

Your Option A Registration Permit

Now that you have your Option A Registration permit, it is important for you to know how to comply with it. This fact sheet is a reference for you to use whenever you have questions about how to comply with your Option A Registration Permit. The rules governing Option A Registration permits can be found in Minn. R. 7007.1110 and 7007.1115.

You applied for an Option A registration permit because you have equipment that is regulated by a federal New Source Performance Standard (NSPS) (other than notification and record-keeping provisions) listed in Minn. R. 7007.1110, subp. 2, but the total potential emissions from your facility fall below federal and state permitting thresholds. NSPSs are federal air pollution regulations that apply to certain kinds of equipment. These regulations exist so that new emission sources emit less pollution than old sources.

What are you required to do?

1. You must comply with the NSPSs that apply to equipment at your facility

The NSPSs allowed with a Registration Permit are listed in Minn. R. 7007.1110, subp. 2(C) and found on Minnesota Pollution Control Agency (MPCA) Form RP-03. When you applied for your Option A Registration Permit, you indicated your facility is subject to one of the allowed NSPSs and you must be sure that you follow all of the requirements of the applicable NSPS.

The requirements for some of these federal NSPSs are summarized in a checklist format, available on the MPCA's website at <http://www.pca.state.mn.us/nwqh472>. If you add any equipment subject to one of the allowed NSPSs while you hold a registration permit, you must also follow all of the NSPS requirements, which may include notifications to the MPCA and performance testing.

If a new NSPS becomes applicable, you must notify the MPCA using Form CR-06.

In addition to understanding the NSPS that applies to your equipment, you also need to know about the general regulations that apply to anyone regulated by an NSPS, called the "NSPS General Provisions." These general provisions are found in Subpart A of 40 CFR § 60.

2. Making changes or modifications at your facility

You may add or remove any emission units at the facility as long as you continue to be eligible for an Option A registration permit and comply with any rules that apply to you. Keep in mind that the reason you decided you were eligible to apply for an Option A registration permit is there is nothing at your facility that requires you to obtain a permit, besides having equipment subject to a NSPS. See Minn. R. 7007.0200 and 7007.0250 for sources required to obtain a permit.

The MPCA requires no notice from you of the changes at your facility. It is your responsibility to keep the records and calculations on site and to follow any other rules that apply to you. However, if you are installing a new non-emergency engine, you are required to complete modeling as described in Form EC-03, to demonstrate that the new engine will not cause localized modeled exceedances of National or Minnesota Ambient Air Quality Standards (NAAQS and MAAQS). The form and all supporting information should be submitted to the MPCA as described in the form instructions.

If a change occurs that makes you ineligible for an Option A Registration Permit, but you are eligible for a different type of registration permit, you must submit a written notice and application within 30 days of making the change. An example of a change at your facility could be an increase in the hours of operation, a change in fuel usage, production increases, etc.

If you intend to make a modification that makes you ineligible for an Option A Registration Permit, but eligible for a different type of registration permit, you must submit the application for the new Registration Permit before you begin construction on the modification. A modification at your facility could be physically modifying the facility or method of operation. You may begin construction of the modification seven working days after the application is received by the MPCA. After beginning construction, you must meet the requirements of the new registration permit that you have applied for.

If at some point you plan to make a change or modification to your facility that makes the facility ineligible to have any registration permit option, you must apply for the permit type (Part 70, state, or general permit) that will be required after the change or modification. You must obtain the new permit before beginning construction on the modification.

3. Keep records for five years

All records associated with your Option A Registration Permit must be kept for five years. You must keep all records on site for the current calendar year, but you have the option of keeping the records on site or at a different location for the previous years.

4. Submit an emissions inventory and pay emissions fees

Once per year, you will need to submit an Emissions Inventory Report to the MPCA. On this report, you will be required to provide the actual emissions for your facility for the previous calendar year. We will send you an Emissions Inventory Report form in December.

The Emission Inventory Report form is due back to the MPCA no later than April 1.

You will also be assessed an annual Air Emissions fee for your Option A Registration Permit. This fee is based on tons of pollutants you report to the MPCA (the fee rate is different each year, but is generally about \$30 per ton per pollutant). An invoice will be mailed to you and must be paid within 60 days of the invoice date.

5. Comply with applicable National Emission Standards for Hazardous Air Pollutants standards

The U.S. Environmental Protection Agency (EPA) issues standards affecting certain industries or activities to help control emissions of hazardous air pollutants. Some of these regulations, known as National Emission Standards for Hazardous Air Pollutants (NESHAP), require a facility to obtain a Title V operating permit. If you are subject to a NESHAP that requires a Title V permit, you are no longer eligible for an Option A permit.

There are also NESHAP that do not require a Title V permit. Some examples include spray coating of metal or plastics including automobiles, adding a degreaser that uses halogenated solvents, or adding a chromium electroplating tank. If you are subject to a NESHAP that does not require a Title V permit, you can continue to operate with an Option A permit provided you continue to meet all other Option A qualifications. You must also comply with the provisions of the NESHAP, including any notifications and record keeping.

A list of NESHAP can be found on the EPA website: <https://www.epa.gov/stationary-sources-air-pollution/national-emission-standards-hazardous-air-pollutants-neshap-9>.

Need help?

If you need additional assistance with this registration permit, contact the MPCA's Small Business Environmental Assistance Program at 651-282-6143 or 800-657-3938 or <https://www.pca.state.mn.us/quick-links/small-business-environmental-assistance-program>.

MPCA website: <http://www.pca.state.mn.us>