

Chapter 4: Putting It All Together

Table of Contents

4.1 Overview	2
4.2 State Applicability	2
4.3 Defining Permit Conditions and Requirements	6
4.3.1. Emission Limitations.....	8
4.3.2. Compliance Demonstration	10
4.3.3. Other Plans	15
4.3.4. Compliance Assurance Monitoring, Form GI-09H.....	15
4.4 The Complete Permit Application	19
4.4.1. CH-14	19
4.4.2. CH-CP-1 Cover Page	19
4.4.3. Form CR-03 Confidentiality Certification	21
4.4.4. CH-CR-01 Certification	23
4.4.5. CH-GI-01 Facility Information	24
4.4.6. Form CH-11 Crossing Permit Thresholds.....	25
4.4.7. Compliance Demonstration	27

Chapter 4

Putting It All Together

4.1 Overview

Only a few more steps are required to complete a permit application:


1. Determine state applicability (Form CH-13)
2. Define permit conditions and requirements (CD-01 and GI-09 [where applicable])
3. Complete the permit package (CH-14 and remaining forms)

All of the previous forms have helped determine whether any federal requirements are triggered by a proposed change. There are some state standards of performance which may be triggered, even if no federal requirements are triggered.

Once the applicability of state and federal requirements has been determined, those applicable requirements need to be transferred to proposed permit conditions, along with other terms and conditions which may be necessary to demonstrate that the source is in compliance with those requirements. Finally, there are a number of other forms which must be completed to meet the requirements for permit amendments in Minn. Rule Chapter 7007.

4.2 State Applicability

Use Form **CH-13 Applicability of State Rules** to determine whether state standards apply to the proposed change.

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-13 APPLICABILITY OF STATE RULES (FORMERLY MOD-08 APPLICABILITY OF STATE RULES) DRAFT 2/2/04
<p>Question 3a) Will you be installing or modifying equipment that meets the following definition?</p> <p>"A furnace, boiler or other combustion equipment in Minnesota which burns fossil fuel for the purpose of producing steam, hot water, hot air, or other hot liquid, gas, or solid, where the smoke doesn't have direct contact with the heated medium for which another standard of performance has not been promulgated." (Minn. R. chapter 7011)</p>		

Boilers and process heaters will be subject to this rule if they are not subject to other performance standards (NSPS, NESHAPs). If the answer is YES to question 3a, include the requirements from Chapter 7011 in Form CD-01. Note that you must also include some sort of testing or monitoring to demonstrate compliance with the standards in Minn. R. Chapter 7011, as well as recordkeeping and reporting requirements.

Whether the answer is NO or YES to question 3a, go to question 3b.

Question 3b) Is your new or modified equipment type or process equipment found in Table 1 on pages 5 and 6?

Many of the Minnesota standards of performance incorporate the corresponding federal standards of performance (e.g. NSPS, NESHAP) by reference, so if a source is subject to the federal requirements, it is also subject to the state standard. Conversely, if a source is not subject to the federal standard, it is not subject to the state standard.

State standards which are "starred" in Table 1 of the instructions to Form CH-13 impose no additional requirements above and beyond the federal requirements. However, Form CD-01 should reflect that both the state and federal regulations are the basis for the limitation.

Pay particular attention to those sources in Table 1 of the instructions to Form CH-13:

- Direct Heating Equipment
- Gasoline Service Station
- Coal Handling Facilities
- Inorganic Fibrous Materials
- Stationary Internal Combustion Engines

There are (or were at the time the rules were last amended) no corresponding federal requirements. A source needs to read carefully the applicability portion of the rule and any exemptions to determine whether or not the state standard applies. Note that state standards can be based on the date on which particular equipment was installed, its location, its size or other factors.

You should include on CD-01 the emission and other limitations contained in any applicable state standard. Note that you must also include some sort of testing or monitoring to demonstrate compliance with the standards in Minn. R. Chapter 7011, as well as recordkeeping and reporting requirements.

In March 2004, USEPA promulgated Part 63 NESHAPs for reciprocating internal combustion engines (RICE) and stationary combustion turbines. The USEPA Administrator also signed, but has not yet published in the Federal Register (as of the date of drafting this manual) Part 63 NESHAPs for industrial, commercial and institutional heaters and boilers. Equipment which had been subject to only the Minnesota standards of performance may now be subject to the new federal standards. However, until the MPCA revises Minn. R. Chapter 7011 to reflect the newly promulgated federal rules, a source must comply with both state and federal standards.

If any of the Minnesota standards of performance apply to equipment at a source, list the standard, the equipment, and the equipment identification number in the table below question 3c.

3c) After reading through Table 1 and any rule that may apply to your proposed change, list the ones that do apply below. You do not need to list the Standards of Performance for Indirect Heating Fossil-Fuel Burning Equipment again, if it applies (see 3a, above).

4) Minnesota Acid Deposition Control (Minn. R. 7021.0050)

4a) Does your facility generate electricity?

If the answer is YES to question 4a, fill out the remaining questions in box "4". Then proceed to Box 5.
If the answer is NO, proceed to Box 5.

5) Standards of Performance for Industrial Process Equipment
(Minn. R. 7011.0700 - 7011.0735)

5a) Are you installing or modifying any industrial process equipment on-site that may generate any air contaminant in any amount and is not regulated by another Standard of Performance (NSPS, NESHAP, or MN Rules Standard of Performance)?

- No, my new or modified equipment is not subject to this rule. Go to question 6.
 Yes. Go to 5b.

5b) Opacity Standard

(Note: Opacity is a measure of visible emissions or how much of the view is obscured by stack emissions. The emissions causing opacity are often smoke or dust.)

For industrial process equipment which was *in operation before July 9, 1969*, the equipment shall not exhibit greater than 20 percent opacity, except for one six-minute period per hour of not more than 60 percent opacity. An exceedance of this opacity standard occurs whenever any one-hour period contains two or more six-minute periods during which the average opacity exceeds 20 percent or whenever any one-hour period contains one or more six-minute periods during which the average opacity exceeds 60 percent

For industrial process equipment which was *not in operation before July 9, 1969*, the equipment shall not exhibit greater than 20 percent opacity.

5c) Does the industrial process equipment have particulate control equipment with a collection efficiency of at least 99 percent if it was in operation before July 9, 1969, or 99.7 percent if it was not in operation before July 9, 1969?

- No. Go to question 5d.
 Yes. My new or modified equipment is not subject to the remaining requirements of this rule. Go to question 6.

- 5d) Is the industrial process equipment located outside of the seven county Minneapolis-St. Paul metropolitan region AND outside of the city of Duluth AND at least 1/4 mile from any residence or public roadway, AND does the industrial process equipment have particulate control equipment with a collection efficiency of at least 85 percent AND is the operation of the entire facility in compliance with all ambient air quality standards?
- No, my new or modified equipment is subject to the remaining requirements. Go to Table 2.
- Yes, my new or modified equipment is not subject to the remaining requirements of this rule. Go to question 6.

