **Owner or operator error in reporting data.** If an owner or operator discovers an error in the data after having submitted it to the agency commissioner, the

owner or operator ~~shall~~ must submit corrected data, with a written explanation of the mistake and why it occurred. If the commissioner agrees that the correction is appropriate, the commissioner ~~shall~~ must correct the data in the inventory. However, for purposes of assessing the emission fee under part 7002.0025, the commissioner ~~shall~~ must not accept any correction submitted by an owner or operator ~~which~~ that would result in a reduction of tons emitted if the correction is submitted more than 45 days after the mailing date of the previous calendar year's air emissions summary.

Subp. 3. **Mercury emission sources.**

A. Owners or operators of a mercury emission source as defined in part 7005.0100, subpart 23b, must submit an annual emission inventory report of the mercury emissions to the commissioner in a format specified by the commissioner. The report must be submitted on or before April 1 of the year following the calendar year being reported. ~~The initial report must cover the first full calendar year following September 29, 2014.~~

B. Owners or operators of stationary sources that have air emissions of mercury but that are not mercury emission sources must report every three years.

C. Owners or operators of stationary sources that are air toxics reporting facilities must report mercury emissions as provided under part 7019.3110.

Subp. 4. **Possible mercury emission sources.** If the commissioner determines that a stationary source has activity levels or emission factors that indicate that the source may be a mercury emission source, the commissioner may request that the owners or operators quantify the source's mercury emissions using the methods listed in part 7019.3030, ~~item~~ A subpart 1. The owners or operators must complete the quantification and submit a report to the commissioner within 120 days of the commissioner's request.

7019.3020 CALCULATING ACTUAL EMISSIONS FOR EMISSION INVENTORY.

Subpart 1. Scope. ~~A.~~ Emissions from all emissions units must be reported in the annual emissions inventory report in a format specified by the commissioner.

Subp. 2. Insignificant activities. ~~Emissions from insignificant activities listed in part 7007.1300, subpart 2, must not be reported. Emissions~~ Emission reporting facilities and air toxics reporting facilities are not required to report emissions from insignificant activities listed in part 7007.1300, ~~subparts 3 and 4,~~ and conditionally insignificant activities listed in part 7008.4000 ~~must be reported if~~ unless:

A. the commissioner or owner or operator has determined that emissions from those activities are not insignificant for purposes of permitting under parts 7007.0100 to ~~7007.1850~~ 7007.1800 or for those activities required to be quantified by a facility issued a capped permit option 1. ~~Notwithstanding the previous sentence,;~~ or

B. the commissioner ~~may request~~ requests an inventory of fugitive emissions from roads and parking lots, defined as insignificant under part 7007.1300, subpart 3, item G, upon determining that emissions from these sources represent a substantial portion of the facility's total emissions.

Subp. 3. Calculating emissions. ~~B.~~ Except as provided in subparts 4 to 7, all owners or operators of emission reporting facilities, as defined in part 7002.0015, subpart 3a, or facilities issued option B registration permits under part 7007.1120 that choose to be assessed a fee under part 7002.0025, subpart 1, item C, subitem (1), ~~shall~~ must calculate emissions based on parts 7019.3030 to 7019.3100, except for any facility ~~which~~ that has obtained an option A, C, or D registration permit under part 7007.1115, 7007.1125, or 7007.1130 or a capped permit under parts 7007.1140 to 7007.1148.

Subp. 4. Calculating emissions for option A permits. ~~C.~~ Owners or operators of emission reporting facilities that hold an air emission permit under part 7007.1115, registration permit option A, must report actual emissions calculated for the calendar year

for which emissions are being reported in a format specified by the commissioner. The owners or operators of a facility issued an option A registration permit under part 7007.1115 must calculate emissions for all emission units using the methods listed in parts 7019.3030 to 7019.3100.

