

**Air Quality Rules
Omnibus Air Rulemaking and Implementation
December 2016**

The Minnesota Pollution Control Agency (MPCA) has completed its “omnibus air rulemaking”; the new amended air quality rules become effective December 27, 2016. This rule has been referred to as a “housekeeping” rule, making small changes throughout the MPCA’s rules affecting air emissions permitting, standards of performance, ambient air standards, monitoring, emissions inventory, and noise control.

The MPCA is providing this brief summary to explain the rule revisions and how the MPCA is implementing these revisions. This summary does not list every revision. Do not rely on this summary to determine compliance. The full text of the new amended air quality rules can be found on the MPCA rule webpage at <https://www.pca.state.mn.us/air/minnesota-omnibus-air-rule-amendments>. The rules are also available at <https://www.revisor.mn.gov/rules/?agency=167>.

I. Revisions to Air Emissions Permitting Rules

Chapter 7007: Minnesota’s rules governing air emission permits are contained in chapter 7007. This chapter was revised to:

- Remove outdated rule provisions (e.g. instructions for transitioning to Part 70 rules).
- Prepare future permit applications for online submittals.
- Address US Environmental Protection Agency (EPA) requirements to clarify its roles and expectations in permit reviews.
- Clarify what emission sources are “insignificant activities” and the data needed in permit applications that supports that designation.
- Clarify when administrative amendments can be used to modify a permit.
- Clarify when a major amendment is necessary to modify a permit.

The MPCA permit application forms have been revised to incorporate the rule revisions. Our procedures for processing permits after public notice were implemented several months ago.

II. Revisions to Minnesota Standards of Performance

Chapter 7008: Minnesota’s rules governing conditionally exempt stationary sources and conditionally insignificant activities are contained in chapter 7008. This chapter was revised as follows:

- The general volatile organic compound (VOC) limit was revised to specifically apply to activities now newly defined as “material usage”.
- A particulate matter (PM) limit of 8,000 pounds per calendar year for conditionally insignificant material usage activities was added, along with a calculation method.
- Revisions to “finishing” activities were not adopted; however, reference to PM_{2.5} was eliminated in the rule. In review of the response to comments, the MPCA realized that in order for its rules controlling PM from stationary sources to be effectively implemented, a federally enforceable PM limit is necessary and would be viewed as a substantial change in this rulemaking. As a result, the MPCA will initiate a separate rulemaking to better address this PM emitting activity.

Chapter 7011: Minnesota's rules governing standards for stationary sources are contained in chapter 7011. This chapter was revised to:

- Incorporate by reference several new source performance standards (NSPS), emission guidelines, and national emission standards for hazardous air pollutants (NESHAPs).
- Repeal a rule that exempted refinery upset emissions at flares from a standard of performance. The flares are no longer exempt from standards, and must instead follow the provisions of federal NSPS Subpart Ja for these events.
- Clarify the type of PM regulated in each state performance standard.
- Eliminate the "Minnesota method" for measuring condensable PM in favor of federal methods.
- Update the waste combustor standards with emission limits required in amended federal rules. This maintains our 111(d) agreement with EPA for large municipal waste combustors. These rules were also revised to allow an independent party to administer the waste combustor operator certification process. Waste combustor operators must apply to the Red Wing Technical College for training and operator certification.

III. Revisions to Rules that Impact Dispersion Modeling

- The definitions for "general public," "form of standard," and "particulate matter" were revised to help clarify analysis and compliance determination during modeling. Updates will prevent confusion with federal definitions of ambient air and will be consistent with EPA's use of terms and current practices as applicable for both modeling and monitoring in Minnesota. These items have already been incorporated into modeling practices.
- The Minnesota Ambient Air Quality Standard for PM10 was eliminated to reflect the National Ambient Air Quality Standards for PM10; as a result, dispersion modeling will be required for PM10 annual standard in State Implementation Plan maintenance areas only.
- Stationary engine fuel sulfur limits in chapter 7011 were revised downward to reflect the use of ultra-low sulfur diesel fuel. This will now be a default assumption for these units when conducting dispersion modeling.

IV. Revisions to Performance Testing and Continuous Emission Monitoring Rules

Chapter 7011: Revisions were made to stationary source standards to provide greater consistency between limits, test methods, and the chapter 7017 performance test requirements related to PM. None of the limits were changed.

Chapter 7017: Continuous emission monitoring system/continuous opacity monitoring system (CEMS/COMS) requirements were revised to incorporate the concept of operating quarters and grace periods when determining monitor audit frequency following the example of 40 CFR Part 75. The frequency of audits will remain the same for monitors that run regularly but allows flexibility for units that run intermittently or are shut down. Monitors on units that run infrequently or are shut down will not need to start up for the sole purpose of completing a cylinder gas audit or relative accuracy test audit. There will be greater variability when CEM audits are required; however, the intention is to put more responsibility on the facilities to track and document as part of the quarterly report. The future expectation and a new upcoming reporting format will require facilities provide documentation of their audit results and schedule to the MPCA.

Performance test requirements were revised to make clear all forms of PM need to be tested and reported even if not necessary for compliance demonstration purposes. A facility may avoid this requirement by providing evidence that they are not a source of condensable PM emissions.

V. Revisions to Noise Rules

Chapter 7030: Minnesota's rules governing noise pollution control are contained in chapter 7030. This chapter was revised to remove redundant language and simplify noise area classifications.

VI. Contact

For questions about implementation of the Omnibus Air Rules:

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