Any piece of equipment that is not subject to any other federal or state standard of performance, and which is new or being modified, may be subject to the Standards of Performance for Industrial Process Equipment (Minn. R. 7011.0700 - 7011.0735). At a minimum, an opacity limitation will apply, depending on when the equipment went into operation. Include the limitation on Form CD-01 and include a proposal for determining compliance with the standard (e.g. visual determinations per Method 9 on a quarterly basis during daylight hours).

Additional requirements in the MN Standards of Performance for Industrial Process Equipment may apply, depending on whether and how effective control equipment is applied to the equipment and where the equipment is located. If the new or modified equipment meets the exemptions in the rule (the answer to both questions 5c and 5 d is YES), then no additional requirements apply. If the answer to either 5c or 5d is NO, the equipment is subject to the MN standards and Table 2 must be completed to determine the appropriate emission limitation. This limitation and requirements for testing, monitoring, reporting, and recordkeeping must be included in Form CD-01.

6) Waste Combustors
(Minn. Rules 7011.1201-7011.1290)

Note: Depending on the type of waste combustor you operate, you may be instructed to fill out one or more of the following forms:

WC-01 -- Required if you determine that your waste combustor requires a permit.
WC-02 -- Required if you install/operate a Class IV waste combustor at a hospital.
WC-03 -- Required if you do not meet the stack height requirements of Minn. R. 7011.1235.

If after reading through the following section, you determine that you are required to fill out one or more of the WC forms, contact the Air Quality Permit Document Coordinator.

- 6a) Are you proposing installing or modifying a waste combustor?

“Waste Combustor” means any emissions unit or emission facility where mixed municipal solid waste, solid waste, or refuse-derived fuel is combusted, and includes incinerators, energy recovery facilities, or other combustion devices. A metals recovery incinerator is a waste combustor. A combustion device combusting primarily wood, or at least 70 percent fossil fuel and wood in combination with up to 30 percent papermill wastewater treatment plant sludge is not a waste combustor. A soil treatment facility, paint burn-off oven, wood heater, or residential fireplace is not a waste combustor.

“Wood” is defined as: wood, wood residue, bark, or any derivative fuel or residue thereof, in any form, including sawdust, sander dust, wood chips, wood scraps, slabs, millings, shavings, and processed pellets made from wood and other forest residues.

A facility that is co-firing RDF or MSW at rates less than 30 percent by weight is not regulated as a waste combustor, but is regulated as a boiler.

- Yes, I am installing or modifying a waste combustor. Answer questions 6b through 6e to determine whether you are allowed to continue to operate, and what type of permit the waste combustor requires. Allowed waste combustors must obtain an air emissions permit.
- No, the facility equipment is not subject to this rule.

If the source is a waste combustor, it must comply with both state and federal standards unless it is exempt from state standards as determined in the remainder of Question 6. Answer YES to question 6a and complete the requisite forms. Answer NO to Question 6 if the source is not a waste combustor, which completes form CH-13.

4.3 Defining Permit Conditions and Requirements

Once all rules applicable to a change have been determined, the applicable requirements need to be specifically designated in the permit application. This is the portion of a permit application most likely to be initially incomplete and is the last to be completed before sending the permit application.

Some requirements are clear and straightforward. For example, most standards of performance (NSPS, NESHAPs and MN Standards of Performance) clearly spell out emission limitations (e.g. xx pounds/hour, tons/year, gr/dscf) or work practices (seals with inspections, leak detection, etc.). However, some requirements are less clear. When emission limitations are taken to avoid the applicability of federal or state rules, those emission limitations must also be included in the permit in order to make them enforceable (in some cases federally enforceable), so that it is clear that the rules do not apply. Emission limitations must be set at the appropriate averaging times, corresponding to the averaging time of the particular rule. For example, an applicable NSPS limit may be a 3-hour rolling average, while limits to avoid NSR/PSD or to remain or become a minor HAP source can be annual average standards.

Finally, assumptions made in determining emissions may also lead to emission limitations or other conditions in a permit. Particularly where emissions are close to applicability thresholds, emission

limitations or other permit conditions may be imposed to be sure that applicability thresholds are not inadvertently triggered by inaccurate underlying assumptions.


Emission limitations, work practices or other permit conditions are just the starting point for the permit conditions which must be considered. Each emission limitation, work practice or other permit condition must be accompanied by testing, monitoring, reporting and record keeping requirements which will demonstrate, on an on-going basis, to the MPCA and USEPA that the condition is being met. Some standards of performance (e.g. NSPS or NESHAPs) spell out exactly the testing, monitoring, reporting, and record keeping requirements which must be included. However, some of these standards provide multiple emission limitation options and, within each option, multiple testing and monitoring options. This is particularly true for more recently adopted standards of performance, such as the Part 63 NESHAPs. Attaching a highlighted copy of the rule showing which options a source has chosen can help the MPCA and USEPA understand the "path" taken to comply, and this will speed the permitting process.

Emission limitations taken to avoid the applicability of state or federal requirements and specific NSR/PSD limitations—including BACT, CUD, PCP, and PALS—generally have no specified testing, monitoring, reporting, or record keeping requirements, so you must develop them independently. It is important that permittees, who best understand the emission units and control equipment installed and their own capabilities, take the first shot at developing the conditions which best fit their source.

To better understand these associated compliance testing, monitoring, reporting, and record keeping requirements, review other permits in Minnesota at www.pca.state.mn.us/air/permits/issued/index.html.

Some sources choose not to include all (or any) permit conditions in the CD-01 forms. In some cases, the MPCA will determine that the permit application is incomplete, delaying the issuance of the permit. In other cases, the MPCA will develop the permit conditions, which may not be the compliance options a permittee would choose. This will probably lead to protracted permit negotiations, again delaying the issuance of the permit.

Emission limitations and their associated testing, monitoring, reporting, and recordkeeping are recorded in the CD-01 form. Form GI-09H, discussed in the next subsection, should also be completed to determine whether or not a source is subject to the compliance assurance monitoring (CAM) requirements.

	<p>MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194</p>	<p>PERMIT APPLICATION FORM CD-01 COMPLIANCE PLAN 11/18/03</p>
<p>1) AQ Facility ID No.: _____ 2) Facility Name: _____</p>		
<p>3) <input type="checkbox"/> Entire Facility <input type="checkbox"/> Individual Items <input type="checkbox"/> Grouped Items: Group ID Number _____ Briefly describe the function of this group: _____</p>		

A separate form CD-01 needs to be completed for each set of requirements that apply to each emission unit, group of emission units or entire source/facility. For example, if an NSPS applies to a boiler, the emission limitation/limitations which apply to that boiler (e.g. NO_x limit, SO₂ limit, CO limit, and/or PM₁₀ limit) and the associated testing, monitoring, reporting and record keeping requirements should be put on the same CD-01 form. If two boilers are subject to the same NSPS and choose to comply in the same way, then both boilers can be included on the same form. However, if a different compliance method is chosen for each of the boilers (one has a CEM, the other uses parametric monitoring with performance tests), each unit needs a separate CD-01 form so that it is clear which requirements apply to which unit.