Subp. 5. Calculating emissions for option C permits. ~~D.~~ All owners or operators of emission reporting facilities ~~which~~ that have obtained an air emission permit under part 7007.1125, registration permit option C, ~~shall~~ must report the quantity of each fuel purchased or used (whichever was stated in the facility's registration permit application) in the calendar year for which emissions are being calculated. The report ~~shall~~ must apportion the quantity of fuel burned with the type of combustion unit (indirect heating units or internal combustion engines) ~~in which~~ that it was burned in. The owner or operator ~~shall~~ must report the quantity of VOC-containing materials purchased or used (whichever is stated in the facility's registration permit application) in the calendar year for which emissions are being calculated and air toxics emissions using the method listed in part 7019.3060. The owners or operators reporting VOC-containing materials purchases or usage ~~shall~~ must also report the weight factor (WF) of the VOC and air toxics in the materials (weight of VOC per weight of VOC-containing materials) and the density of the materials. ~~The actual emissions shall be calculated by the commissioner.~~

Subp. 6. Calculating emissions for option D permits. ~~E.~~ All owners or operators of emission reporting facilities ~~which~~ that have obtained an air emission permit under part 7007.1130, registration permit option D, ~~shall~~ must report the actual emissions calculated for purposes of compliance demonstration required in part 7007.1130, subpart 3, item E, for the calendar year for which emissions are being reported in a format specified by the commissioner.

Subp. 7. Calculating emissions for capped permits. ~~F.~~ All owners or operators of emission reporting facilities ~~which~~ that have obtained an air emission permit under parts

7007.1140 to 7007.1148, capped permit, ~~shall~~ must report the actual emissions calculated for purposes of compliance demonstration required in part 7007.1146, subpart 2, item H, for the calendar year for which emissions are being reported for all emission units in a format specified by the commissioner.

Subp. 8. Material balance. ~~G.~~ All owners or operators of an emission reporting facility submitting an emission inventory based in whole, or in part, on a material balance calculation ~~shall~~ must submit a sample material balance calculation with the emission inventory. Such facilities ~~shall~~ must also maintain a record of the ~~material~~ safety data sheets or vendor certification of the VOC, air toxics, mercury, or sulfur content of the material for each material or fuel used and the material balance calculations for ~~a period of five years~~ after the date of ~~submittal~~ of the emission inventory is submitted.

Subp. 9. Control equipment. ~~H. The~~ An emission inventory may be based on the use of control equipment only if the use of the specific control equipment is required under conditions of a permit or applicable requirement as defined in part 7007.0100, subpart 7, or is included in a notification received by the ~~agency~~ commissioner under part 7007.1150, item C. This ~~item~~ subpart applies upon issuance under chapter 7007 of a registration, state, capped, general, or part 70 permit to a stationary source ~~but no earlier than the date three years after EPA grants full program approval of the agency's permit program under Title 5 of the Clean Air Act.~~

Subp. 10. Control efficiency factors. An owner or operator submitting the emission inventory must apply control efficiency factors, as defined under part 7005.0100, subpart 9b, to air toxics emissions calculations according to items A and B, unless the control efficiency factor for the pollutant is identified in the permit. The owner or operator must:

A. use the VOC control efficiency factor for volatile air toxics; and

B. use the PM10 control efficiency factor for particulate air toxics.

9.1 **7019.3030 METHOD OF CALCULATION.**

9.2 Subpart 1. Method hierarchy. ~~A.~~ The owner or operator of an emission reporting
9.3 facility, except one issued an option C or D registration permit under part 7007.1125 or
9.4 7007.1130 or a capped permit under parts 7007.1140 to 7007.1148, ~~shall~~ must calculate the
9.5 facility's actual emissions using the methods listed in ~~subitems (1) to (4)~~ items A to D. The
9.6 owner or operator of an air toxics reporting facility issued an option D registration permit
9.7 or a capped permit must calculate air toxics emissions for each emission unit using the
9.8 methods listed in items A to D, except that similar emission units may be aggregated. The
9.9 methods are listed in a hierarchy of the most preferred method to the least preferred method.
9.10 The most preferred method available ~~shall~~ must be used. Where more than one method is
9.11 listed in the ~~subitem~~ item, they are considered to be equal in the hierarchy and any can be
9.12 used:

9.13 A. ~~(1)~~ part 7019.3040 (continuous emission monitor data);

9.14 B. ~~(2)~~ part 7019.3050, ~~item B~~ (performance test data);

9.15 C. ~~(3)~~ part 7019.3060 (VOC and air toxics material balance), 7019.3065 (mercury
9.16 material balance), 7019.3070 (~~SO₂~~ SO₂ material balance), 7019.3080 (emission factor), or
9.17 7019.3090 (enforceable limitations), as applicable; or

