

Air permitting program summary



The MPCA works to ensure that all people in Minnesota have clean air, regardless of where they live or work. The MPCA protects Minnesota’s air quality by regulating facilities through the federal Clean Air Act and Minnesota statute. The MPCA’s air permitting program is built around the national ambient air quality standards which establish limits for six common pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter and sulfur dioxide. The air permitting program regulates a variety of other pollutants including air toxics. In general, the kind of permit a facility needs depends on the amounts and types of air pollution the facility could emit (based on its equipment and processes), how much air pollution is emitted, and what rules apply.

Who needs a permit?

- Facilities that have the potential to emit any regulated pollutants in amounts greater than specific thresholds for those pollutants.
- Facilities that are subject to specific federal and state standards (i.e., waste combustors).

Permitting timelines

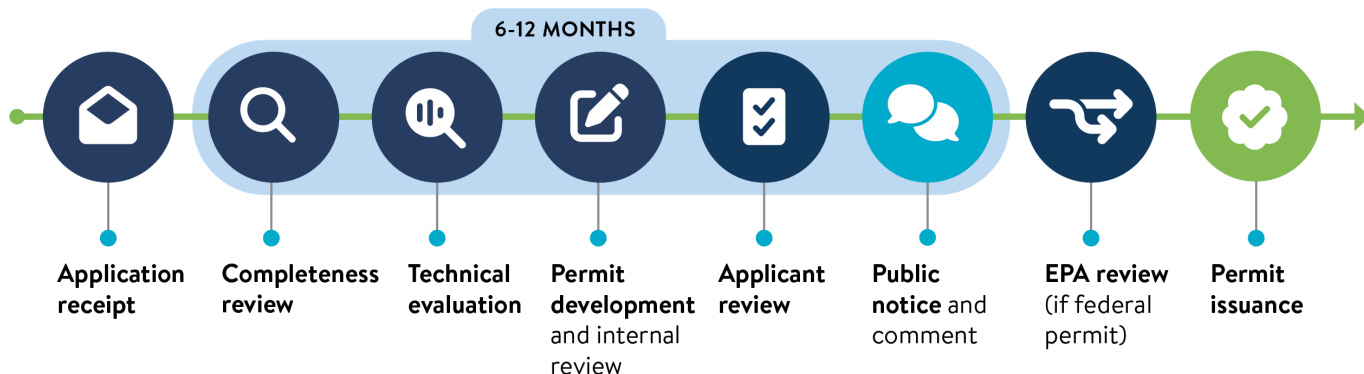


The MPCA’s current issuance timeline for different permit types. See next page for descriptions.

(Median of past three fiscal years)

Permit Type	Median (days)
Individual state total facility	579
Registration	40
Capped emission	80
Individual federal total facility	270
State general (nonmetallic mineral processing)	10

MPCA’s typical air permitting process



TYPES OF PERMITS

Learn more: www.pca.state.mn.us/air-permits

Federal permits



Title V of the Clean Air Act put in place the following required federal permits for facilities that are large sources of air emissions.

- **Federal operating permits**, required under Title V of the Clean Air Act, are typically individual permits for the largest facilities that are written specifically for the activities (emission units, air pollution controls, etc.) at a facility. Federal operating permits are subject to a 30-day public comment period, followed by a 45-day EPA review period before they can be issued, and must be renewed every five years.
- **Federal general permits** cover multiple entities with similar operations and types of emissions.

State permits



Some facilities that are not covered by federal permits must still obtain state permits that regulate minor sources of air emissions.

Types of state permits

Individual state total facility permits address the specific activities (emission units, controls, etc.) at a facility. All individual state total facility permits must be put on public notice for 30 days.

Registration permits are for facilities with low actual emissions compared to their potential emissions. In general, the facility's actual emissions must be less than 50% of the federal thresholds. Registration permits don't require a public notice.

Capped emission permits are for non-complex facilities that do not qualify for a registration permit and do not require site-specific permit conditions. The facility's actual emissions must be less than 75% to 90% of the federal thresholds. Capped permit applications must be posted for 30 days, so the public can comment on eligibility for the permit.

State general permits cover multiple entities with similar operations and types of emissions. One state general permit, for non-metallic mineral processing, is currently available.

Permit modifications



- Modifications for general, registration, and capped permits are pre-authorized, if the facility still qualifies for the same permit.
- Modifying a facility with an individual Part 70 or state permit may require a permit amendment, based on the potential to emit for the change or the modified facility and state and federal regulations.
- Major amendments must be placed on public notice and can take six months or more to issue.

Construction permits



The MPCA's goal is to issue permits authorizing construction in 150 days. This is a challenging goal, and a permit may require more time if it involves:

- Prevention of Significant Deterioration permitting.
- Amending a permit that is significantly out of date.
- Air dispersion modeling for criteria air pollutants or air toxics.
- Environmental review.
- Air emissions risk analysis.
- Complex technical or regulatory analysis.
- A potentially controversial change.
- High public interest.

Fees



- The permit application submittal cover page form will determine the points assigned to each type of permit application or request.
- Multiply the points assessed for the submittal by the current dollar value, currently \$285, to get the total fee that must be submitted with the application. Additional fees may be assessed prior to permit issuance.

Permit reissuances



If a complete application has been submitted before the existing permit expiration date, the facility may continue to operate under the current permit. The MPCA currently has a backlog of 89 Title V permits up for renewal as of the end of 2025. The agency is currently making progress on assigning and issuing the oldest permits first, but this means an application for renewal submitted now will typically be given a lower priority until the backlogged permit renewals are addressed.