4.3.1. Emission Limitations

From standards of performance

Each federal (e.g., NSPS, NESHAPs) and state standard of performance has a specific emission limitation for emission units subject to that standard. Each standard also has an associated averaging time. For example, some emission limitations are averaged over a 24-hour period, some over a 30-day period. Some, for opacity, may be averaged over as short as a six-minute period. Where not specified, a three-hour averaging time is assumed to reflect the three one-hour runs required by a performance test, if applicable. The emission limitation from standards of performance must be included in the emission units specified in the rule (e.g. lbs/hr, % opacity, gr/dscf), and testing and monitoring must be done to demonstrate compliance in those units.

From site-specific case-by-case limitations to avoid applicability

Where emission limitations are taken to avoid applicability of rules (e.g. a synthetic minor limit take to avoid applicability of NSR/PSD), those emission limitations must be included on Form CD-01 in order to make them enforceable and to make clear that the rules are not applicable.

Synthetic minor PSD source limits

If a source intends to remain or become a minor PSD source (emits less than the 100 or 250 tpy thresholds as set forth in 40 CFR 52.21(b)(1)(b)–(c), the emission limitation applies to the entire facility and is an annual average limitation (a 12-month rolling average or 365-day rolling average). Testing and monitoring requirements on all emission units, except insignificant units, which emit the pollutant being limited must be included, as discussed below.

For some sources with few emission units, this can be relatively simple. For example, Blue Ox Woodworks has only three sources for NO_x—the boiler, thermal oxidizer and emergency diesel generator. Testing and/or monitoring these three sources could be done quite straightforwardly.

Such an emission limit would apply to the entire facility on Form CD-01.

Synthetic minor PSD modification limits

Where a source intends that emissions from a particular project remain below the PSD significant emission rate (SER) threshold, an emission limit must be taken on all of the new and modified (or reconstructed) sources which make up the project for the pollutant(s) being limited. For example, if Blue Ox Woodworks (Chapter 11) wishes the new project to be a minor modification for NO_x, it must keep

emissions from the new boiler, new generator and new thermal oxidizer below 40 tons/year. These emission limitations are an annual average (12-month or 365-day rolling average or rolling sum) and must include sufficient testing and/or monitoring to demonstrate compliance. Such an emission limit would apply to a group of emission units (e.g. the boiler, thermal oxidizer, and emergency diesel generator).

Netting PSD limits

Where a source “nets out” of PSD applicability, emission limitations must apply to all emission units relied on to provide contemporaneous creditable emission reductions, as well as any emission limitations taken on new, modified or reconstructed units to limit emissions. Again, these emission limitations are an annual average limit and must include sufficient testing and/or monitoring to demonstrate compliance.

Such an emission limit would apply to a group of emission units.

NESHAPs minor HAP source limits

Some Part 61 NESHAPs have specific applicability for size of facility, amount of emissions, or amount of pollutant contained in waste, waste water or process equipment. To avoid applicability of Part 61 NESHAPs, a source must limit itself to be under the thresholds set in each potentially applicable Part 61 NESHAPs.

In contrast, Part 63 NESHAPs apply to both existing and new emission units at major HAP sources. The only way to avoid applicability of Part 63 NESHAPs is to limit HAP emissions from the entire source to less than major HAP source thresholds—25 tpy for all HAPs and 10 tpy for each individual HAP. Such limitations should be on an annual basis (12-month or 365-day rolling average or rolling sum). The permittee needs to be able to calculate and document all HAP emissions from all significant emission units at the source. Again, this will only be an option if the NESHAP does not regulate area sources.

From BACT and ambient impacts analyses

When you obtain a major PSD permit, limitations for BACT must be included in the permit application. BACT limits are short-term limits generally expressed as a performance standard (lb/mmBTU), whereas limits necessary to meet an ambient air quality standard will reflect the averaging period for that standard.

As with other limitations, there need to be requirements for testing, monitoring, reporting, and record keeping. Unlike the other federal standards of performance, there are no set regulations describing these requirements. To the extent that the testing, monitoring, and reporting techniques in the federal standards of performance can be used, they should be in order to speed the permitting process.

From calculations and assumptions

In certifying that the emission factors and production variables used to calculate emissions (described in Chapter 4) are complete and accurate, and fully represent how you intend to operate the source or change, you should expect that limitations on emissions and/or production will be included in a permit, so that the MPCA and USEPA are assured that emissions will be as represented. You have the opportunity to shape how those emission and/or production limitations will apply by including such limitations in Form CD-01.

The averaging time for the limitation will depend on the rule for which (or under which) they are calculated. For most standards of performance, the averaging time will be three hours unless a different time is specified in the particular standard. For NSR/PSD purposes, averaging times can be an annual average, as described above.

As with other limitations, there need to be requirements for testing, monitoring, reporting, and record keeping. Unlike the federal standards of performance, there is no set regulation describing these requirements. To the extent that the testing, monitoring and reporting techniques in the federal standards of performance can be used, they should be in order to speed the permitting process.

4.3.2. Compliance Demonstration

When an emission limitation is included in a form CD-01 and ultimately in a permit, there must be sufficient demonstration of compliance with that emission limitation. The most common are:

- Performance Tests
- Monitoring
- Work Practices
- Mass Balances

Performance Test

Method: When a performance test is required or chosen to demonstrate compliance with an emission limitation, work practice or other permit condition, the method for testing is not typically specified in the permit, unless then specific method is specified by the applicable standard of performance. If the test method is specified in the standard, you can propose an alternative method, but generally USEPA reserves the right to approve alternative testing methods; it is not delegated to Minnesota or to any other state.

Quality Assurance/Quality Control: Whenever a test method is specified by an applicable standard of performance, quality assurance/quality control requirements are imposed on the test through USEPA rules as well.

Monitoring

While some standards of performance, particularly Minnesota's, require only periodic testing and record keeping, most federal standards of performance, particularly those developed most recently, require ongoing monitoring of emissions, work practices or operations to ensure continuous compliance with the standards.

Similarly, when a BACT or LAER limit is imposed as part of a major NSR/PSD permit, continuous emissions monitoring will likely be required. Where limitations are taken to avoid the applicability of NSR/PSD, monitoring will also likely be required.

Each standard of performance will specify the particular monitoring which must be done to comply with the standard.

Method: Continuous emission monitoring methods for most pollutants are described in 40 CFR 60 Appendix B. These methods may also be used whenever a source chooses to specify continuous emission monitoring as the compliance method. The methods are organized by pollutant measured.

Where monitoring of production variables or pollution control equipment performance is specified for compliance monitoring, a source should first look to its own production monitoring system, to see if the information captured by that system will suffice or can be adapted for compliance monitoring purposes. For example, if a source chooses to limit the fired duty of a boiler, it may be able to use the natural-gas metering provided by the supplier and reported in the monthly gas bill. Or the source can request that a separate meter be installed for the emission unit(s) it chooses to monitor.