9.18 D. ~~(4)~~ part 7019.3100 (facility proposal).

9.19 Subp. 2. Option B permit fees. ~~B.~~ The owner or operator of a facility issued an
9.20 option B registration permit under part 7007.1120 that chooses to be assessed a fee under
9.21 part 7002.0025, subpart 1, item C, subitem (1), ~~shall~~ :

9.22 A. must calculate the facility's actual emissions using the methods listed in part
9.23 7019.3060; and

~~The owner or operator of a facility issued an option B registration permit under part 7007.1120 that chooses to be assessed a fee under part 7002.0025, subpart 1, item C, subitem (1), shall~~

B. must not consider the effects of pollution control equipment on emissions from the use of VOC-containing materials when calculating actual emissions for an emissions inventory.

Subp. 3. Selecting calculation method. ~~C.~~ For purposes of selecting a calculation method, a method is considered available if the conditions associated with the method in parts 7019.3040 to 7019.3100 are met. The method described in part 7019.3100 may be used, ~~provided that~~ if the proposal is submitted to the commissioner by September 1 of the first calendar year for which the emissions are being calculated. The commissioner must reject data submitted using the methods described in parts 7019.3040 to 7019.3090 if the conditions for the method are not fully met.

Subp. 4. Reporting individual pollutants. An owner or operator of a facility must report individual pollutants to the maximum extent feasible. If the owner or operator cannot report individual pollutants within a group, such as lead compounds or nickel compounds, the owner or operator must report total emissions as a group.

7019.3060 VOLATILE ORGANIC COMPOUND (VOC) AND AIR TOXICS MATERIAL BALANCE.

If the methods in part 7019.3040 or 7019.3050 are unavailable to the owner or operator of an emission reporting facility or a facility issued an option B registration permit under part 7007.1120 that chooses to be assessed a fee under part 7002.0025, subpart 1, item C, subitem (1), the facility may calculate VOC and air toxics emissions using the material balance method described in this part. This method may be used in conjunction with or instead of emission factors and enforceable limitations methods described in parts 7019.3080 and 7019.3090, where applicable. A person using material balance to calculate VOC and

11.1 air toxics emissions must determine the total VOC emissions and air toxics emissions (E)
11.2 as follows:

11.3
$$E = (A - B - C) * (1 - CE)$$

11.4 where:

11.5 A = the amount of VOC and air toxics entering the process. The amount of VOC used
11.6 in this calculation must be the amount certified by the supplier, the maximum amount stated
11.7 on the material safety data sheet, or the amount determined by reference method 24.

11.8 B = the amount of VOC and air toxics incorporated into the product. This includes
11.9 VOCs chemically transformed in production. An explanation of this calculation must also
11.10 be submitted.

11.11 C = the amount of VOC and air toxics, if any, leaving the process as waste, or otherwise
11.12 not incorporated into the product and not emitted to the air. If the actual VOC and air toxics
11.13 content of the waste is unknown, then C = 0.

11.14 CE = the control efficiency, or the product of capture efficiency and collection or
11.15 destruction efficiency, of any device used to capture and/or control VOC and air toxics
11.16 emissions, expressed as a decimal fraction of 1.00. The control efficiency must be based
11.17 on efficiency factors, as defined in part 7005.0100, subpart 9b, including air toxics, or must
11.18 be based on the control efficiency verified by a performance test conducted according to
11.19 parts 7017.2001 to 7017.2060 and 7019.3050. The overall efficiency of a pollution control
11.20 system that uses a hood, as defined in part 7011.0060, subpart 2, as the emission capture
11.21 device must be based on a capture efficiency of 60 percent. If an alternative capture efficiency
11.22 has been determined by a performance test conducted according to parts 7017.2001 to
11.23 7017.2060 and 7019.3050, that capture efficiency must be used in the calculation of actual
11.24 emissions.

