The Minnesota Pollution Control Agency (MPCA) has completed its "Exempt Source/Conditionally Insignificant Activities" rulemaking; the new amended air quality rules become effective January 14, 2019. The rule amendments clarify permit requirements for small sources of air emissions, and update rules governing the treatment of small air pollution emitting facilities and activities. The rule amendments also include four new categories of conditionally exempt sources. These categories are auto-body refinishing facilities, coating facilities, woodworking facilities, and insignificant facilities.

I. Summary of the overall improvements the rulemaking provides for the business community and the MPCA

- The rule amendments clarify and simplify the identification and use of insignificant activities and conditionally insignificant activities during permitting. Insignificant activities in general have been a source of confusion for both regulators and regulated parties; the rule amendments remove this confusion during the permitting process. The revised insignificant activities list will help streamline the permit application process, for both regulated sources, and MPCA permitting and compliance activities, by specifying those activities whose emissions are insignificant by their very nature and require minimal regulatory oversight.

- The rule amendments add four new categories of conditionally exempt sources with standards for certain well-defined businesses or stationary sources where emissions are related to business activities that have very low actual emissions but high potential to emit such that a permit would otherwise be required. By restricting a small source’s potential to emit, it is possible to avoid the requirement to apply for and obtain an air emissions permit, saving resources at a small source (reduced amount of required paperwork), and the MPCA permitting program.

- The rule amendments add new federally enforceable numeric emissions limits for particulate matter emissions from conditionally insignificant activities – activities considered insignificant for purposes of permitting. These emissions limits are to ensure that the sources remain very small air emission facilities. These limits support the MPCA’s existing air emission permit hierarchy that reduces regulatory requirements for small, low-emitting sources, and streamlines and simplifies requirements for larger, permitted sources that conduct some of these conditionally insignificant activities.

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/amendments-air-quality-rules-exempt-source-conditionally-insignificant-activities. The rules are also available at https://www.revisor.mn.gov/rules/?agency=167.

II. Revisions to definitions

Chapter 7005: Minnesota’s rules governing state air pollution control rules are contained in chapter 7005. This chapter was revised to:

- Move the definition of “gasoline service station” from chapter 7008 to chapter 7005 (part 7005.0100).
- Add definitions for “hood” and “total enclosure” that cross-reference existing definitions for these terms in chapter 7011 (part 7005.0100).

III. 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:

- Allow conditionally insignificant activities to qualify as an insignificant modification when meeting certain requirements (part 7007.1250).
- Clarify requirements for handheld equipment and storage tanks, and add torch-cutting equipment to the miscellaneous category (part 7007.1300).
- Provide greater clarity and use of the insignificant activities list in the permit application process by revising the list. If an activity is not specifically identified as an insignificant activity, it does not mean it cannot qualify under the current rules. An option is available in part 7007.1300, subpart 3, item F that allows for activities to qualify as insignificant based on their potential emissions (generally, less than 1 ton per year of each of the criteria pollutants) (part 7007.1300).

IV. Revisions to conditionally exempt stationary sources and conditionally insignificant activities

**Chapter 7008:** Minnesota’s rules governing conditionally exempt stationary sources and conditionally insignificant activities are contained in chapter 7008. This chapter was revised to:
- Add new definitions for “auto-body refinishing facility,” “cleaning material,” “coating,” “coating facility,” “finishing operations,” “insignificant facility,” and “woodworking facility” (part 7008.0100).
- Revise definitions for “material usage” to be consistent with new definitions of “cleaning material” and “coating”; and “transfer efficiency” to be consistent with requirements of part 7008.4100 (part 7008.0100).

**Conditionally exempt stationary sources.** Chapter 7008 was amended to add four new categories of conditionally exempt sources: auto-body refinishing facilities, coating facilities, woodworking facilities, and insignificant facilities. Permitting exemption and compliance expectations are clarified by listing requirements in rule and include:

**Auto-body refinishing technical standards (part 7008.2300) and coating facility technical standards (part 7008.2400)**
- Technical limitations, monitoring, record keeping, and routine reporting to the MPCA.
- Calculation options for volatile organic compound (VOC) and hazardous air pollutant (HAP) emissions.
- Record keeping requirements for VOC and HAP content of coating and cleaning material; and for material shipped off-site for recycling.
- Methods for calculating VOC and HAP emissions.

**Woodworking facility technical standards (part 7008.2500)**
- Technical limitations, monitoring, record keeping, and routine reporting to the MPCA.
- Requirements to address emissions that vent to control equipment through certified hoods or total enclosures.
- Requirements for hood evaluation.
- Requirements for maintaining records for control equipment.
- Equations for calculating particulate matter emissions.

**Insignificant facility technical standards (part 7008.2600)**
- Technical limitations, monitoring, record keeping, and routine reporting to the MPCA.
- Emission thresholds and calculation options to determine potential emissions.

**Conditionally insignificant activities.** Chapter 7008 was revised to:
- Add new federally enforceable numeric emissions limits for particulate matter emissions from conditionally insignificant activities. This includes practically enforceable conditions for the conditionally insignificant PM and PM-10 emitting operations in part 7008.4110 (part 7008.4000).
- Remove an incorrect calculation measurement for calculating VOC emissions and particulate matter emissions (part 7008.4100).
- Revise the equation for calculating particulate matter emissions (part 7008.4110).
- Clarify type of finishing operations, and specify requirements for mechanical finishing operations vented to control equipment through a hood (part 7008.4110).

V. Miscellaneous minor housekeeping revisions

**Chapters 7005, 7007, 7011, and 7019:** Minor revisions to delete outdated rules, and to clarify or align state rules with federal permitting requirements or state statute changes.