Quality Assurance/Quality Control (QA/QC): QA/QC requirements for emissions monitors are described in 40 CFR 60 Appendix F. These specifications may also be used whenever a source chooses or is required to monitor emissions under other applicable rules.

Where monitoring of production variables or pollution control equipment performance is specified, the source needs to determine how it can demonstrate that the information collected is accurate, precise and complete. Again, you should first look to the source's production monitoring system to see if the information captured by that system will suffice or can be adapted for compliance monitoring purposes. Typically, a source will have QA/QC methods in place which may also suffice. In the example above, you could use the calibration of the gas meter by the supplier or request that the natural gas supplier calibrate the meter more frequently.

Alternative methods: Most federal standards of performance allow for use of alternative methods for both emission and work practice monitoring. However, the USEPA has reserved the right to approve such alternatives, so a source must obtain USEPA approval as well as MPCA approval to use alternative methods.

Work Practice

A work practice is a prescribed method of control, usually combined with inspections or other methods to ensure that the controls remain in place and are functioning correctly. Particularly in the case of controls of VOCs, where it may be difficult to monitor or test emissions, work practices are specified in standards of performance to control emissions. One examples is seals and gaskets on tanks storing volatile organic liquids, with requirements to inspect the seals and gaskets on a regular basis. Another example is use of packing on valves, and seals on pumps and compressors combined with leak detection and repair requirements on a regular basis.

Sometimes, work practices are specified for control equipment, particularly control equipment for particulate matter. Standards of performance may specify measurement of pressure drop across baghouses (fabric filters) and regular inspections to be sure filters remain intact, in addition to or instead of more frequent performance tests. Similarly, scrubbers may have requirements for measurement of pressure drop, solvent flow rate and chemical property (e.g. pH), or electrostatic precipitators will be required to measure pressure drop and voltage or ampere flow to the unit, again to assure regulators that the control equipment is properly operating.

Description/method: Where a work practice is specified, it should be done so with sufficient detail that the person performing the work practice can use the description as a manual or checklist to be sure that each element is covered. Where inspections are used, the method of inspection (visual, olfactory, instrument) should be specified, along with frequency of inspection (daily, monthly, quarterly, annually).

Often more than one inspection method is used to demonstrate compliance. A fabric filter will require a specific pressure drop range and regular inspections; a scrubber may require specific flow rates and pH (perhaps with less regular inspections).

Some standards of performance will specify the work practice, often in great detail (e.g. leak detection and repair at chemical plants or petroleum refineries). Others merely specify the basic method and leave it to the source to develop the specifics. When no detail is presented in a standard of performance, or where there are no specified requirement for a work practice (e.g. limits taken to avoid applicability), it is perfectly satisfactory to reference more specific work practices in other standards of performance. It should be made clear on the CD-01 Form that the source is adopting the work practice or portions of it, and that the rule from which the work practice is taken is not applicable.

Sources will sometimes develop standard operating procedures or a work practice plan and simply refer to the SOP or plan as part of the permit condition, rather than spell out the detail in the permit.

Quality Assurance/Quality Control (QA/QC): Where instruments are used for part of the inspection, methods to assure the quality control of the instruments readings must also be included. For example, a flow meter on a scrubber needs to be calibrated periodically (perhaps annually, perhaps whenever the scrubber is taken down for maintenance) to be sure that it is accurately recording the flow to the scrubber. Or where a portable organic vapor analyzer (OVA) is used to "sniff" for leaks from processing equipment, the OVA needs to be calibrated before each use to ensure that it is reading accurately.

Some standards of performance specify the QA/QC requirements for that instrument. Others merely specify the basic method and leave it to the source to develop the specifics. When no detail is presented in a standard of performance, or when there is no specified requirement for a work practice (e.g. limits taken to avoid applicability), it is perfectly satisfactory to reference more specific work practices in other standards of performance. (It should be made clear on the CD-01 Form that the source is adopting the work practice or portions of it, and that the rule from which the work practice is taken is not applicable.)

A QA/QC plan needs to be included or referenced whenever an instrument is used as part of a work practice in Form CD-01.

Reporting: Separate periodic reporting of work practice methods and QA/QC is usually not required. Rather, reports are included with the general reporting discussed below. However, some standards require separate periodic reporting (e.g. leak detection and repair work practices often require separate semi-annual or quarterly reporting). Where no separate reporting is required by a standard of performance, or where a work practice is specified for some other limitation, reporting as part of the regular reporting described below is satisfactory. However, the Form CD-01 should specify that this is how reporting for each specific work practice will be carried out.

When the work practice is modified, a permit amendment is usually required. Some sources that have developed written work practice plans or SOPS and/or QA/QC plans have negotiated the ability to make minor changes to those plans with notification to the agency, without a permit modification. In general these are minor changes, however, and do not affect the basic work practice elements, frequency or accuracy.

Alternative methods: It is permissible to use a testing method other than those specified in the standard of performance. Some specify the requirements for approval of the alternative method, others refer to the general conditions (e.g. Subpart A of 40 CFR 60 and 63). In general, the USEPA reserves the right to approve alternative testing methods; it is not delegated to the states.

Mass Balance

Sometimes, compliance with VOC limits is based on a mass balance of materials leaving and entering the facility. This method is also often used to demonstrate compliance with HAP limits, particularly limits required to remain a minor HAP source.

Inputs: In its simplest form, a source may assume that all of the VOC (or a particular HAP or group of HAPs) that enters a facility leaves the facility as an air emission. Only two inputs are then needed: the quantity of materials containing VOCs (or HAPs) entering the source and the VOC (or HAP) content of each. Receipts and MSDSs can provide the information required.

For other sources, this simplified model may seriously overestimate VOC or HAP emissions. Some VOC or HAP may exit the facility in the process; some may leave in waste or waste water. If the quantity of VOC or HAP can be accurately and consistently measured in the other materials leaving the source, then these quantities can be subtracted from the inputs to provide a more accurate estimate of VOC or HAP emissions. Particular attention needs to be paid to the frequency with which such measurements need to be made. This will be determined by both the frequency with which raw materials and products change in the particular emission unit and by the averaging time of the emission limitation or other permit condition. The default frequency is daily records, unless you can demonstrate to the MPCA that daily records are infeasible. Where the same product is produced throughout the year and where there is a long-term limitation (e.g. annual average), it may be sufficient to calculate compliance with the limit on a monthly basis, but the default permit requirement will be to record the data needed to perform the calculation on a daily basis. However, where raw materials and products are shifted frequently, data must be gathered and calculations performed frequently enough to capture such changes. In any event, a daily gathering of data and a monthly calculation of emissions should be the minimum frequency.

Where there are controls on some or all emission units which emit VOCs (or HAPs) the capture and control efficiency must be accounted for, as discussed in Chapter 2.

Where mass balance is used to demonstrate compliance, it is important to have a written plan which details where input information will be obtained, how it will be obtained, and how emissions will be calculated. The plan should detail which analytical methods will be used to determine concentrations of HAPs in products, wastes and wastewater, and which methods will be used to determine capture and control efficiencies.