12.1 **7019.3080 EMISSION FACTORS.**

12.2 [For text of item A, see Minnesota Rules]

12.3 B. Control equipment efficiency must be based on efficiency factors as defined
12.4 in part 7005.0100, subpart 9b, including air toxics, or on the efficiency verified by a
12.5 performance test conducted according to parts 7017.2001 to 7017.2060 and 7019.3050.
12.6 Calculations of actual emissions from an emission unit through a pollution control system
12.7 that uses a hood, as defined in part 7011.0060, subpart 2, as the emission capture device
12.8 must be based on a capture efficiency of 80 percent. If an alternative capture efficiency has
12.9 been determined by a performance test conducted according to parts 7017.2001 to 7017.2060
12.10 and 7019.3050, the owner or operator must use that capture efficiency in the calculation of
12.11 actual emissions.

12.12 **7019.3110 AIR TOXICS EMISSION INVENTORY AND EMISSIONS REPORTING.**

12.13 Subpart 1. **Inventory required.** An owner or operator of an air toxics reporting facility,
12.14 as defined in part 7005.0100, subpart 2d, must include the air toxics emissions under subpart
12.15 2 in the annual air toxics emission inventory according to part 7019.3000.

12.16 Subp. 2. **Air toxics to be reported.**

12.17 A. An owner or operator of an air toxics reporting facility must include HAPs as
12.18 defined in part 7007.0100, subpart 12a.

12.19 B. An owner or operator of an air toxics reporting facility must include PFAS as
12.20 defined in Minnesota Statutes, section 116.943, subdivision 1, paragraph (p), that are listed
12.21 on the TRI list defined in part 7005.0100. An owner or operator must also include the
12.22 following PFAS:

12.23 **Chemical Abstracts Service (CAS) number** **Pollutant**

12.24 (1) 375-61-1 1,1,1,2,2,3,3,4,4,5,5-Undecafluoropentane

12.25 (2) 811-97-2 1,1,1,2-Tetrafluoroethane

13.1	<u>(3) 420-46-2</u>	<u>1,1,1-Trifluoroethane</u>
13.2	<u>(4) 209482-18-8</u>	<u>1-(4-Butoxynaphthyl)tetrahydrothiophenium</u>
13.3		<u>perfluorobutanesulfonate</u>
13.4	<u>(5) 120226-60-0</u>	<u>10:2 Fluorotelomer sulfonic acid</u>
13.5	<u>(6) 763051-92-9</u>	<u>11-Chloroperfluoro-3-oxaundecanesulfonic</u>
13.6		<u>acid</u>
13.7	<u>(7) 2252-84-8</u>	<u>1H-Heptafluoropropane</u>
13.8	<u>(8) 375-17-7</u>	<u>1H-Nonafluorobutane</u>
13.9	<u>(9) 355-37-3</u>	<u>1H-Perfluorohexane</u>
13.10	<u>(10) 375-83-7</u>	<u>1-Hydroperfluoroheptane</u>
13.11	<u>(11) 2991-50-6</u>	<u>2-(N-Ethylperfluorooctanesulfonamido)acetic</u>
13.12		<u>acid</u>
13.13	<u>(12) 2355-31-9</u>	<u>2-(N-Methylperfluorooctanesulfonamido)acetic</u>
13.14		<u>acid</u>
13.15	<u>(13) 53826-13-4</u>	<u>2-(Perfluorodecyl)ethanoic acid</u>
13.16	<u>(14) 53826-12-3</u>	<u>2-(Perfluorohexyl)ethanoic acid</u>
13.17	<u>(15) 27854-31-5</u>	<u>2-(Perfluorooctyl)ethanoic acid</u>
13.18	<u>(16) 359-49-9</u>	<u>2,3,3,3-Tetrafluoropropanoic acid</u>
13.19	<u>(17) 914637-49-3</u>	<u>2H,2H,3H,3H-Perfluorooctanoic acid</u>
13.20	<u>(18) 70887-84-2</u>	<u>2H-Perfluoro-2-decenoic acid</u>
13.21	<u>(19) 3330-14-1</u>	<u>2H-Perfluoro-5-methyl-3,6-dioxanonane</u>
13.22	<u>(20) 812-70-4</u>	<u>3-(Perfluoroheptyl)propanoic acid</u>
13.23	<u>(21) 70887-88-6</u>	<u>3-(Perfluoropentyl)-3-fluoro-2-propenoic acid</u>
13.24	<u>(22) 356-02-5</u>	<u>3:3 Fluorotelomer carboxylic acid</u>
13.25	<u>(23) 919005-14-4</u>	<u>4,8-Dioxa-3H-perfluorononanoic acid</u>
13.26	<u>(24) 27619-93-8</u>	<u>4:2 Fluorotelomer sulfonate sodium</u>
13.27	<u>(25) 757124-72-4</u>	<u>4:2 Fluorotelomer sulfonic acid</u>
13.28	<u>(26) 27619-94-9</u>	<u>6:2 Fluorotelomer sulfonate sodium salt</u>
13.29	<u>(27) 27619-97-2</u>	<u>6:2 Fluorotelomer sulfonic acid</u>
13.30	<u>(28) 27619-96-1</u>	<u>8:2 Fluorotelomer sulfonate sodium salt</u>