When there is a departure from the plan, this may need to be reported as a deviation in the semi-annual report, as discussed below. Note also that changing such a plan may require a permit amendment.

QA/QC on inputs: Where the input for a mass balance compliance plan is purchases and MSDS, normal accounting practices generally provide sufficient QA/QC. Similarly, where product MSDS can provide input data on the quantity of a pollutant(s) in products leaving a facility, the QA/QC associated with producing the MSDS will usually be sufficient. However, where analysis of raw materials, products, wastes or wastewater is used to complete or refine the mass balance, QA/QC is required on the methods and instruments used to obtain that information. To the extent that analytic methods prescribed by other regulatory programs can be used (e.g. RCRA methods for waste or NPDES methods for wastewater), the QA/QC requirements will frequently be included in those regulations.

Where control equipment is involved, the test and calculation methods must also have QA/QC associated with them, as discussed above for performance tests.

Note that departing from QA/QC plans or methods may require reporting as a deviation in the semi-annual report, as discussed below. Note also that changing such a plan may require a permit amendment.

Alternate method for obtaining inputs: Some sources will develop an alternative method for obtaining inputs should the primary method not provide the inputs or sufficient QA/QC. In its simplest form, where information is not available on pollutant concentrations in product, waste or wastewater, this can mean defaulting to the assumption that all of the incoming pollutant is emitted. Other sources will use an average of the most recent data or will specify a default value to be used.

Use of alternative methods for obtaining inputs needs to be detailed in the mass balance plan and approved in advance by the MPCA. Note that departing from alternative methods may require reporting as a deviation in the semi-annual report discussed below. Modification of the plan may require a permit amendment.

Calculations: The method of calculating emissions from mass balance inputs needs to be detailed in the mass balance plan, observing the principles discussed in Chapter 2.

Reporting: Generally speaking, sources which use a mass balance approach to demonstrating compliance with emission limitations or other permit conditions will use the general reports discussed below.

4.3.3. Other Plans

Startup/Shutdown/Malfunction (SSM) Plans

Some Part 63 NESHAPs require that a source subject to the NESHAPs prepare and follow a Startup/Shutdown/Malfunction (SSM) plan to minimize emissions during these periods of non-normal operation. The general requirements for all NSPS and NESHAPs (40 CFR parts 60 and 63), as well as Minn. R. 7011.0010, are that “good air pollution control practices” be followed and that emissions be minimized “to the extent practicable” during such non-normal periods of operations. Sometimes this may be interpreted as requiring an SSM plan, which must include practices and procedures to minimize emissions during periods of non-normal operations, including methods to measure or estimate emissions during such periods. When malfunction events occur, the plan should provide for a root-cause-failure analysis to determine why the malfunction occurred and to prevent such malfunctions in the future. Details on preparing SSM plans can be found in 40 CFR § 63.6 (e)(3).

Other plans may be required by specific standards of performance.

Operations and Maintenance Plan

Pursuant to state rules, the MPCA will require that an operation and maintenance (O&M) plan be developed and maintained as a permit condition for pollution control equipment and monitoring equipment. These O&M plans will specify that, at a minimum, the manufacturer’s recommendations for inspection, maintenance and repair are followed and that critical replacement parts are either kept in inventory or available on very short notice (overnight delivery).

Sometimes O&M plans for production equipment will be required, particularly where work practices are involved. For example, where valve packing and pump seals are the required work practice (together with leak detection and repair), the O&M plan will specify that, at a minimum, the manufacturer’s recommendations for replacement of such equipment be followed and that sufficient replacement parts be kept in inventory or available on very short notice (overnight delivery).

Some standards of performance specify the O&M requirements for that instrument. Others merely specify the basic method and leave it to the source to develop the specifics. Where no detail is presented in a standard of performance, or where there is no specified requirement for a work practice (e.g. limits taken to avoid applicability), it is perfectly satisfactory to reference more specific work practices in other standards of performance. (It should be made clear on the CD-01 Form that the source is adopting the work practice or portions of it, and that the rule from which the work practice is taken is not applicable.)

4.3.4. Compliance Assurance Monitoring, Form GI-09H

Form GI-09H is designed to determine whether or not a facility is subject to compliance assurance monitoring (CAM). Such monitoring is required for certain emission units that are major sources under Title V (Part 70) permitting. In general, CAM applies only to large emission units and applies at the emission unit level—there is no CAM requirement for an entire facility or source or for smaller emission units. Form GI-09H is designed to walk you through the applicability of CAM. Note that the form needs to address each and every emission unit, unless exempted (See Table A at the end of the form).



In general, CAM applies to emission units meeting the following criteria:

1. The emission unit is subject to an emission limit or standard (including limits and standards in Minnesota Rules contained in the State Implementation Plan) for an air pollutant regulated by Part 70;
2. Compliance with the applicable limit or standard is achieved through the use of add-on control equipment; and
3. The emission unit has pre-controlled potential emissions of the applicable regulated air pollutant that are equal to or greater than 100 percent of the Part 70 major source level for that pollutant (in tons per year).

For exemptions, see the table at the end of this form.

Use of continuous emissions monitoring system (CEMS), continuous opacity monitoring system (COMS), or predictive emission monitoring system (PEMS) does not qualify as an exemption to the CAM rule. However, §64.3(d) states that use of a CEMS, COMS, or PEMS meets the requirements of CAM.

CAM applicability is determined on a pollutant-by-pollutant basis for each “pollutant specific emissions unit,” defined at 40 CFR § 64.1 as “an emissions unit considered separately with respect to each regulated air pollutant.” For purposes of CAM submittal requirements, a “**large pollutant specific emissions unit**” is an emissions unit with potential controlled emissions equal to or greater than 100% of the major source threshold amount for a given regulated pollutant. (“Major source threshold amount” as it applies to Minnesota, means 100 tons per year of particulate matter smaller than ten microns in aerodynamic diameter (PM₁₀), sulfur dioxide (SO₂), nitrogen oxides (NO_x), volatile organic compounds (VOC), carbon monoxide (CO), or lead; 10 tons per year of any hazardous air pollutant (HAP); or 25 tons per year of any combination of HAPs. The levels may be different in current or future nonattainment areas. Refer to 40 CFR § 70.2 under the definition of “major source” for further detail.) “**Other pollutant specific emissions units**” are those units whose uncontrolled potential emissions may be equal to or greater than 100% of the major source threshold amount, but controlled emissions are less than that threshold.

- 1) Is the unit subject to an emission limitation or standard, specified in either a rule or permit? For existing emission units, check your current permit to see if there are any emission limits specified for the emission unit.

No, the emission unit is not subject to CAM. Repeat question 1 with next emission unit.

Yes, the emission unit is subject to an emission limitation or standard. Go on to question 2.

Only if an emission unit is subject to an emission limitation or standard does CAM apply, so emission units which employ work practices are not subject to CAM.

- 2) Is an add-on control device used to achieve compliance with that limitation or standard? (For example, a boiler may have a NO_x limit and an SO₂ limit. If the boiler uses lime injection for SO₂ control but relies on a low-NO_x burner to meet the NO_x limit, then the emission unit would be subject to CAM for SO₂ but not for NO_x.)