14.1	<u>(29) 39108-34-4</u>	<u>8:2 Fluorotelomer sulfonic acid</u>
14.2	<u>(30) 335-65-9</u>	<u>8H-Perfluorooctane</u>
14.3	<u>(31) 1478-61-1</u>	<u>Bisphenol AF</u>
14.4	<u>(32) 75-73-0</u>	<u>Carbon tetrafluoride</u>
14.5	<u>(33) 75-45-6</u>	<u>Chlorodifluoromethane</u>
14.6	<u>(34) 75-72-9</u>	<u>Chlorotrifluoromethane</u>
14.7	<u>(35) 75-10-5</u>	<u>Difluoromethane</u>
14.8	<u>(36) 593-53-3</u>	<u>Fluoromethane</u>
14.9	<u>(37) 116-15-4</u>	<u>Hexafluoropropene</u>
14.10	<u>(38) 115-25-3</u>	<u>Octafluorocyclobutane</u>
14.11	<u>(39) 559-40-0</u>	<u>Octafluorocyclopentene</u>
14.12	<u>(40) 354-33-6</u>	<u>Pentafluoroethane</u>
14.13	<u>(41) 678-26-2</u>	<u>Perflenapent</u>
14.14	<u>(42) 756426-58-1</u>	<u>Perfluoro(2-((6-chlorohexyl)oxy)ethanesulfonic</u>
14.15		<u>acid)</u>
14.16	<u>(43) 863090-89-5</u>	<u>Perfluoro(4-methoxybutanoic acid)</u>
14.17	<u>(44) 428-59-1</u>	<u>Perfluoro(methyloxirane)</u>
14.18	<u>(45) 113507-82-7</u>	<u>Perfluoro-2-ethoxyethanesulfonic acid</u>
14.19	<u>(46) 3330-15-2</u>	<u>Perfluoro-3-(1H-perfluoroethoxy)propane</u>
14.20	<u>(47) 151772-58-6</u>	<u>Perfluoro-3,6-dioxaheptanoic acid</u>
14.21	<u>(48) 377-73-1</u>	<u>Perfluoro-3-methoxypropanoic acid</u>
14.22	<u>(49) 355-25-9</u>	<u>Perfluorobutane</u>
14.23	<u>(50) 335-77-3</u>	<u>Perfluorodecanesulfonic acid</u>
14.24	<u>(51) 79780-39-5</u>	<u>Perfluorododecanesulfonic acid</u>
14.25	<u>(52) 76-16-4</u>	<u>Perfluoroethane</u>
14.26	<u>(53) 335-57-9</u>	<u>Perfluoroheptane</u>
14.27	<u>(54) 375-92-8</u>	<u>Perfluoroheptanesulfonic acid</u>
14.28	<u>(55) 375-85-9</u>	<u>Perfluoroheptanoic acid</u>
14.29	<u>(56) 355-42-0</u>	<u>Perfluorohexane</u>

15.1	<u>(57) 68259-12-1</u>	<u>Perfluorononanesulfonic acid</u>
15.2	<u>(58) 307-34-6</u>	<u>Perfluorooctane</u>
15.3	<u>(59) 754-91-6</u>	<u>Perfluorooctanesulfonamide</u>
15.4	<u>(60) 2706-91-4</u>	<u>Perfluoropentanesulfonic acid</u>
15.5	<u>(61) 2706-90-3</u>	<u>Perfluoropentanoic acid</u>
15.6	<u>(62) 76-19-7</u>	<u>Perfluoropropane</u>
15.7	<u>(63) 365971-87-5</u>	<u>Perfluorotetradecanoate</u>
15.8	<u>(64) 72629-94-8</u>	<u>Perfluorotridecanoic acid</u>
15.9	<u>(65) 2058-94-8</u>	<u>Perfluoroundecanoic acid,</u>
15.10	<u>(66) 83329-89-9</u>	<u>Potassium</u>
15.11		<u>11-chloroeicosafluoro-3-oxaundecane-1-sulfonate</u>
15.12	<u>(67) 335-24-0</u>	<u>Potassium</u>
15.13		<u>perfluoro-4-ethylcyclohexanesulfonate</u>
15.14	<u>(68) 2923-16-2</u>	<u>Potassium trifluoroacetate</u>
15.15	<u>(69) 2250081-67-3</u>	<u>Sodium 4,8-dioxa-3H-perfluorononanoate</u>
15.16	<u>(70) 2806-15-7</u>	<u>Sodium perfluorodecanesulfonate</u>
15.17	<u>(71) 1260224-54-1</u>	<u>Sodium perfluorododecanesulfonate</u>
15.18	<u>(72) 21934-50-9</u>	<u>Sodium perfluoroheptanesulfonate</u>
15.19	<u>(73) 4021-47-0</u>	<u>Sodium perfluorooctanesulfonate</u>
15.20	<u>(74) 116-14-3</u>	<u>Tetrafluoroethylene</u>
15.21	<u>(75) 75-69-4</u>	<u>Trichlorofluoromethane</u>
15.22	<u>(76) 75-46-7</u>	<u>Trifluoromethane</u>
15.23	<u>(77) 1493-13-6</u>	<u>Trifluoromethanesulfonic acid</u>
15.24	<u>(78) 144317-44-2</u>	<u>Triphenylsulfonium</u>
15.25		<u>nonafluorobutanesulfonate</u>

- 15.26 C. An owner or operator of an air toxics reporting facility must include the air
- 15.27 toxics included in subitems (1) to (66). For all pollutant names that contain the word
- 15.28 "compounds," any chemical substance that contains the named chemical as part of that
- 15.29 chemical's infrastructure is included.

16.1	<u>Chemical Abstracts Service (CAS) number</u>	<u>Pollutant</u>
16.2	<u>(1) 540-59-0</u>	<u>1,2-Dichloroethylene</u>
16.3	<u>(2) 5131-66-8</u>	<u>1-Butoxy-2-propanol</u>
16.4	<u>(3) 563-47-3</u>	<u>3-Chloro-2-methyl-1-propene</u>
16.5	<u>(4) 67-64-1</u>	<u>Acetone</u>
16.6	<u>(5)</u>	<u>Aldehyde</u>
16.7	<u>(6) 309-00-2</u>	<u>Aldrin</u>
16.8	<u>(7)</u>	<u>Aluminum compounds</u>
16.9	<u>(8) 140-57-8</u>	<u>Aramite</u>
16.10	<u>(9) 12674-11-2</u>	<u>Aroclor 1016</u>
16.11	<u>(10) 12672-29-6</u>	<u>Aroclor 1248</u>
16.12	<u>(11) 11097-69-1</u>	<u>Aroclor 1254</u>
16.13	<u>(12) 1912-24-9</u>	<u>Atrazine</u>
16.14	<u>(13) 103-33-3</u>	<u>Azobenzene</u>
16.15	<u>(14) 100-52-7</u>	<u>Benzaldehyde</u>
16.16	<u>(15) 108-86-1</u>	<u>Bromobenzene</u>
16.17	<u>(16) 85-68-7</u>	<u>Benzyl butyl phthalate</u>
16.18	<u>(17) 105-60-2</u>	<u>Caprolactam</u>
16.19	<u>(18) 1306-38-3</u>	<u>Ceric oxide</u>
16.20	<u>(19) 12789-03-6</u>	<u>Technical chlordane</u>
16.21	<u>(20) 10049-04-4</u>	<u>Chlorine dioxide</u>
16.22	<u>(21) 75-68-3</u>	<u>1-Chloro-1,1-difluoroethane</u>
16.23	<u>(22) 75-45-6</u>	<u>Chlorodifluoromethane</u>
16.24	<u>(23) 10061-01-5</u>	<u>(Z)-Dichloropropene</u>
16.25	<u>(24)</u>	<u>Copper compounds</u>
16.26	<u>(25) 123-73-9</u>	<u>(E)-Crotonaldehyde</u>
16.27	<u>(26) 110-82-7</u>	<u>Cyclohexane</u>
16.28	<u>(27) 25321-22-6</u>	<u>Dichlorobenzene</u>
16.29	<u>(28) 95-50-1</u>	<u>1,2-Dichlorobenzene</u>