No, the emission unit is not subject to CAM. Return to question 1 and repeat with next emission unit.
Yes. Go on to question 3.

Only if add-on controls are used to meet the emission limitation or standard is the emission unit subject to CAM.

- 3) There are some exemptions allowed by the rule. Review the list of exemptions in Table A, then answer the following question.
- Yes, the emission unit is exempt from CAM. Return to question 1 and repeat with next emission unit.
- No, the emission unit is subject to CAM. List the emission unit in the table in question 4 and repeat questions 1 through 3 for the next emissions unit. When each emission unit has been considered, go on to complete the rest of question 4

Table A

CAM RULE EXEMPTIONS

The CAM rule does not apply to:

1. Units subject to emission limitations or standards proposed by USEPA after November 15, 1990, pursuant to section 111 or 112 of the Clean Air Act. In situations where some portions of a facility operate control devices in order to comply with emission standards issued prior to November 15, 1990, only those portions of the facility must comply with the requirements of the CAM rule.
2. Situations where continuous compliance monitoring is already specified in an operating permit. The CAM rule exempts the Permittee from additional monitoring requirements and directs the Permittee to use the continuous compliance monitoring data to fulfill the CAM rule monitoring and certification requirements.
3. Stratospheric ozone protection requirements
4. Acid Rain Program requirements
5. Emission limitations or standards that apply solely under an emissions trading program
6. Municipally-owned utility peak-shaving units where
 - ⇒ the unit is exempt from all Acid Rain Program monitoring requirements, and
 - ⇒ the unit operates for the sole purpose of providing electricity during periods of peak electrical demand or emergency situations, and
 - ⇒ the unit will be operated consistent with that purpose throughout the permit term, and emissions from the unit are less than 50 percent of the amount required for the source to be classified as a major source, based on an average of the last 3 years, and are expected to remain so.

If an emission unit is subject to requirements that are listed in Table A, CAM is not applicable to that emission unit for those pollutants. Note that some emission units emit multiple pollutants; some may be covered by the exemptions in Table A, others may not. For example, Acid Rain Program requirements apply to NO_x and SO₂ emissions. If a boiler is subject to a PM₁₀ limitation and employs a fabric filter or ESP for controls, the boiler may be subject to CAM for PM₁₀ but not for NO_x and SO₂.

As noted in question 3), the first three questions need to be asked for each emission unit at a source. And, as noted above, just because an emission unit is exempted under one of the regulations in Table A, does not mean that it is exempt for all pollutants under CAM.

4) List each emission unit which is subject to CAM and the type of control equipment and pollutant.				
EU #	Emission Unit	CE #	Description of Control Equipment	Pollutant(s) which are subject to CAM
Duplicate this table as needed.				

Note that some emission units which emit multiple pollutants are subject to emission limitations and that units which use multiple pieces of control equipment may need to use multiple lines for such emission units.

5) You must prepare a CAM submittal for each unit listed in item 4, and provide it with the permit or amendment application. The CAM submittal, also referred to as the monitoring approach submittal, should include:

- information on indicators (gauges, meters, or other devices used to monitor operating parameters of control equipment)
- indicator ranges, or the process by which indicators are to be established
- performance criteria
- justification for the proposed monitoring
- control device operating data recorded during a performance test, supplemented by engineering assessments or manufacturer’s recommendations to justify the proposed indicator range
- a test plan and schedule for obtaining data if performance test data are not available
- an implementation plan, if monitoring requires installation, testing or other activities prior to implementation


Some of this information will be incorporated into the operating permit. The permit will specify the approved monitoring approach and the indicator range(s), including the averaging periods.

Thus, if a facility is subject to CAM, a CAM submittal must be prepared. Information on the contents and requirements for a CAM submittal are noted above. Additional detail may be found at 40 CFR Part 64 and at <http://www.epa.gov/ttnemc01/cam.html>.

4.4 The Complete Permit Application

4.4.1. CH-14


A completed application will include all of the forms needed to understand the proposed changes and their regulatory implications. Use CH-14 Complete Application Checklist to ensure completeness.

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-14 COMPLETE APPLICATION CHECKLIST (FORMERLY MOD-17 COMPLETE APPLICATION CHECKLIST) 03/31/04
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All applications or notifications must include these forms

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> CH-CP-01 | <input type="checkbox"/> CH-CR-01 |
| <input type="checkbox"/> CH-GI-01 | <input type="checkbox"/> CH-01 |
| <input type="checkbox"/> CH-02 | <input type="checkbox"/> CH-14 |
| <input type="checkbox"/> CR-03 (when you are requesting confidentiality) | |

4.4.2. CH-CP-1 Cover Page

 Minnesota Pollution Control Agency	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-CP-01 COVER PAGE 05/06/04
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This is the first page of the permit application, which provides a broad overview of the type of permit amendment, and, for major amendments, which major federal programs are triggered.

1a) AQ Facility ID No.:	
1b) AQ File No.:	
2) Facility Name:	
3) Date:	

Questions 1 through 3 request basic information, such as facility identification and the date of the permit.

4) THIS APPLICATION IS FOR AN AMENDMENT TO A (Check Permit Type):
<input type="checkbox"/> Part 70 or PSD/NSR Permit
<input type="checkbox"/> State Permit
<input type="checkbox"/> No current permit to amend

Question 4 asks which type of permit is being amended. Note that if there are no current permits to amend, the facility must include additional information for a complete application for either a state permit, a Part 70 permit or a PSD/NSR permit.

5) THIS CHANGE OR NOTIFICATION IS FOR (Check as many boxes as apply):

- A Major Permit Amendment (Minn. R. 7007.1500)
 - includes a Major Modification under NSR (including BACT analysis)
 - includes establishment or modification of a PAL
 - includes a pollution control project not listed under 40 CFR § 52.21(b)(32)(i)
 - includes establishment of a clean unit designation without major NSR review
 - A Reconstruction or Modification of NSPS Affected Facility Not Subject to NSR (Minn. R. 7007.1500, subp. 3a.)
- A Moderate Permit Amendment (Minn. R. 7007.1450, subp. 3)
- A Minor Permit Amendment (Minn. R. 7007.1450, subp. 2)
- An Administrative Amendment (Minn. R. 7007.1400)
- An Installation or Modification of a Part 61 NESHAP and/or a Part 60 NSPS Affected Facility at a Stationary Source with Potential-to-Emit below all Permit Thresholds (Minn. R. 7007.0500, subp. 2.C.(1))
- A Notification of Accumulated Insignificant Activities (Minn. R. 7007.1250)
- A Notification of Installation of Pollution Control Equipment (Minn. R. 7007.1150(C))
- A Notification of Replacement of a Unit (Minn. R. 7007.1150(C))
- A Notification of Changes That Contravene a Permit Term (Minn. R. 7007.1350)

Box 5 is for a major permit amendment. Assuming that the permit application is for such an amendment, the first box is checked. If only a major modification under NSR is being proposed, only that box is checked. If other types of major amendments are being proposed, as many boxes as apply may be checked.