17.1	<u>(29) 541-73-1</u>	<u>1,3-Dichlorobenzene</u>
17.2	<u>(30) 75-71-8</u>	<u>Dichlorodifluoromethane</u>
17.3	<u>(31) 50-29-3</u>	<u>DDT</u>
17.4	<u>(32) 156-59-2</u>	<u>(Z)-1,2-Dichloroethylene</u>
17.5	<u>(33) 156-60-5</u>	<u>(E)-1,2-Dichloroethylene</u>
17.6	<u>(34) 77-73-6</u>	<u>Dicyclopentadiene</u>
17.7	<u>(35) 117-84-0</u>	<u>Di-n-octyl phthalate</u>
17.8	<u>(36) 637-92-3</u>	<u>Ethyl t-butyl ether</u>
17.9	<u>(37) 111-76-2</u>	<u>2-Butoxyethanol</u>
17.10	<u>(38) 64-18-6</u>	<u>Formic acid</u>
17.11	<u>(39) 591-78-6</u>	<u>2-Hexanone</u>
17.12	<u>(40) 7783-06-4</u>	<u>Hydrogen sulfide</u>
17.13	<u>(41) 1318-09-8</u>	<u>Amphibole-group minerals</u>
17.14	<u>(42) 78-93-3</u>	<u>Methyl ethyl ketone</u>
17.15	<u>(43) 2385-85-5</u>	<u>Mirex</u>
17.16	<u>(44) 71-36-3</u>	<u>1-Butanol</u>
17.17	<u>(45) 123-72-8</u>	<u>Butyraldehyde</u>
17.18	<u>(46) 7697-37-2</u>	<u>Nitric acid</u>
17.19	<u>(47) 55-18-5</u>	<u>N-Nitroso-diethylamine</u>
17.20	<u>(48) 924-16-3</u>	<u>N-Nitroso-di-butylamine</u>
17.21	<u>(49) 930-55-2</u>	<u>N-Nitroso-pyrrolidine</u>
17.22	<u>(50) 40487-42-1</u>	<u>Pendimethalin</u>
17.23	<u>(51) 115-07-1</u>	<u>1-Propene</u>
17.24	<u>(52) 107-98-2</u>	<u>1-Methoxy-2-propanol</u>
17.25	<u>(53) 7631-86-9</u>	<u>Silica</u>
17.26	<u>(54) 7664-93-9</u>	<u>Sulfuric acid</u>
17.27	<u>(55) 540-88-5</u>	<u>tert-Butyl acetate</u>
17.28	<u>(56) 75-65-0</u>	<u>tert-Butyl alcohol</u>
17.29	<u>(57) 109-99-9</u>	<u>Tetrahydrofuran</u>

18.1	<u>(58) 62-56-6</u>	<u>Thiourea</u>
18.2	<u>(59) 26471-62-5</u>	<u>Toluene diisocyanate</u>
18.3	<u>(60) 10061-02-6</u>	<u>trans-1,3-Dichloropropene</u>
18.4	<u>(61) 96-18-4</u>	<u>1,2,3-Trichloropropane</u>
18.5	<u>(62) 526-73-8</u>	<u>1,2,3-Trimethylbenzene</u>
18.6	<u>(63) 95-63-6</u>	<u>1,2,4-Trimethylbenzene</u>
18.7	<u>(64) 108-67-8</u>	<u>1,3,5-Trimethylbenzene,</u>
18.8	<u>(65)</u>	<u>Vanadium compounds</u>
18.9	<u>(66)</u>	<u>Zinc compounds</u>

18.10 Subp. 3. De minimis reporting; exceptions.

18.11 A. Except as provided in item B, if a toxic chemical is present in a mixture of
18.12 chemicals at an air toxics reporting facility and the toxic chemical is in a concentration in
18.13 the mixture that is below one percent of the mixture according to the safety data sheet (SDS)
18.14 or is below 0.1 percent of the mixture in the case of a toxic chemical that is a carcinogen
18.15 or potential carcinogen, an owner or operator is not required to consider the quantity of the
18.16 toxic chemical present in such mixture when calculating and reporting emissions. The
18.17 sources listed in subitems (1) to (3) establish a chemical as a carcinogen or potential
18.18 carcinogen and are incorporated by reference.

18.19 (1) *Report on Carcinogens*, National Toxicology Program, United States
18.20 Department of Health and Human Services (15th edition and subsequent editions). The
18.21 report is not subject to frequent change and is available on the website of the National
18.22 Institute of Environmental Health Sciences (<https://www.niehs.nih.gov>);

18.23 (2) *IARC Monographs on the Identification of Carcinogenic Hazards to*
18.24 *Humans*, International Agency for Research on Cancer (volumes 1 to 134 and as subsequently
18.25 added). The monographs are subject to frequent change and are available on the website of

19.1 the International Agency for Research on Cancer

19.2 (<https://monographs.iarc.who.int/monographs-available>); or

19.3 (3) Code of Federal Regulations, title 29, part 1910, subpart Z, Toxic and
19.4 Hazardous Substances, Occupational Safety and Health Administration.

19.5 B. An owner or operator of an air toxics reporting facility must report all emissions
19.6 of the air toxics in subitems (1) to (20). The de minimis standard under item A does not
19.7 apply. For all pollutant names that contain the word "compounds," any chemical substance
19.8 that contains the named chemical as part of that chemical's infrastructure is included.

19.9 **Chemical Abstracts Service (CAS) number Pollutant**

19.10 (1) 309-00-2 Aldrin

19.11 (2) Arsenic compounds

19.12 (3) Cadmium compounds

19.13 (4) 57-74-9 Chlordane

19.14 (5) Chromium compounds

19.15 (6) Cobalt compounds

19.16 (7) Dioxins/furans

19.17 (8) 75-21-8 Ethylene oxide

19.18 (9) 76-44-8 Heptachlor

19.19 (10) 118-74-1 Hexachlorobenzene

19.20 (11) Lead compounds

19.21 (12) Mercury compounds

19.22 (13) 72-43-5 Methoxychlor

19.23 (14) Nickel compounds

19.24 (15) Polycyclic organic matter (POMs)

19.25 (16) 40487-42-1 Pendimethalin

19.26 (17) PFAS under subpart 2, item B

19.27 (18) Polychlorinated biphenyl (PCBs)

20.1 (19) 8001-35-2 Toxaphene

20.2 (20) 1582-09-8 Trifluralin

20.3 **Subp. 4. Calculating actual emissions.**

20.4 A. An owner or operator of an air toxics reporting facility, except any facility
20.5 permitted under part 7007.1125, registration permit option C, must calculate actual air toxics
20.6 emissions using the methods in part 7019.3030, subpart 1, for the annual air toxics emission
20.7 report.

20.8 B. An owner or operator of an air toxics reporting facility permitted under part
20.9 7007.1125, registration permit option C, must calculate emissions using the methods in part
20.10 7019.3020, subpart 5.

20.11 **Subp. 5. Recordkeeping.**

20.12 A. An owner or operator of an air toxics reporting facility must maintain records
20.13 according to this subpart for five years after the date the air toxics emission inventory is
20.14 submitted and must provide the records, upon request, to the commissioner.

20.15 B. An owner or operator must maintain a record of the SDS or vendor certification
20.16 of air toxics content for each air-toxics-containing material purchased or used.

20.17 C. If an owner or operator assumes a reduction of air toxics emissions due to
20.18 recycling or disposing of material off site, the owner or operator must keep records of the
20.19 amount of disposed material, the amount of material shipped off site for recycling, and the
20.20 calculations done to determine the amount to subtract. Acceptable records are the SDS,
20.21 invoices, shipping papers, and hazardous waste manifests.

20.22 D. An owner or operator must maintain a record of the calculation for each air
20.23 toxic emitted.

20.24 **REPEALER.** Minnesota Rules, part 7007.1850, is repealed.