Form CH-CP-01 contains additional boxes in Box 5 for other amendments. These are discussed in other chapters.

6) CONFIDENTIALITY:

- This application contains material which is claimed to be confidential under Minn. Stat. §§ 13.37 subd. 1(b) and 116.075. Complete and attach Form CH-CR-03. Your submittal must include both Confidential and Public versions of your application.
- Confidential Copy of Application attached
- Public Copy of Application attached

Under Minnesota statutes, only specific types of information can be kept confidential. These include, from Minn. Stat. §13.37, security information, trade secret information, labor relations information, parking space leasing data or internal competitive proposal. Only the first two of these are likely to pertain to an air quality permit application. Under Minn. Stat. § 116.075, information relating to sales figures, processes or methods of operations unique to the owner or operator, or information which would tend to affect adversely the competitive position of said owner or operator may be kept confidential.


In almost every case, the emissions of criteria pollutants and HAPs to the air is public data, and cannot be protected. In most cases, the way in which those emissions are calculated is similarly public data and cannot be declared confidential. The concern is how to keep information about processes, methods of production and the chemical make-up of raw materials and products confidential, since these are used in the emission calculations. The concern is that a competitor, or someone not entitled to see the confidential information will be able to “back-engineer” the results from the emission calculations.

In most cases, information about processes or methods of production can be made sufficiently generic in the public portion of the permit application. Information about raw materials or products, particularly the chemical makeup of such materials, is more difficult to maintain confidentiality around. In these cases, it may be possible to use the maximum extent of emissions allowed under applicable rules, and to do so on a facility-wide basis.

For example, suppose a company uses a unique process to apply coating material. The process emits VOCs, HAPs and PM. The remainder of the emission units emit only VOCs/HAPs. The uncontrolled PM emissions are below all thresholds of concern. The company chooses not to take credit for PM control equipment or PM use during the application process in order to keep the process confidential. The only applicable requirement for PM is the Industrial Process Equipment Rule. All VOC, HAP and PM emissions can be calculated from material usage records. Therefore, only the method of calculating actual emissions by mass balance and actual facility-wide material usage rates are public information. Unit-specific throughput and specific information on true actual PM emissions (versus “PM usage”) can be kept confidential.

If portions of the application contain confidential business information or materials that are otherwise confidential, Form CH-CR-03 must be completed, and both a confidential version and a public version of the permit application must be submitted. The confidential copy must be filled out completely, so that MPCA staff can review the application and thoroughly understand the changes proposed and their regulatory implications. The public version will have the confidential information redacted so that it is protected. Every page of the confidential version that contains confidential information must be so identified to prevent inadvertent release to the public. Confidentiality and Form CH-CR-03 are discussed in detail below. Additional guidance is provided in Appendix C.

4.4.3. Form CR-03 Confidentiality Certification

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT APPLICATION FORM CR-03 CONFIDENTIALITY CERTIFICATION 5/1/98
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From Form CR-03

“Information in a permit application may be considered confidential (or non-public) if any state law makes it so. The two legal provisions most likely to apply to permit applications protect the following kinds of data:

Data furnished to the agency that relates to (a) sales figures, (b) processes or methods of production unique to the owner or operator, OR (c) information which would tend to affect adversely the competitive position of said owner or operator. (Minn. Stat. section 16.075, subd. 2)

Data including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the affected individual or organization, (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy, AND (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use. (Minn. Stat. § 13.37, subd. 1(b))

However, even if the information falls under one of the above categories, if it is considered emissions data (defined in 40 CFR § 2.301), then the information is considered public. Both the Clean Air Act and Environmental Protection Agency (USEPA) regulations require that “emission data” submitted to the MPCA under Title V or Minnesota’s State Implementation Plan must be available to the public. In addition, USEPA has issued guidance on what type of information it generally considers to be emission data (Federal Register Vol. 56, No. 35; February 21, 1991).

Please note that only specific data within an application can be considered confidential and not the entire application or permit. The procedures below describe how confidential information must be submitted to the MPCA. If you do not follow these procedures, the MPCA will not provide any special protections for your application, and it is possible that your information could be released to the public.”

Note that for certain facilities, Homeland Security laws and regulations may restrict the information which can be released to the public and which must be held confidential.

Presuming that the information which a facility seeks to retain is confidential, a responsible official (as defined in Minn. R. 7007.0100, subp. 21) must sign the following certification:

CERTIFICATION

To certify data for the confidential use of the MPCA, a responsible official must read the following, certify to its truth by filling in the signature block below, and provide the stated attachments.

I certify that the enclosed permit application(s) and all attachments have been reviewed by me and do contain confidential material. I understand that only specific data can be considered confidential and not the entire application or permit. I certify that I have enclosed the following to comply with the proper procedure for confidential material:


- a. I have enclosed a statement identifying which data contained in my application I consider confidential, and I have explained why I believe the information qualifies for confidential (or non-public) treatment under Minnesota Statutes.
- b. I have explained why the data for which I am seeking confidential treatment should not be considered “emissions data” which the MPCA is required to make available to the public under federal law.
- c. I have enclosed an application containing all pertinent information to allow for completion and issuance of my permit. This document has been clearly marked “confidential”.

d. I have enclosed a second copy of my application with the confidential data blacked out (not omitted or deleted entirely). It is evident from this copy that information was there, but that it is not for public review. This document has been clearly marked “public copy”.

Note that two copies of the application must be submitted – the confidential copy and the “public copy”. Every page, as well as the cover of the application, should be clearly marked so that there is no confusion and so that confidential material is not inadvertently released.

Additional guidance is provided in **Appendix C**.

4.4.4. CH-CR-01 Certification

	MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194	PERMIT CHANGE FORM CH-CR-01 CERTIFICATION 03/31/04
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1a) AQ Facility ID No.:	_____
1b) AQ File No.:	_____
2) Facility Name.:	_____

You must sign this certification if you are applying for an amendment to your air quality permit, or if you are providing the agency with a notification required in Minn. R. 7007.0100 to 7007.1850.

I certify that:

- a) Emissions resulting from all modifications are as stated in this application.
- b) The modification(s) listed are not part of a larger project which would be subject to additional requirements.
- c) I understand that if I modify my facility before I am issued an air emission permit, I do so at my own risk.
- d) I understand that the modification(s) that I make to my facility before I am issued an air emission permit must be in compliance with any state and federal regulations and proposed permit conditions.
- e) I understand that protection offered by the “permit shield” of Minn. R. 7007.1400 does not apply to minor or moderate permit amendments.
- f) If I am applying for change of ownership/operational control, I am willing to comply with the terms of the existing permit.

Person certifying this permit application:

Mr./Ms.: _____

Title: _____

Signature: _____

Phone: () _____ Fax: () _____
Date: _____

This form is self-explanatory. Note, however, that this certification must be signed by a "responsible official," who is the person who performs policy- or decision-making functions for the company. A delegate may be allowed in some cases. Refer to Minn. R. 7007.0100, subp. 21 for the definition as it appears in the rule.

There are severe penalties for certifying false or incomplete information, including civil and criminal penalties. Refer to Minn. R. 7007.0500, subp. 3, and Minn. R. 7001.0070. If federal requirements are included in the permit application, federal penalties may also apply.

4.4.5. CH-GI-01 Facility Information



MINNESOTA POLLUTION CONTROL
AGENCY
AIR QUALITY
520 LAFAYETTE ROAD
ST. PAUL, MN 55155-4194

PERMIT CHANGE FORM **CH-GI-01**
FACILITY INFORMATION
03/31/04

Form CH-GI-01 provides basic facility information, including names of preparers and responsible officials, contact information and the like. However, a few questions merit special attention.

- 14)** Is environmental review required (either an Environmental Assessment Worksheet (EAW) or an Environmental Impact Statement (EIS)) for this facility?
- No Yes -- you may also be required to perform a state air toxics review for your facility. Please call (800) 646-6247 or locally (651) 297-2274.

The triggers for environmental review are many and varied and are discussed in Chapter 9. Note also that if emissions increases from the project are greater than 100 tons per year (tpy), an Air Emission Risk Assessment (AERA) may be required. Calculations to determine emissions increases for environmental review differ from those required for a permit application. Those calculations are also discussed in Chapter 9. AERA is discussed in Chapter 10.

- 15)** Are you required to submit a Toxics Release Inventory (Form R) under SARA Title 313 for this facility? Call the Minnesota Department of Public Safety, Emergency Response Commission for more information at (651)297-7372.

Yes – Answer Questions 15a No – Go on to Question 16

- 15a)** Are you required to submit a Pollution Prevention Plan Progress Report in accordance with Minn. Stat. § 115D.08?

No Yes, and the most recently required progress report has been submitted

If the facility is required to submit a Toxic Release Inventory (TRI), and required to submit a Pollution Prevention Plan Progress Report, that report may need to be modified because of the changes proposed

in the permit application. Also, the MPCA is required to report in a public notice whether or not the source is required to submit a Pollution Prevention Plan Progress Report, and whether that report has actually been submitted. Since it is not submitted to the MPCA, the information is asked for in this form so that MPCA staff do not need to track down the information through the Department of Public Safety.


16) Is this facility within 50 miles of another state or the Canadian border?:
 Yes (specify which ones) No

Public notice of all Title I major permit amendments must be sent to neighboring states or Canadian province if the facility is within 50 miles of the state border. This question alerts the MPCA to include the notification as part of the regular public notice.

17) Are you proposing any alternative operating or emissions trading scenarios in this application?
 (see Minn. R. 7007.0800, subp. 10 and 11)
 No Yes - attach a description of your proposal, including a statement on how the proposal will meet all applicable requirements (specifically, please address any applicable New Source Review requirements). See Form MOD-04.

The USEPA may need to approve some alternative operating scenarios and some emissions trading scenarios. This question alerts the MPCA that such approval may be needed and to confer with the USEPA.

4.4.6. Form CH-11 Crossing Permit Thresholds

 MINNESOTA POLLUTION CONTROL AGENCY AIR QUALITY 520 LAFAYETTE ROAD ST. PAUL, MN 55155-4194		PERMIT CHANGE FORM CH-11 CROSSING PERMIT THRESHOLDS (FORMERLY MOD-12 CROSSING PERMIT THRESHOLDS) Draft 1/8/04
Total Facility PTE before change	Total Facility PTE after change	Action required
<input type="checkbox"/> Below all permit thresholds	Remains below all permit thresholds and the change does not cause the source or any part to become subject to an NSPS (40 CFR pt. 60) or a Part 61 NESHAPs (40 CFR pt. 61).	No permit action required
<input type="checkbox"/> Below all permit thresholds	Remains below all permit thresholds but the change causes the source or any part to become subject to an NSPS (40 CFR pt. 60) or a Part 61 NESHAPs (40 CFR pt. 61).	Apply for and receive a permit only for those sources subject to that regulation. Check applicability of registration permit and general permit.
<input type="checkbox"/> Below all permit thresholds	Exceeds a threshold for a State permit but not for a	

<input type="checkbox"/> Below all permit thresholds or above a state permit threshold but below all Part 70 thresholds	Part 70 permit. Exceeds a threshold for a Part 70 permit	Apply for and receive a permit to construct before beginning actual construction. (See instructions for details.)
<input type="checkbox"/> Above a State permit threshold but below all Part 70 thresholds	Remains above a State permit threshold but below all Part 70 thresholds	
<input type="checkbox"/> Above Part 70 Threshold	Remains above Part 70 Threshold	You may amend your existing permit. If your operating permit has not been issued, but the application was submitted on time, you may apply for a permit to construct and operate the modification only. If you have not applied for an operating permit, you must apply for and receive either a State or Part 70 permit prior to beginning actual construction.

A major permit amendment for a major stationary source will always be above Part 70 thresholds, so the final box only should be checked. If the facility already has a Part 70 permit, the permit may be amended, or a permit to construct and operate the modification only may be issued and the Part 70 permit amended at a later date. If the facility has applied for, but not yet received, a Part 70 permit, a permit to construct and operate the modification only may be issued.

Turn to Form CH-14 Complete Application Checklist.

<u>All Applications for Major, Moderate, or Minor Amendments</u>	
<input type="checkbox"/> CH-03	<input type="checkbox"/> CH-11
<input type="checkbox"/> CH-04	<input type="checkbox"/> CH-13
<input type="checkbox"/> CH-04a (existing major sources under NSR)	
<input type="checkbox"/> CH-04b (existing non-major sources under NSR)	
<input type="checkbox"/> CH-05	<input type="checkbox"/> CD-01
<input type="checkbox"/> CH-06	<input type="checkbox"/> GI-07
<input type="checkbox"/> CH-07	

Form GI-07, or an alternative spreadsheet containing the same information, has been completed as part of the project description, also described above.

Form CH-11 has been completed in order to complete form CH-02, also discussed above.

4.4.7. Compliance Demonstration

- CD-01
- GI-09H, and a CAM Submittal (including a CAM Plan), if so indicated by form GI-09H

Form CH-14 also requires that a compliance plan be developed and submitted as part of the permit application. At a minimum, Form CD-01 needs to be completed and, if applicable, Form GI-09H and a CAM Submittal. These are discussed in Section 4.3.

Turn to Form CH-14.

CH-14

Additional Requirements for Major Amendments

- CUD-01 & CUD-03, if you have a pre-3/3/03 PSD permit and any required clean unit designations have not already been incorporated into your Title V permit
- Limits required because of performance testing or modeling results, if not already incorporated into your permit (photocopies of MPCA correspondence fulfills this requirement)
- GI-09H, and a CAM Submittal (including a CAM Plan), if so indicated by form GI-09H

Additional Requirements for Moderate or Minor Amendments

- CH-10

Completion of forms for Clean Unit Designation are discussed in Chapter 3.